

## FISHERIES MANAGEMENT DIVISION EVALUATION, 02/28/2023

**PUBLIC HEARING:** Proposal to amend Chapter 4 VAC 20-510-10 et seq., "Pertaining to Amberjack and Cobia", to terminate the Recreational Cobia Mandatory Reporting Program (RCMRP) and associated species permit.

**ISSUES:** The Recreational Cobia Mandatory Reporting Program (RCMRP) and associated species permit was created in 2016 to collect additional data to help inform species management for the rapidly expanding fishery. After six years, the program was evaluated by VMRC staff and a modeling lead on the cobia stock assessment. This evaluation determined that inaccuracies and biases in the data collected prevent them from being used to make solid inferences about the fishery and the stock itself. Because of these issues, the current program and therefore the data collected have little to offer for support of good science or management of the species. As such, staff proposes that the mandatory recreational cobia permit program be ceased in 2023 to remove burden on the recreational fishing community and VMRC staff. Future outreach will focus on creating a voluntary cobia age and length data collection program for anglers which focuses on data gaps in the stock assessment.

**BACKGROUND:** In 2015, a group of recreational cobia anglers communicated interest in recreational self-reporting of cobia to further aid in the monitoring of recreational cobia harvest in Virginia. These anglers expressed frustration at their perceived differences in harvest occurring in Virginia and the available Marine Recreational Information Program (MRIP) data. As a result, VMRC added cobia to the recreational mandatory reporting program in 2016. The cobia regulation required a free permit for all captains or operators of vessels, as well as those who fished without a vessel (i.e. from a shore, pier, etc.). All permittees would be responsible for reporting their cobia activity during the recreational season. Recreational reporting for cobia harvest and releases was mandatory, but revocation of permits was not enforced during the beginning stages of development. Due to low reporting rates, in 2019, reporting became mandatory with revocation to increase reporting rate. That is, permittees who did not report their participation in the recreational cobia fishery within 21 days after the close of the season were ineligible for the following year's recreational cobia permit. The program has remained unchanged since that update in 2019.

Although originally created as a possible supplement to MRIP, it became clear through the time series that the RCMRP data would not be beneficial to MRIP but could be beneficial to the cobia stock

assessment. On June 15, 2022, VMRC staff met with Dr. Erik Williams, a lead on the stock assessment subcommittee for cobia, to discuss the RCMRP and data needs. Dr. Williams explained that the biggest need for the cobia stock assessment is a coastwide abundance index, best calculated from a fishery-independent survey. Barring that, the next best option is catch-per-unit effort (CPUE) data, but that data must be free from any bias. Self-reported angler surveys such as the RCMRP suffer from reporting biases; these biases are compounded when there are negative views of the program and its data. After reviewing the RCMRP with staff, Dr. Williams concluded that the resulting data were not collected by a statistically rigorous sampling design, which exacerbates already present reporting biases. Therefore, the CPUE calculated from the RCMRP data would not be useable as an index of abundance. The optional length data collected through the RCMRP are beneficial but have limited utility in the cobia stock assessment model as age data are collected and verified through the carcass collection programs in various states. Dr. Williams emphasized that the most beneficial data for the cobia stock assessment from the RCMRP are discard lengths. Discard lengths could allow the stock assessment model to break out fishing mortality into separate landed and discarded values. In addition, they could provide an estimate of selectivity for the discarded fish.

After speaking with Dr. Williams, VMRC staff held internal meetings to plan a new approach to the RCMRP. Since discard lengths are important, it was determined that a future initiative could rebrand the Virginia Saltwater Journal website to prioritize this data. This website was an option for cobia anglers to meet their mandatory reporting requirements for their cobia permits through the RCMRP. The new initiative would not have a permit with mandatory reporting requirements – rather, the entire initiative would be voluntary and focused on recreational discards. This, in turn, will reduce regulatory burden on recreational anglers and allow staff to provide more directed outreach focused on collecting critical biological data. On October 18, 2022, staff introduced the new initiative to the Finfish Management Advisory Committee (FMAC). FMAC and VMRC staff agreed that the RCMRP will be ceased in 2023 and instead outreach will focus on creating a voluntary cobia age and length data collection initiative for anglers which focuses on data gaps in the stock assessment.

**STAFF**

**RECOMMENDATION:**

Staff recommends the Commission approve amendments to Chapter 4 VAC 20-510-10 et seq., “Pertaining to Amberjack and Cobia,” to

terminate the Recreational Cobia Mandatory Reporting Program (RCMRP) and associated species permit.