

1 GULF OF MEXICO FISHERY MANAGEMENT COUNCIL

2  
3 MACKEREL MANAGEMENT COMMITTEE

4  
5 Webinar

6  
7 January 24, 2022

8  
9 **VOTING MEMBERS**

- 10 Kevin Anson (designee for Scott Bannon).....Alabama
- 11 Dakus Geeslin (designee for Robin Riechers).....Texas
- 12 Susan Boggs.....Alabama
- 13 Leann Bosarge.....Mississippi
- 14 Billy Broussard.....Louisiana
- 15 Jonathan Dugas.....Louisiana
- 16 Tom Frazer.....Florida
- 17 Jessica McCawley.....Florida
- 18 Andy Strelcheck.....NMFS
- 19 Troy Williamson.....Texas

20  
21 **NON-VOTING MEMBERS**

- 22 Dale Diaz.....Mississippi
- 23 Dave Donaldson.....GMFMC
- 24 Phil Dyskow.....Florida
- 25 Bob Gill.....Florida
- 26 LTJG Adam Peterson.....USCG
- 27 Chris Schieble (designee for Patrick Banks).....Louisiana
- 28 Joe Spraggins.....Mississippi
- 29 Greg Stunz.....Texas

30  
31 **STAFF**

- 32 Assane Diagne.....Economist
- 33 Matt Freeman.....Economist
- 34 John Froeschke.....Deputy Director
- 35 Beth Hager.....Administrative Officer
- 36 Lisa Hollensead.....Fishery Biologist
- 37 Ava Lasseter.....Anthropologist
- 38 Mary Levy.....NOAA General Counsel
- 39 Jessica Matos.....Document Editor & Administrative Assistant
- 40 Emily Muehlstein.....Public Information Officer
- 41 Ryan Rindone.....Lead Fishery Biologist/SEDAR Liaison
- 42 Bernadine Roy.....Office Manager
- 43 Carrie Simmons.....Executive Director
- 44 Carly Somerset.....Fisheries Outreach Specialist

45  
46 **OTHER PARTICIPANTS**

- 47 Peter Hood.....NMFS
- 48 Kerry Marhefka.....SAFMC
- 49 Kelli O'Donnell.....NMFS

1 Clay Porch.....SEFSC  
2 Christina Wiegand.....SAFMC  
3  
4 - - -  
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PAGE 20: Motion to move Option 2c and 2d of Alternative 2 in Action 2 to Considered but Rejected. The motion carried on page 21.

PAGE 29: Motion to move Actions 5 and 6 to Considered but Rejected. The motion carried on page 30.

PAGE 32: Motion in Action 7 to select SAFMC Preferred Alternative 2 and Sub-Alternatives 2a and 2b as the Gulf preferred. The motion carried on page 33.

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1 The Mackerel Management Committee of the Gulf of Mexico Fishery  
2 Management Council convened on Monday afternoon, January 24,  
3 2022, and was called to order by Acting Chairman Kevin Anson.

4  
5 **ADOPTION OF AGENDA**  
6 **APPROVAL OF MINUTES**  
7 **ACTION GUIDE AND NEXT STEPS**  
8

9 **CHAIRMAN KEVIN ANSON:** We will call the Mackerel Management  
10 Committee to order. The first item of business, under Tab C,  
11 Number 1, is the Adoption of the Agenda. Are there any changes  
12 or additions that need to be made to the agenda? I don't see  
13 any hands, and so, seeing that no one has any changes to the  
14 agenda, the agenda is adopted.

15  
16 Number II on the agenda is Approval of the October 2021 Minutes,  
17 Tab C, Number 2. Is there anyone that has any changes that need  
18 to be made to the minutes? Seeing no hands, the minutes will be  
19 accepted as they are in the briefing book. Item Number III is  
20 the Action Guide and Next Steps. Mr. Rindone, can you take us  
21 through that, please?

22  
23 **MR. RYAN RINDONE:** Of course, Mr. Chair. Item Number IV is  
24 we're going to go through the CMP landings, and this is just  
25 informational only, and Mr. Hood is going to do that for you  
26 guys, and then Item Number V is Draft Amendment 33, which talks  
27 about Gulf kingfish catch limits and sector allocations, and  
28 you've got some updated analysis in there for Alternative 2 of  
29 Action 2, per the council's request at the October meeting.

30  
31 All of these amendments, by the way, these are joint plan  
32 amendments with the South Atlantic Council, and so, ultimately,  
33 they need to agree, or we and they all need to agree, on all of  
34 our preferred alternatives before any of these can be final.

35  
36 Then Item Number VI is Draft Amendment 34, which is Atlantic  
37 kingfish catch limits and Atlantic king and Spanish mackerel  
38 management measures, and Ms. Christina Wiegand from the South  
39 Atlantic Council will take care of that for us.

40  
41 They had gone through public hearings with that, and so she'll  
42 talk about that a little bit with you guys, and that one is  
43 projected to go final at our -- At least have the option of  
44 going final at our April 2022 meeting, and then Other Business,  
45 Mr. Chair.

46  
47 **CHAIRMAN ANSON:** Thank you, Ryan. Any questions about the  
48 action guide? Seeing none, we will move to Item Number IV, and

1 that's Review of Coastal Migratory Pelagics Landings, Tab C,  
2 Number 4, and Mr. Hood.

3  
4 **MR. RINDONE:** It looks like it will be Ms. O'Donnell, Mr. Chair.

5  
6 **CHAIRMAN ANSON:** All right, and so Ms. O'Donnell.

7  
8 **MS. KELLI O'DONNELL:** It's Mr. Hood that's going to do it, Ryan,  
9 but he needs to have the figures presentation and not the  
10 tables.

11  
12 **MR. RINDONE:** We're pulling that presentation up now.

13  
14 **CHAIRMAN ANSON:** That's the presentation that was just emailed  
15 to council members?

16  
17 **MR. RINDONE:** Yes, and we got it later last week, and we've got  
18 it up on there now for you.

19  
20 **REVIEW OF COASTAL MIGRATORY PELAGICS LANDINGS**

21  
22 **MR. PETER HOOD:** Kelli is feeling a little under the weather,  
23 and is unsure if her voice would last through this presentation,  
24 and so she coerced me into giving it for her. However, if there  
25 are any questions that come up, she will be able to chime in,  
26 and hopefully I will also have a few answers to those questions.

27  
28 The landings you're going to see are all 2021 landings, and they  
29 are preliminary. You will see commercial landings that are  
30 available through December 27, 2021, and I won't be showing any  
31 recreational landings. We have figured that it's easier to do  
32 that presentation by one in June and then one in October,  
33 because it allows the waves to kind of catch up and accumulate,  
34 and, actually, we'll be able to provide some real information.  
35 If you do want to see recreational landings, you can go to our  
36 ACL monitoring page, and we have landings through Wave 5 there.

37  
38 For commercial king mackerel, monthly landings are from all four  
39 zones combined, and just recall that this fishery, or this  
40 fishing year, starts on July 1, with the exception of the  
41 northern zone, which starts on October 31.

42  
43 This is for cobia, the cobia Gulf zone commercial landings, and  
44 you can see -- In blue, you will see the 2021 fishing year, and  
45 then the 2019 is in gray, and the 2020 is in orange, and then  
46 the 2017-2019 fishing year, we have that as an average. The  
47 reason why we're not going through 2020 with it is because it's  
48 hard to figure out what happened, in terms of COVID and whatnot

1 that year, and in this year too, and so we're just using that  
2 older time series, just as kind of a basis, so you can see where  
3 things are.

4  
5 You can see that, both in 2020 and then in 2021, we've been  
6 below that average. We're not really sure what is going on  
7 there, but it is a trend, and you will see that for also king  
8 mackerel and Spanish mackerel.

9  
10 This is the cobia for the East Coast Zone. Again, it's the same  
11 trend. The 2021 fishing year, which is in blue, and the 2020  
12 fishing year, is below that 2017 to 2019 average, as well as the  
13 2019 fishing year.

14  
15 Here we have king mackerel commercial landings, and you can see  
16 that, for the 2021-2022 fishing year that started last July,  
17 we're below that we saw in the 2020-2021 fishing year, and we're  
18 well below the average of basically the 2017-2018 to 2019-2020  
19 fishing year. I would also just add, while we're on king  
20 mackerel commercial landings, the gillnet fishery in the Keys --  
21 They start I believe it's the Tuesday after the Martin Luther  
22 King Day holiday, and that happened -- MLK weekend was this past  
23 -- Or I guess it was two weekends ago, and so we really don't  
24 have much, in terms of landings, there. However, we are closely  
25 monitoring them, as that's generally a short season.

26  
27 Here we have Spanish mackerel landings, and, as you can see  
28 here, for the 2020-2021 fishing year and the current 2021-2022  
29 fishing year, landings are well below the three-year average  
30 that spanned 2017 to 2020, as well as the 2019-2020 fishing  
31 year, and I believe that's the last slide. I would be happy to  
32 answer any questions, and Kelli can try to answer too, if I  
33 can't provide an answer.

34  
35 **CHAIRMAN ANSON:** Thank you, Peter. Are there any questions for  
36 Peter? I don't see any hands. Thanks again. That would take  
37 us to Item Number V, Draft Amendment 33, Modifications to the  
38 Gulf of Mexico Migratory Group King Mackerel Catch Limits and  
39 Sector Allocations. Mr. Rindone.

40  
41 **DRAFT AMENDMENT 33: MODIFICATIONS TO THE GULF OF MEXICO**  
42 **MIGRATORY GROUP KING MACKEREL CATCH LIMITS AND SECTOR**  
43 **ALLOCATIONS**  
44

45 **MR. RINDONE:** Yes, sir. I've got a little presentation for  
46 that, too. This presentation is similar to the one I gave you  
47 guys last time, with some tweaks in the middle and towards the  
48 end, and so just a reminder of why we're here.

1  
2 We're updating Gulf kingfish, in response to the update  
3 assessment, which found the stock was healthy, and we're looking  
4 at catch limits and sector allocations for the catch limits for  
5 migrating from the Coastal Household Telephone Survey data  
6 currency to the Fishing Effort Survey, and just a reminder to  
7 you guys that the catch limits, and their projections, are not  
8 affected by changes in sector allocation, and those two are  
9 completely separate here for our CMP species, and so any changes  
10 that you guys propose for sector allocations do not necessitate  
11 the SSC having to revisit projections.

12  
13 The purpose is to revise catch limits for kingfish and to review  
14 the sector allocations in response to the SEDAR 38 update stock  
15 assessment. The need is to ensure that these catch limits are  
16 based on the best scientific information available, prevent  
17 overfishing, while achieving OY, and to increase social and  
18 economic benefits for Gulf kingfish, through sustainable  
19 harvest, in accordance with Magnuson.

20  
21 Action 1 looks at modifying the catch limits, and Alternative 1,  
22 shown here, shows you our status quo, both as it is in CHTS and  
23 then its MRIP-FES equivalent. Then Alternative 2 reflects the  
24 Gulf SSC's recommended catch limits for the 2021-2022 through  
25 2023-2024 and subsequent fishing years, and the ACL is set equal  
26 to the ABC, which is typical of our council when the stock is  
27 not overfishing or undergoing overfishing, and we are not  
28 currently using an annual catch target, and so we're not  
29 proposing to use one here. Catch limits are shown here, in  
30 millions of pounds whole weight, and, as far as this relates to  
31 the regulations, it will be labeled as landed weight.

32  
33 This is a look at our catch history from CHTS versus FES, and  
34 so, basically, what I am calling your attention to here is the  
35 same thing as last time, and it's looking at the third-from-the-  
36 right and the second-from-the-right column, which is total  
37 landings in CHTS versus FES, and it's showing you the percent  
38 increase in the estimated total landings from that migration to  
39 FES in that right-most column.

40  
41 The asterisks from the 2012-2013 through 2015-2016 fishing years  
42 are to denote that the Florida East Coast Zone was excluded from  
43 these totals to make this comparison happen.

44  
45 If we're looking at the percent of the total ACL that is landed,  
46 and that's that right-most column there, you can see what that  
47 total shakes out to for those years, and, also, in the second  
48 and third-from-the-right columns, what the commercial and

1 recreational percent of the sector ACL landed has been.  
2 Typically speaking, the commercial sector has landed its ACL,  
3 and the recreational sector has been under by some considerable  
4 margin.

5  
6 Action 2 looks at modifying those sector allocations and the  
7 commercial zone quotas. The commercial zone quotas, we aren't  
8 specifically modifying the percentages of those in this  
9 document, but, if the commercial sector's overall allocation  
10 changes, then it will change those values, in pounds, for the  
11 commercial zones, and so that's why that is listed there.

12  
13 Alternative 1, no action, is maintain the sector allocation of  
14 the total ACL for Gulf kingfish between the sectors, which is  
15 currently 32 percent commercial and 68 percent recreational, and  
16 this is derived using the average landings from 1975 to 1979  
17 from Amendment 1 to the CMP FMP. Because we used this time  
18 series back in the day, this actually -- This time series pre-  
19 dates the degree to which the MRIP-FES data have been calibrated  
20 back in time, which means that you guys are free to do whatever,  
21 as far as the allocations are concerned, which brings us to  
22 Alternative 2.

23  
24 Alternative 2 would modify the sector allocations for Gulf  
25 kingfish by reallocating to the commercial sector a percentage  
26 of the average difference between the total landings from the  
27 2016-2017 through 2019-2020 fishing years, using MRIP-FES data,  
28 and the total simulated ACL for Model 2 in Appendix B of the  
29 document for the predicted total landings by sector and the  
30 total projected ACL.

31  
32 If you guys remember from our discussion last time, the Science  
33 Center, back in March of last year, had, at the request of the  
34 council, run a simulation looking at what would the effect have  
35 been had they used MRIP-FES data in SEDAR 38, and, as you might  
36 predict, it resulted in the projected catch limits coming out of  
37 SEDAR 38 being considerably larger.

38  
39 Over time, as we move from the terminal year of 2012 from SEDAR  
40 38 to the terminal year of 2017 in the update assessment, the  
41 2017-2018 fishing year -- In the update assessment, we added  
42 some more years of data, and we had a continued underage on the  
43 recreational side, with the commercial side generally landing  
44 its ACL, but we've also experienced about twelve years or so of  
45 very lackluster recruitment from our kingfish stock, which is  
46 why the ACL is a little bit lower than perhaps it could be if  
47 the recruitment had been a little bit better, and, over time, we  
48 see our ACL increasing.

1  
2 It's increasing because we're above the minimum stock size  
3 threshold, but we're below the spawning stock biomass at maximum  
4 sustainable yield, and so your options here for Alternative 2  
5 are to shift 25 percent of the average difference to the  
6 commercial sector, 50 percent, 75 percent, or 100 percent.

7  
8 What does this mean? This top table here shows you the average  
9 difference for the last four years, and we're using these four  
10 years because these represent our current management state of  
11 nature, if you will, the way that we're spatially managing  
12 kingfish in the Gulf, and it comes out to an average difference  
13 of about 4.1 million pounds landed weight.

14  
15 If we look at the bottom table there, you can see what the ACLs  
16 would be for the commercial and recreational sector, and their  
17 respective percentages, if we shift 25 percent, 50 percent, 75  
18 percent, or 100 percent.

19  
20 What does this mean in terms of how many fish might be landed?  
21 If we shift 25 percent, which is Option 2a, essentially, what  
22 that results in is we project that the recreational sector,  
23 based on landings history, would land about 80 percent of its  
24 ACL, and the commercial sector would land just a hair under 100  
25 percent of the ACL that -- Equivalent to what it would have  
26 received had we used FES all along, and so, if we shift 50  
27 percent, the recreational sector gets awfully close to landing  
28 its ACL, and the commercial sector would be projected to have  
29 some fish left over, and, granted, there is some uncertainty  
30 about this, and, at this point, historically, the commercial  
31 sector has landed whatever it has been allocated, and so it may  
32 actually be able to land all of those fish.

33  
34 If we move 75 percent or 100 percent of the difference over, we  
35 project recreational ACL overages and season closures, and I  
36 reckon there might be a question or two.

37  
38 **CHAIRMAN ANSON:** I don't see any --

39  
40 **MR. RINDONE:** We've got Dale in the room.

41  
42 **MR. DALE DIAZ:** I've got a couple of things, one question and  
43 one comment, and I want to see if Ryan can explain it better  
44 than I think I can. The first comment, Ryan, is, is there any  
45 reason, if the committee so chose to, that they couldn't pick  
46 preferreds today?

47  
48 **MR. RINDONE:** I am certainly not going to stop you, Mr. Chair.

1 I would say that we haven't provided you with Chapters 3 and 4  
2 that look at the affected environment and environmental  
3 consequences of the decisions that are being proposed, but  
4 certainly making changes in allocation and shifting pounds  
5 around, especially for this fishery, is not something that is  
6 foreign to the council.

7  
8 **MR. DIAZ:** Okay, and so that's strictly up to the committee  
9 then, and I understand why it might be prudent to wait until we  
10 get the rest of the document filled in, but help me with this.  
11 In Action 1, if we went with Alternative 2, there is a slight  
12 increase from Alternative 1, and so the total ACL for  
13 Alternative 1, which is the status quo is 8.55 million pounds,  
14 is what we were working off of, I believe, and, in 2021-2022, it  
15 goes up to 9.37 million pounds. The main reason that is  
16 increased, and correct me if I'm wrong, is because we're  
17 converting from CHTS to FES, and is that correct?

18  
19 **MR. RINDONE:** That is correct.

20  
21 **MR. DIAZ:** Okay, and so, if we went with Alternative 2, there is  
22 no scenario for reallocation where the commercial would not get  
23 more fish than they have prior to this document, because, even  
24 with the status quo in Action 2, even the 32 percent commercial  
25 allocation, they still would benefit from the -- What is it?

26  
27 **MR. RINDONE:** It's roughly 400,000 pounds.

28  
29 **MR. DIAZ:** 400,000 pounds that is over currently, and so is that  
30 -- I don't know if I'm explaining that very well, but there's no  
31 scenario where the commercial wouldn't get more, in this current  
32 document, if we went with Alternative 2 in Action 1.

33  
34 **MR. RINDONE:** That is correct, and so, whether you go with  
35 Alternative 1 in Action 2 or some option for Alternative 2, it -  
36 - Either way, by going with Alternative 2 in Action 1, yes, the  
37 commercial sector would get more fish. Now, I will note, as I  
38 did previously, that you have an increasing yield stream here  
39 from the 2021-2022 fishing year, which we're in, going forward,  
40 because we're building the stock back up from where it is  
41 currently to the spawning stock biomass at maximum sustainable  
42 yield.

43  
44 That is not to say that we are in a rebuilding plan, and we are  
45 not, but we've had some poor, unimpressive recruitment for a  
46 while, and hopefully that resolves itself with time, and, as  
47 these catch limits increase, the commercial and recreational  
48 sectors will have more fish available to them for their use.

1  
2 **MR. DIAZ:** Thank you, Ryan. Thank you, Mr. Chairman.  
3

4 **CHAIRMAN ANSON:** Thank you. Ms. Boggs.  
5

6 **MS. SUSAN BOGGS:** I have several questions. Thank you, Mr. Vice  
7 Chair, for recognizing me. Ryan, on this slide that we're  
8 looking at right now, the average rec landings FES, the average,  
9 is that based on all years in your Table 1.1.1, or -- Because I  
10 wasn't following where you got the numbers, or was that just  
11 from the 2016-2017 year to 2019-2020 year?  
12

13 **MR. RINDONE:** It's just for the 2016-2017 to 2019-2020 fishing  
14 years. The whole analysis is constrained to that.  
15

16 **MS. BOGGS:** Okay. I am just making sure, and that's one thing  
17 that I didn't look at yesterday, when I was looking at this.  
18 The second thing I wanted to ask, and I know we kind of got  
19 tangled up with this with red grouper, was, when we did the  
20 Chapters 3 and 4 -- Will there be some economic data put in  
21 there, like there was for the red grouper, showing the financial  
22 gain, et cetera, if we make this shift in allocation?  
23

24 **MR. RINDONE:** Yes, Ms. Boggs. There will be an economic  
25 analysis, and, if any of that needs to be brought before the  
26 SSC, we certainly can make time to have them take a look at  
27 that.  
28

29 **MS. BOGGS:** Well, I'm just asking, because it seemed like, with  
30 red grouper, that's something none of us -- I don't want to say  
31 none of us, but I didn't realize was in the document, and I had  
32 looked at other documents, I don't recall seeing that, and so  
33 that's kind of one of my questions.  
34

35 Then I have another question, and, if this needs to be spoken to  
36 at another time, but the different zones -- I asked a couple of  
37 commercial fishermen, and recreational fishermen, this question,  
38 and I'm real curious why, and I think I know the answer, but the  
39 Southern Zone, the gillnet zone, if I'm not mistaken in what I  
40 have looked at in the past, they catch their quota extremely  
41 quickly, and they are coming in at, I guess, the tail-end of the  
42 fishing year, if you will, but my question would be, if somebody  
43 could answer this for me, what is the migration pattern of the  
44 mackerel?  
45

46 Is this Atlantic mackerel coming around into the Gulf? I guess  
47 I don't understand the migration of it, because it would -- I  
48 ask that just because why is it getting caught so quickly in the

1 southern zone in the winter months? Thank you.

2  
3 **MR. RINDONE:** I've got that one, Ms. Boggs. When we did SEDAR  
4 38, the Science Center, and specifically Dr. Walter, and he  
5 might still be on, did a really interesting analysis of the  
6 commercial trip ticket data, which showed that the old mixing  
7 zone that we had used in the previous assessment of kingfish,  
8 that had gone all the way up the east coast of Florida, to about  
9 Volusia County, was actually much smaller during the wintertime,  
10 and it was actually occurring really just south of U.S. 1.

11  
12 That much smaller winter mixing zone means there is much less  
13 mixing that occurs between the Gulf and the Atlantic migratory  
14 groups of kingfish. The Gulf migratory group, in the winter, as  
15 far as it moves around the Gulf, in about May or June, they  
16 really start showing up off of Texas, and they move into the  
17 northern Gulf. They're still hanging around up in the northern  
18 and northeastern Gulf by September or October, which is when the  
19 northern zone opens up, and then they start to move south, along  
20 the West Florida Shelf, in the wintertime, and they hang out  
21 around the Keys, north of the Dry Tortugas and in that area, in  
22 the wintertime.

23  
24 They school up into rather large schools, and you can see  
25 pictures of these online, and the gillnetters use pilots and  
26 small aircraft to spot these schools for making their runaround  
27 gillnet sets.

28  
29 Then the fish start to move north from there and come back up  
30 into the central, western, and northern Gulf, which makes for a  
31 bit of a Lent season, and so these fish being in these very  
32 large schools, and being able to be circled by the gillnet  
33 boats, is part of the reason why that quota gets landed pretty  
34 quickly.

35  
36 They have a 45,000-pound trip limit, and it is definitely  
37 possible to catch 45,000 pounds in a set, and so, if you have  
38 several good sets, you can see how quickly that 540,000-pound  
39 quota can get eaten up, and so that's why it doesn't take very  
40 long, but they typically don't start fishing, that fleet -- The  
41 gillnet fleet doesn't start fishing until the price gets to a  
42 point where they think it's a good move to go out there.

43  
44 **MS. BOGGS:** Thank you.

45  
46 **CHAIRMAN ANSON:** Thank you, Susan. Troy.

47  
48 **MR. WILLIAMSON:** If memory serves me correct, don't we have an

1 allocation set for 2026 in this stock, and didn't we vote to do  
2 that, and that's one question, and am I recalling that  
3 correctly?  
4

5 **CHAIRMAN ANSON:** Ryan, you probably have that information better  
6 than I do. I have got an answer, but I just don't know if it's  
7 accurate.  
8

9 **MR. RINDONE:** In our allocation review guidance document, when  
10 we had specified years during which we would, or we could,  
11 review allocations for the different species, it may have been  
12 specified in there, and I would look to Dr. Diagne for that,  
13 but, of course, it's the council's prerogative to visit any of  
14 that at any time it chooses.  
15

16 **MR. WILLIAMSON:** Well, from another standpoint, you mentioned  
17 that there are questions regarding recruitment of this stock  
18 that you don't have answers for, and I -- It seems, to me,  
19 counterproductive to take fish away from the recreational sector  
20 when this is principally a catch-and-release species for  
21 recreational anglers, and so, as a result of that, they're  
22 putting fish back into the water, which benefits not only the  
23 recreational sector, but also the commercial sector, and is that  
24 not something that we should be looking at? Should we refer  
25 this say to the SSC committee for say an analysis of  
26 socioeconomic impacts, and it seems to me that we're preemptive  
27 here.  
28

29 **CHAIRMAN ANSON:** You brought that point up, I believe, at the  
30 last meeting, and Ryan was tasked to get some information to try  
31 to answer that question, and it looks like he might have a slide  
32 to try to get at some of your question.  
33

34 **MR. RINDONE:** I do, Mr. Chair. Mr. Williamson, you had asked  
35 this question last time, and so we dug into the data, real  
36 quick, and what we have for you is shown on the screen, which is  
37 the recreational catch, versus the live releases, from the FES  
38 data for 2016 through 2020.  
39

40 There was quite a bit of releases going on in 2016, but it got  
41 progressively less, as a proportion of the total harvest plus  
42 fish released alive, as we moved forward, and so there is a  
43 portion of the fish that are being caught that are being  
44 released, but it would seem that most of the fish that are being  
45 caught, or more than 50 percent anyway, are being retained. As  
46 far as the fish that are released dead, that makes up a very  
47 small portion of the catch, like a statistically insignificant  
48 portion of the catch, and it's almost noise.

1  
2 **MR. WILLIAMSON:** I guess it depends on which way you look at it.  
3 25 percent seems like a large percent of catch-and-release, to  
4 me. Thank you for looking into that.  
5  
6 **CHAIRMAN ANSON:** Thank you, Troy. Ryan, looking at this graph  
7 here, was it in 2018 that the council took action on the bag  
8 limit and went from two to three?  
9  
10 **MR. RINDONE:** I believe it was, and I would have to go back and  
11 look, but I will say that, based on the landings data that have  
12 happened since then, it doesn't appear as if increasing the  
13 recreational bag limit has resulted in an increased harvest. I  
14 don't have those data drawn up that way to show you guys, as  
15 part of this presentation, but we have had this question in the  
16 past, and that has been the answer, based on the landings data  
17 in FES.  
18  
19 **CHAIRMAN ANSON:** One more question, and then I will get to Tom,  
20 but do you recall the number of trips where king mackerel are  
21 identified as the primary or secondary target, in terms of this  
22 time series?  
23  
24 **MR. RINDONE:** No, but it's something that we can look into for  
25 you for next time.  
26  
27 **CHAIRMAN ANSON:** Yes, and it just could be interesting, just in  
28 light of the increase in the bag limit and the overall numbers  
29 of fish going down, and so I'm just wondering if that's just the  
30 participants are going down, or the number of trips are going  
31 down, and I know there's been some comments, over the last  
32 meeting or two, that some people think that they're not as  
33 abundant in their location, or at certain times of the year,  
34 but, if it's handy, if you still have that dataset and it has  
35 it, and you've got time, it would be interesting to kind of look  
36 at. Thank you. Dr. Frazer.  
37  
38 **DR. TOM FRAZER:** Thanks, Kevin, and so, when I look at this  
39 figure, I guess what I see is that there is a relative change in  
40 the number of fish that are actually released, when you look at  
41 the total encounter, I guess, and so this isn't an increase, and  
42 this is to Ryan, and this isn't due to some change in  
43 survivorship, or anything like that, of released fish, and it  
44 just appears to be that fishermen are keeping a larger  
45 percentage of the fish that they actually hook, and is that  
46 correct?  
47  
48 **MR. RINDONE:** It would seem so, Dr. Frazer. We're currently

1 using a 25 percent discard mortality rate for kingfish, which  
2 depends a lot on how fast the fish is fought and the condition  
3 in which it's released. Kingfish, like many other pelagic  
4 species, they get oxygen starved pretty quickly, especially when  
5 they're left on the deck, and so their release condition  
6 certainly is a function of how long they're out the water and  
7 how hard they have fought being reeled in, and so that does play  
8 a role.

9  
10 **DR. FRAZER:** That's it. Thanks, Ryan.

11  
12 **MR. RINDONE:** The only other thing I was going to add to that is  
13 that the manner in which the recreational and the commercial  
14 fishing activity for kingfish is not thought to have changed  
15 much at all in the last decade, and so the data for that seem  
16 pretty consistent.

17  
18 **DR. FRAZER:** Thank you.

19  
20 **MR. RINDONE:** Mr. Anson, May of 2017 is when that bag limit went  
21 into effect.

22  
23 **CHAIRMAN ANSON:** Thank you.

24  
25 **MS. BOGGS:** I am going to hold my question for later, and I  
26 think Ryan may have just answered it, and I've just got to go do  
27 some research. Thank you.

28  
29 **CHAIRMAN ANSON:** Okay. Thank you. Ryan, do you want to, I  
30 guess, jump back into the heart of the presentation?

31  
32 **MR. RINDONE:** Well, we are at the end of the artery, Mr. Chair,  
33 and so this was my last slide.

34  
35 **CHAIRMAN ANSON:** It is, and I didn't realize that you completed  
36 the others. Is there any questions for Ryan on the amendment or  
37 the action items? Do people like what they see? Ryan, where --  
38 It was in the action guide, and it mentioned that the South  
39 Atlantic will also be reviewing this document, and we saw it at  
40 our last meeting, and have they had one opportunity as well to  
41 see it? I don't see any mention, at least, in the text, in the  
42 document itself, about any kind leanings or preferences that the  
43 South Atlantic has taken, and are they pretty early in that  
44 process, too?

45  
46 **MR. RINDONE:** Yes, sir, Mr. Chair. They saw an options draft of  
47 it at their December 2021 meeting, and they will see, again, a  
48 draft at their March 2022 meeting.

1  
2 Basically, at this point, if you guys are happy with what you  
3 see, you could recommend that staff go forward with developing a  
4 public hearing draft, and the South Atlantic Council could  
5 concur with that, and then that would let us go ahead and make  
6 progress on Chapters 3 and 4, so we can get those additional  
7 analyses done, and you guys can consider preferred alternatives.  
8

9 **CHAIRMAN ANSON:** All right, and does anyone want to talk about  
10 that specific point and where we want to go? I am wondering, if  
11 you go back to your presentation, Ryan, the one with the red  
12 cells there highlighted on the side there, seeing that that  
13 doesn't kind of get us to where we want to go, or how we think  
14 we want to go, is there a utility in moving those to Considered  
15 but Rejected, 2c and 2d?  
16

17 **MR. RINDONE:** I think you could do that, Mr. Chair, if you guys  
18 are pretty convinced that those are options that you're not keen  
19 on considering, and you could certainly move those along at this  
20 point. Insofar as NEPA is concerned, this particular action  
21 technically has five options, and there's Alternative 1, and  
22 then there's each of the four options in Alternative 2, and so  
23 you guys are definitely considering a suite of things to try to  
24 get at the problem that you're trying to solve.  
25

26 **CHAIRMAN ANSON:** Thank you. Mr. Williamson.  
27

28 **MR. WILLIAMSON:** Ryan, the graph you showed on recreational  
29 harvest, is there any explanation for the reduction from 2016 to  
30 2020, and that's almost a 50 percent drop.  
31

32 **MR. RINDONE:** Not that I know of empirically, because, as far as  
33 the stock assessment is concerned, it ends with the 2017-2018  
34 fishing year, and so the data beyond that point are beyond the  
35 assessment. Speaking as an angler of this species, I can't say  
36 that I feel like I have seen less of them in my area, but, of  
37 course, that's just anecdotal, and perhaps, during public  
38 testimony, you might query some of the folks that you know to  
39 catch kingfish and see what they think.  
40

41 **MR. DIAZ:** Just to add to what Ryan is saying there, I do  
42 remember Captain Bob Zales coming to the podium, and talking to  
43 me at the meetings in the last few years, that there hasn't been  
44 as much bait in his area, and there is a lot of fishing power in  
45 that particular area, and so that does come to mind as something  
46 that's been said at public testimony.  
47

48 **CHAIRMAN ANSON:** Does that answer your question, Troy?

1  
2 **MR. WILLIAMSON:** Well, I don't think there was an answer there,  
3 but I understand the conversation, and it appears to be somewhat  
4 alarming that we've had such a precipitous drop, and yet we're  
5 talking about reallocating this particular resource.

6  
7 **CHAIRMAN ANSON:** Thank you for your comment. Mr. Gill.

8  
9 **MR. WILLIAMSON:** Thank you.

10  
11 **MR. BOB GILL:** Thank you, Mr. Chairman. I appreciate you  
12 recognizing me, given that I'm not on your committee, and I  
13 would like to express a general concern relative to our what I  
14 consider a knee-jerk reaction to reallocation.

15  
16 We're taking a single point, i.e. landings, and, because of new  
17 data that shows the landings we were working on are no longer  
18 appropriate, we're rushing into reallocation on virtually every  
19 species, and it seems, to me, that reallocation -- Number one, I  
20 have trouble with just basing it on landings, but, aside from  
21 that, reallocation has a host of other factors, like  
22 socioeconomic, human behavior, et cetera, that play in here, and  
23 we recognize that by the development of the policies and  
24 frameworks that are being worked on to develop a more orderly  
25 process to allocation.

26  
27 I think, in general, that what we're doing is taking this single  
28 point and saying, oh, we need to reallocate based on that point,  
29 when we're not taking into consideration the other aspects that  
30 have a significant impact on allocation considerations, and so I  
31 think we're rushing to judgment, and I would urge the committee,  
32 and the council, to consider the impact of thinking it through  
33 on a more broad aspect and perhaps separating out the amendments  
34 that want to redefine ACLs, et cetera, from the reallocation, so  
35 that proper consideration can be made. Thank you.

36  
37 **CHAIRMAN ANSON:** Thank you for your comment, Mr. Gill. Mara.

38  
39 **MS. MARA LEVY:** I just wanted to make a quick comment on the  
40 allocation discussion and point out that there is nothing here  
41 that is requiring a rush decision. I mean, we don't have the  
42 analysis for Chapter 4 yet, and this is just an action that  
43 gives you an alternative to look at the allocation for this  
44 particular stock, because of a couple of things.

45  
46 One, the allocation is based on landings from the 1970s, and so  
47 it's extremely old, and number two, you have a situation where  
48 the commercial sector consistently harvests its allocation,

1 whereas the recreational sector doesn't necessarily harvest it,  
2 and I understand that there is potential policy reasons for not  
3 wanting all of the fish harvested, in terms of the recreational  
4 sector, but it doesn't mean that you can't look at some options  
5 to shift allocation.  
6

7 I also wanted to point out that this is one species where the  
8 assessment -- The allocations don't impact the outcome of the  
9 assessment, and so they actually can be separated more than some  
10 of our other assessments and allocation, which is why we've been  
11 looking at them together, and so the allocation affects the  
12 projections, and so you have to kind of decide that and look at  
13 that, about whether you want to stay with the status quo or  
14 shift, before you can look at what the catch levels would be,  
15 whereas this one does not necessarily require that, and so it's  
16 in a little bit of a different circumstance. Thank you.  
17

18 **CHAIRMAN ANSON:** Thank you, Mara. J.D.  
19

20 **MR. J.D. DUGAS:** Thank you, Mr. Chair. Mr. Gill touched a  
21 little bit on what I wanted to ask, and it's a question, Kevin,  
22 and I don't know if it's directed to you or whomever, but can we  
23 look at the possibility of splitting this amendment, maybe, and  
24 having these two actions separated?  
25

26 **CHAIRMAN ANSON:** I believe that discussion came up last time,  
27 and it doesn't mean we're married to whatever the outcome of  
28 that discussion was, but it was similar along those lines, to  
29 break out the action items, more so with dealing with the ABC  
30 and ACL and then having the allocation go into a separate  
31 timeline.  
32

33 We're here to get comfortable with what staff have put together  
34 and what we have kind of provided to them, as far as extra data  
35 and information from the last meeting, to bring to us, so that  
36 we can give some direction as to where this document is and try  
37 to go out to public hearings and such, also remembering that we  
38 are doing this step-in-step with the South Atlantic Council, and  
39 so we can do what we want, I guess. Last time, there wasn't  
40 much appetite for it, but certainly we can have a motion to try  
41 to do that.  
42

43 **MR. DUGAS:** Thank you, Kevin. Well, it seems like, from what  
44 I'm hearing the comments being made, it seems like that's the  
45 path we need to go down, or at least attempt to.  
46

47 **CHAIRMAN ANSON:** There is certainly members here on the  
48 committee who have some umbrage with that action item, and,

1 myself personally, we have -- The council has tried, several  
2 years ago, maybe even four or five now, tried to do a sunset  
3 provision to move some fish that were on the recreational side  
4 to the commercial, and it wasn't -- It didn't pass, and so I was  
5 in favor, at the time, of that vote, seeing that the  
6 recreational sector has not met its target in such a long time,  
7 and, as Mara pointed out, the allocation has been there for a  
8 long time, but, on the other side, I can also see that the  
9 council has tried to structure allocation decisions.

10  
11 It put them on a timeline and set up some criteria for which  
12 allocations would be seriously judged, and I respect that as  
13 well, and so I haven't really decided where to go yet, but I do  
14 see a hand is up from Mr. Strelcheck.

15  
16 **MR. ANDY STRELCHECK:** Thanks, Kevin. I appreciate everyone's  
17 comments around this, and I do agree with Bob, and I've been  
18 struggling for some time with the use of just landings data,  
19 obviously, for allocations, and the decisions for allocation  
20 are, obviously, much more complex than that, and so I look  
21 forward to, obviously, continued conversation with the council,  
22 as we look toward kind of improving upon our approach for  
23 deciding allocations.

24  
25 With that said, with J.D.'s suggestion of splitting the actions,  
26 I would encourage the council to proceed with the action and not  
27 splitting it, and certainly you could reach the decision that we  
28 maintain status quo allocation for now and then, over the long-  
29 term, revisit that decision as new information becomes  
30 available, or we decide on different approaches for allocating,  
31 but this gives some options, I think, that are fair and  
32 reasonable, given the state of the fishery and what's being  
33 harvested, for us to consider now.

34  
35 **CHAIRMAN ANSON:** Thank you, Andy. Dr. Frazer.

36  
37 **DR. FRAZER:** Regardless of where the committee decides to go,  
38 with regard to keeping both actions in the document or splitting  
39 it, I think I would like to make a motion that Alternatives 2c  
40 and 2d, or Options 2c and 2d, in Alternative 2, in Action 2 be  
41 moved to Considered but Rejected.

42  
43 I don't think we want to be in a position at all to kind of  
44 pursue a path where the recreational fishery might potentially  
45 significantly exceed its ACL, and I am also mindful of the  
46 workload of the staff, and I would prefer that they put their  
47 effort into a rigorous analysis of the socioeconomics for the  
48 other two options.

1  
2 **MR. BILLY BROUSSARD:** I would second that motion, and I think  
3 I'm on the right committee this time.

4  
5 **CHAIRMAN ANSON:** I just checked, and, according to the agenda,  
6 you are, Billy. Thank you for seconding the motion. We'll get  
7 it up on the board here, and, of course, you two can review it  
8 and reaffirm, once it's completed.

9  
10 **DR. FRAZER:** I think the motion should read to move -- In  
11 **Alternative 2, move Options 2c and 2d, and so, again, it should**  
12 **read, in Action 2, Alternative 2.** That works for me.

13  
14 **CHAIRMAN ANSON:** Billy, you're still good with the motion,  
15 correct?

16  
17 **MR. BROUSSARD:** I am.

18  
19 **CHAIRMAN ANSON:** Thank you. **We have a motion on the board that,**  
20 **in Action 2, Alternative 2, move Options 2c and 2d to Considered**  
21 **but Rejected.** You can see the rest of the current Alternative  
22 2, with the Options 2a through 2d on the board, underneath, and  
23 so we would be removing 2c and 2d. Is there any discussion on  
24 the motion? **Not seeing any hands come up, and is there any**  
25 **opposition to accepting the motion as-is? No hands and no**  
26 **voices, and the motion is approved.**

27  
28 All right, and so we've still got maybe a little bit more work  
29 in here, and maybe not, but we do have one more agenda, or two  
30 more agenda, items remaining on the agenda, and we are getting  
31 near the end. I know, for those folks on Eastern Standard Time,  
32 it's going to be a long evening, and so we want to try to finish  
33 as close to the end time as possible, but is there anyone else?  
34 Susan.

35  
36 **MS. BOGGS:** Thank you, Mr. Chair, and I would like to back up to  
37 Action 1, and I would like to get some feedback from staff. I  
38 have been pretty vocal on my leeriness of these new FES numbers,  
39 and, when I look at what the SSC has recommended, and I look at  
40 Table 1.1.1, and even at the 2021-2022 fishing year, which you  
41 would just really throw out the door, but maybe not, and, when  
42 you look at the total landings with FES, we never even got close  
43 to that ACL, and so I am wondering why, and with this question  
44 about recruitment, why would we even consider this approach in  
45 going toward 9.9 million pounds?

46  
47 I guess I am being real conservative, when it comes to FES, and  
48 I am not going to apologize for that, because we've seen, so

1 many times, when we've been so aggressive, and we come back and  
2 wish we hadn't, and I'm not so certain that I wouldn't like -- I  
3 will think about this between now and Full Council, but look at  
4 a constant catch other than what the SSC is proposing, which  
5 would, obviously, be less than what the SSC is proposing, but I  
6 am just a little on the cautious side, when we go looking at  
7 these numbers in FES. Thank you.

8  
9 **CHAIRMAN ANSON:** Thank you for your comments, Susan. Ryan.

10  
11 **MR. RINDONE:** Thank you, Mr. Chair. Yes, Ms. Boggs, and so the  
12 catch limits are projected to be increasing, and, if projections  
13 had carried further, they would eventually increase up to some  
14 upper asymptote that would be reflective of the stock having  
15 reached spawning stock biomass at maximum sustainable yield, and  
16 so, cognizant of that, and of the general uncertainty that can  
17 be inherent to the assessment, the SSC only made -- They only  
18 recommended projections out three years, which would fix those  
19 projections at that 2023-2024 fishing year value of 9.99 million  
20 pounds.

21  
22 It would stay at that level until revised by some future  
23 assessment or catch analysis or some such equivalent thing that  
24 the SSC would review, and then they would need to recommend  
25 updated catch limits from that, and so, as far as where the  
26 assessment thinks that things could go, constraining it to the  
27 2023-2024 fishing year would be conservative, presumptively,  
28 beyond that year, assuming that things like -- That other things  
29 in the stock assessment remain constant, like assumptions about  
30 recruitment and growth, et cetera.

31  
32 **CHAIRMAN ANSON:** Thank you, Ryan. All right, and so anything  
33 else? We did talk about, earlier, that there was the potential,  
34 if the committee so desires, to recommend to staff that it looks  
35 good to go as-is, with the one motion we did to dispatch Action  
36 2, Alternative 2, Options 2c and 2d, if that passes through at  
37 Full Council, but to go ahead and instruct staff to get this  
38 ready for the public hearing stage, but that would, I think,  
39 need to come from a motion from the committee.

40  
41 Is there any other discussion on this item? Apparently there  
42 are no hands, and so that will then take us to the next item,  
43 and I believe that would be Item Number VI, and that would be  
44 Amendment 34. Ms. Wiegand, are you still on the phone?

45  
46 **MS. CHRISTINA WIEGAND:** I sure am.

47  
48 **CHAIRMAN ANSON:** It's all yours.

1  
2 **DRAFT AMENDMENT 34: ATLANTIC MIGRATORY GROUP KING MACKEREL CATCH**  
3 **LEVELS AND ATLANTIC KING AND SPANISH MACKEREL MANAGEMENT**  
4 **MEASURES**  
5

6 **MS. WIEGAND:** All right. If we could get the presentation  
7 pulled up. Perfect. Thank you. I will try to run through this  
8 pretty quickly, and I know you guys have had a huge day, and  
9 I've been listening all day, and so I will try to make this as  
10 smooth as possible. This is Amendment 34, and it addresses  
11 Atlantic king mackerel catch levels as well as some management  
12 measures for both king and Spanish mackerel.  
13

14 I am going to go over this background pretty quickly, and you  
15 guys saw this amendment at your October meeting, but, just as a  
16 refresher, this addresses the SEDAR 38 stock assessment, and  
17 that stock assessment was consistent with the original stock  
18 status, saying that Atlantic migratory group king mackerel was  
19 not overfished or undergoing overfishing, and, in fact, due to  
20 some recent years of good recruitment, there is actually a  
21 pretty substantial increase in the acceptable biological catch  
22 recommended by the SSC, even considering those updated  
23 recreational catch data, because this assessment did use the new  
24 MRIP-FES numbers.  
25

26 There are also a couple of modifications in here that were  
27 brought about because of recommendations from the Mackerel Cobia  
28 Advisory Panel. The first is to consider raising the bag limit  
29 in federal waters, to create consistency between the regulations  
30 off of Florida state and the regulations elsewhere, to consider  
31 decreasing the recreational minimum size limit, and to consider  
32 allowing recreational fishermen to keep cut or damaged king and  
33 Spanish mackerel, and I will talk about the rationale for those  
34 when we get to those actions.  
35

36 Here is just a small change that was made at the last South  
37 Atlantic Council meeting, and this has to do with adding the  
38 acceptable biological catch into Action 1, so that it's formally  
39 adopted, and so all we did, for the purpose and need, was just  
40 simplify to broadly say "catch limits", instead of listing out  
41 specifically which catch limits were modified, and I will go  
42 ahead and pause here, real fast, just to make sure that there  
43 aren't any concerns about the change to the purpose and need.  
44

45 **CHAIRMAN ANSON:** No hands. Go ahead.  
46

47 **MS. WIEGAND:** All right. Then I will continue on to the next  
48 slide, which is the amendment development timeline, and so, just

1 as a refresher, this has gone out for public hearings, and I'm  
2 going to summarize the public hearing comments as we go through  
3 each action, and you guys are reviewing this now, and there are  
4 a couple of changes that the South Atlantic Council made at  
5 their December meeting that you guys will need to consider  
6 whether or not you concur with.

7  
8 We're going to take this back to the South Atlantic Council for  
9 their March meeting, where they will consider it for approval,  
10 and then we will bring it back to you all again for your April  
11 meeting and approval for formal review as well.

12  
13 Hopping into the actions and alternatives, Action 1 revises the  
14 acceptable biological catch, total annual catch limit, and the  
15 annual optimum yield for Atlantic king mackerel, and, again, the  
16 change that was made here was just the addition of the  
17 acceptable biological catch to the action explicitly, as opposed  
18 to just having it in the discussion, and so you can see the OFL  
19 and ABC recommendations from the SSC on your screen, and, when  
20 we took this out to public comment, there was support for the  
21 current preferred alternative, which is Alternative 3, which  
22 sets the ACL equal to 95 percent of the ABC.

23  
24 If we move to the next slide, you can see the updated language,  
25 and, again, it's got a lot of strike-throughs here, and a lot of  
26 modifications, but, again, this doesn't substantially change the  
27 outcome of the alternative, but it simply formally adopts the  
28 acceptable biological catch with language in the action, as  
29 opposed to just having it in the discussion.

30  
31 This is both the South Atlantic and the Gulf Council's preferred  
32 alternative, and the South Atlantic Council's rationale for  
33 including that 95 percent, or that 5 percent buffer, was to  
34 follow recommendations from the Mackerel Cobia Advisory Panel  
35 that, given the substantial increase in the ABC recommendation,  
36 that there was room to be precautionary, and so setting that 5  
37 percent buffer would accomplish that.

38  
39 If you scroll to the next slide, you can see the actual ACL  
40 numbers that would result from the preferred alternative, which,  
41 again, is Preferred Alternative 3, that middle column.

42  
43 Then, moving on to Action 2, this is the action that looks at  
44 revising sector allocations for Atlantic migratory group king  
45 mackerel. The current allocations were set back in Amendment 1  
46 to the CMP FMP, using data from back in the late 1970s and early  
47 1980s, and it's been advised to us, from the Science Center,  
48 that there is no way to sort of rerun those numbers with new

1 updated FES catch, because they just don't support data that far  
2 back in time anymore, and so, again, as you guys know, the  
3 reason we're talking about sector allocations is because of this  
4 change in the recreational landings to MRIP-FES.

5  
6 When we took this out for public comment, we did hear support  
7 for Action 2, the current preferred alternative, which is the no  
8 action alternative that would retain the current sector  
9 allocation percentages, and, if you scroll to the next slide,  
10 you can see that it's 62.9 percent recreational and 37.1 percent  
11 commercial, and that's the status quo.

12  
13 The council's current rationale for this is that, while the  
14 recreational sector has not been historically catching all of  
15 their ACL, even considering the switch to FES, the commercial  
16 sector has come right up against their ACL, and so this would  
17 provide a little bit more buffer room for the commercial sector,  
18 by retaining these allocations.

19  
20 However, there is no scenario, in terms of the allocation  
21 alternatives, that would result in a closure for either sector,  
22 and so, under the current preferred, no closure for the  
23 commercial or recreational sectors is predicted.

24  
25 If you scroll to the next slide, you can see those actual sector  
26 ACLs in poundages, and you're looking at these first columns  
27 here for Alternative 1, no action, and we do have the  
28 commercial sector broken out into the northern zone and the  
29 southern zone, and the boundary between those is the North  
30 Carolina/South Carolina line. At this time, again, based on  
31 recommendations from its Mackerel Cobia Advisory Panel, the  
32 council is not addressing the commercial zone allocations.

33  
34 Scrolling on to Action 3, this is another one that looks like  
35 there have been substantial changes, but really it's just sort  
36 of administrative in nature. We modified this action to make it  
37 clear that everything is tiering off of the previous action, and  
38 so, for the catch limit actions in the South Atlantic documents,  
39 in the first action, we set the overall ACL, and then, in the  
40 second action, we set the allocations, and it tiers off of the  
41 preferred alternative that was selected in Action 1.

42  
43 Then, following suit, Action 3, which sets the recreational  
44 annual catch target, then tiers off of whatever preferred  
45 alternative was chosen in Action 2, and so we modified this to  
46 show that that no action alternative simply updates the ACT with  
47 the new recreational sector allocation, which was set in Action  
48 2, which was updated based on the new ACL, which was set in

1 Action 1, which I know is a little confusing, and we've sort of  
2 been referring to these as the no action actions, but,  
3 essentially, your current preferred alternative here simply  
4 updates what is already in place with the new ACL and sector  
5 allocations. That is everything for catch limits. Before I get  
6 into some of the management measures, I will go ahead and pause,  
7 just to make sure there aren't any questions.  
8

9 **CHAIRMAN ANSON:** Do committee members have any questions, or  
10 non-committee members? I am not seeing any, and you can  
11 continue, please.  
12

13 **MS. WIEGAND:** All right. Then let's move into the management  
14 alternatives, and that is Slide 14. Action 4 looks at  
15 increasing the recreational bag and possession limit for king  
16 mackerel in the EEZ off of Florida. Currently, the bag limit in  
17 the EEZ off of Florida is two fish per person, whereas it's  
18 three fish per person throughout the rest of the king mackerel  
19 jurisdiction, and so north of Florida as well as through the  
20 Gulf, and so the Mackerel Cobia AP members requested that we  
21 raise the minimum bag limit off the east coast of Florida in  
22 federal waters to three fish per person, so that it would be  
23 consistent with everywhere else.  
24

25 If you scroll to the next slide, we did have some split opinions  
26 for public comment in support of the no action alternative, and  
27 so maintaining that two-fish-per-person off the coast of  
28 Florida. Commenters noted that king mackerel are not  
29 particularly desirable, especially when compared with other  
30 Florida recreational species, and so, if there is room for the  
31 recreational sector to increase, that extra poundage should  
32 actually be allocated to the commercial sector.  
33

34 There were also concerns about there being an unknown amount of  
35 fishing effort occurring between Miami-Dade and Monroe County,  
36 and, of course, that is part of the Gulf Council jurisdiction  
37 for king mackerel, and then, in support of the council's current  
38 preferred alternative, which is Alternative 2, increasing the  
39 bag limit to three fish per person.  
40

41 It was noted, by a former member of the Mackerel Cobia AP, that  
42 private recreational anglers were not making multiday trips to  
43 circumvent that two-fish-per-person bag limit and should be  
44 allowed three fish per person, because that was originally why  
45 the lower bag limit was put into place off of Florida, was  
46 concern that private recreational anglers would try to get  
47 around the trip limit, by making multiple trips, but that  
48 concern hasn't really come to fruition, and so the commenter

1 felt that they should be allowed three fish per person, and it  
2 was also noted that increasing the bag limit will create  
3 consistency with the rest of the king mackerel management area.  
4

5 If you scroll to the next slide, you can see that the South  
6 Atlantic Council and Gulf Council preferred alternative is  
7 Alternative 2, to raise that minimum bag limit to three fish per  
8 person, and, again, the South Atlantic Council's rationale for  
9 that is just to create consistency throughout the management  
10 jurisdiction.  
11

12 If we scroll on to Action 5, Action 5 looks at reducing the  
13 minimum size limit for recreational harvest of king mackerel,  
14 and so this was brought about because, like I talked about  
15 earlier, king mackerel landings have been well below the ACL,  
16 even considering the FES numbers, and so the council posed the  
17 question to the AP members of how could we raise, or increase,  
18 recreational harvest, and one of the things that the AP  
19 suggested was revising the minimum size limit for king mackerel,  
20 to account for some smaller king mackerel that can be landed  
21 when targeted other species, particularly Spanish mackerel.  
22

23 Then, if you scroll to the next slide, to be consistent with  
24 that, the council also has an action in this amendment that  
25 would reduce the minimum size limit for commercial harvest of  
26 Spanish mackerel, to keep consistency between the two sectors.  
27

28 Commercial AP members have expressed concern, from dealers,  
29 about lower, or smaller, king mackerel, resulting in a lower  
30 market value, and the data does show that the majority of the  
31 discarded fish were about twenty-nine inches in fork length, and  
32 so a large percentage of legal-sized fish are being discarded,  
33 and commercial fishermen are already allowed to possess  
34 undersized king mackerel in quantities that don't exceed 5  
35 percent, by weight, of the king mackerel onboard.  
36

37 If we move to the next slide, we got a substantial number of  
38 public comments specific to Actions 5 and 6, and I know this  
39 council has received a number of comments on this by phone call  
40 as well, and there were very -- There were a lot of concerns  
41 that smaller fish yield little meat, and that smaller fish are  
42 going to hurt market prices and the overall market for king  
43 mackerel, that harvesting these smaller king mackerel has a  
44 chance to harm some juvenile fish, and, given that the stock is  
45 in good form right now, they would prefer to keep things as they  
46 are and make sure that the mackerel retain a good stock status.  
47

48 Then, since the council is also considering removing the 5

1 percent undersized allowance, commercial fishermen did express  
2 that that allowance is really important, because trying to  
3 restrain a larger king mackerel -- You often end up killing the  
4 fish, and so that allowance keeps one or two fish from putting  
5 you out of compliance with the regulations.

6  
7 If you scroll to the next slide, at our council meeting, the  
8 South Atlantic Council talked about this quite a bit, and they  
9 ultimately chose to change their preferred alternative to match  
10 the Gulf Council's preferred alternative of no action, which  
11 would retain the twenty-four-inch fork length minimum size  
12 limit.

13  
14 If you scroll to the next slide, you can see that they did the  
15 same thing in Action 6, and so they selected, concurrent with  
16 the Gulf Council's preferred, Alternative 1, no action, to  
17 retain the twenty-four-inch length and to continue to allow  
18 commercial fishermen to possess undersized king mackerel in  
19 quantities not exceeding 5 percent by weight. Then, last, but  
20 not least, they passed a motion, at their meeting, to send both  
21 Action 5 and Action 6 to the Considered but Rejected appendix.

22  
23 Moving on to Action 7, this is the action that looks at  
24 modifying the recreational requirement for king mackerel and  
25 Spanish mackerel to be landed with heads and fins intact. This  
26 came from the Mackerel Cobia AP, again, and I don't think it's a  
27 secret to anyone on the South Atlantic or the Gulf Council that  
28 fishermen have been frustrated with the increase in shark  
29 depredation, and so the hope is that, by allowing this, it will  
30 allow recreational fishermen to increase harvest and address  
31 some of that concern related to shark depredation.

32  
33 Again, during public hearings, there was quite a lot of support  
34 for this action, noting that shark depredation is a serious  
35 issue, and they did want to make sure that these fish count  
36 towards the daily bag limit, which is the intent of the action.  
37 However, there were some commenters that felt that damaged fish  
38 should not have to meet minimum size limits.

39  
40 They also noted that there needed to be clarification on whether  
41 the minimum size limit would be for the damaged fish as-is or  
42 the portion that remains after the damaged portion is cut off,  
43 and, when talking about this, the council took sort of a legal  
44 perspective, and, if you are being approached by a law  
45 enforcement officer, for lack of a better term, the hunk of fish  
46 that you have left needs to meet the minimum size limit, so that  
47 it was clear that that fish, before it was bitten, was larger  
48 than the minimum size limit.

1  
2 If you scroll to the last slide, you can see that the South  
3 Atlantic Council did select a preferred alternative at their  
4 meeting, and they selected Preferred Alternative 2, which would  
5 allow those cutoff or damaged fish that meet the minimum size  
6 limit to be possessed and offloaded by recreational fishermen,  
7 and it included both king mackerel and Spanish mackerel.

8  
9 Again, this provision is already in place for the commercial  
10 sector, and the current preferred alternatives here would set  
11 the recreational regulations to be identical to the commercial  
12 regulations, and the South Atlantic Council's Law Enforcement AP  
13 is going to discuss this action, to make sure that we have it  
14 worded sufficiently for law enforcement, at their meeting on  
15 February 10, and we will present what their input was at the  
16 South Atlantic Council's March meeting and your April meeting.

17  
18 That's all I have in the presentation for you today, and really  
19 sort of the big action items, or questions, for the committee  
20 would be whether or not you concur to remove the minimum size  
21 limit actions, both for recreational and commercial, to the  
22 Considered but Rejected Appendix, given that both councils have  
23 now selected Alternative 1, no action, as preferred, and then  
24 for you guys to consider selecting a preferred alternative under  
25 Action 7, that cut fish action.

26  
27 **CHAIRMAN ANSON:** All right. Thank you. Very nice presentation.  
28 All right. Do we have any committee discussion? No discussion?  
29 Then you don't get to leave. Susan.

30  
31 **MS. BOGGS:** Thank you, Mr. Chair. We'll need to scroll back up  
32 to Action 5 and 6, and staff is certainly going to have to help  
33 me. I mean, I'm guessing we need to make a motion to take  
34 Action 5 and Action 6 to Considered but Rejected, and am I  
35 correct in that, sir?

36  
37 **CHAIRMAN ANSON:** I think you are correct. Ryan.

38  
39 **MS. WIEGAND:** I can go ahead and jump in and answer that. Yes,  
40 ma'am. If you guys are comfortable moving both Action 5 and  
41 Action 6 to Considered but Rejected, a motion to that effect  
42 would be helpful for staff.

43  
44 **MR. RINDONE:** Yes, what Christina said.

45  
46 **MS. BOGGS:** Okay. **I would like to make that motion.** I can do  
47 it if you want, or staff can probably do a better job. I only  
48 say that because I've got something blocking my view, and so I

1 can't read what I need to see.  
2  
3 **CHAIRMAN ANSON:** I think we'll get staff to get that up there.  
4  
5 **MS. BOGGS:** Thank you, sir.  
6  
7 **CHAIRMAN ANSON:** Thank you.  
8  
9 **MS. BOGGS:** **That is my motion.** It looks good.  
10  
11 **CHAIRMAN ANSON:** All right, and so there is a motion on the  
12 board. **It's to move Action Items 5 and 6 to Considered but**  
13 **Rejected.** Is there a second to the motion?  
14  
15 **MR. BROUSSARD:** I will second the motion.  
16  
17 **CHAIRMAN ANSON:** Thank you, Billy. Is there any discussion on  
18 the motion? Bob, I saw your name come up on the board earlier,  
19 and so I suspect it's for another item?  
20  
21 **MR. GILL:** Yes, sir, that's correct.  
22  
23 **CHAIRMAN ANSON:** Okay. **I don't see any other hands, or any**  
24 **other voices, and is there any opposition to the motion? Seeing**  
25 **none, or hearing none, the motion is approved.** Mr. Gill.  
26  
27 **MR. GILL:** Thank you, Mr. Chairman. I'm not on your committee,  
28 and so I appreciate the recognition. I would like to comment on  
29 Action 1, Alternative 5, and a couple of caveats. One, I  
30 recognize that this is the South Atlantic's jurisdiction  
31 entirely, and not the Gulf's, but the second one is that I much  
32 appreciate that they added Alternative 5 to the document,  
33 because it was not in there prior to this version.  
34  
35 However, for whatever reason, the South Atlantic Council chose  
36 the lowest possible ABC, and therefore ACL, as their basis for  
37 constant catch, and the problem with that is you look at the  
38 other four alternatives, and why would you ever choose that one?  
39 Perhaps the only rationale that I can come up with is that, oh,  
40 the stock is in trouble, and we want to be conservative. Okay.  
41 I understand that, but that's not the case here.  
42  
43 The case is that it's in fine shape, and we're fishing it down,  
44 and so perhaps it's not understanding the methodology on  
45 constant catch, and I would like to comment that the way we do  
46 it in the Gulf is use the arithmetic mean for the years under  
47 consideration, and, if Dr. Porch is still on, he can comment on  
48 the scientific veracity of that.

1  
2 If you did that, the ABC would be 26.3 million pounds, and  
3 that's a considerable difference from what is offered in  
4 Alternative 5, and you could then -- If you're going to do the  
5 95 percent of ABC, to calculate the ACL, that comes out to  
6 roughly twenty-five million pounds, and that works as well, but  
7 that is a far more reasonable alternative than how it's postured  
8 in the current Alternative 5, and so I recommend that to the  
9 South Atlantic Council's consideration, and I don't think it's a  
10 factor in terms of Gulf Council action, but I would suggest that  
11 the South Atlantic Council consider how they treat constant  
12 catch going forward. Thank you, Mr. Chairman.

13  
14 **CHAIRMAN ANSON:** Thank you, Mr. Gill. Christina, can you  
15 provide kind of a quick commentary as to what the South Atlantic  
16 Council was thinking when they came up with Alternative 5?

17  
18 **MS. WIEGAND:** Absolutely. Jessica and Kerry, I know you're both  
19 listening into this meeting, and so please feel free to jump in  
20 as well, but, ultimately, the decision was made to choose that  
21 21.8 million pounds to prevent us having to go back to the SSC  
22 to get approval for an ABC that would exceed 21.8 million pounds  
23 during the 2026-2027 fishing year, and there was a strong desire  
24 to keep this amendment on track and moving forward, and so,  
25 ultimately, the council decided to not consider a higher value  
26 for the constant catch scenario.

27  
28 It's certainly possible that they consider that in the future,  
29 with other amendments that they're not looking to move as  
30 quickly, but, ultimately, that was the reason for choosing that  
31 21.8 in Alternative 5.

32  
33 **CHAIRMAN ANSON:** Thank you for the information. Ms. Bosarge.

34  
35 **MS. LEANN BOSARGE:** Thanks, Mr. Chairman. Just a technical  
36 comment, and I just wanted to let staff know that, for some  
37 reason, things keep cutting out, and at least I am only getting  
38 pieces of what people are saying. They will cut out for like  
39 ten or fifteen seconds, and then it will come back on, and so  
40 I'm dealing with it, but I just wanted to let them know, in case  
41 it was something they might could troubleshoot on their end.  
42 Thanks.

43  
44 **CHAIRMAN ANSON:** Thank you. Jessica.

45  
46 **MS. JESSICA MCCAWLEY:** Thanks, Mr. Chairman. I was just going  
47 to agree with everything that Christina said about the reasoning  
48 for Alternative 5.

1  
2 **CHAIRMAN ANSON:** Thank you. There still is one action that was  
3 modified, I believe, that we need to deal with, and that would  
4 be Action 7, I believe, and let me know if I'm incorrect,  
5 Christina. It's late in the day.  
6  
7 **MS. WIEGAND:** We are correct. We just need you guys to select a  
8 preferred alternative under Action 7.  
9  
10 **CHAIRMAN ANSON:** Any takers out there? Susan.  
11  
12 **MS. BOGGS:** My understanding is the South Atlantic preferred is  
13 the damaged fish must be still within the minimum size limit,  
14 and so, any pieces or parts cut off, you still have to be within  
15 the minimum size limit with whatever you bring to the dock, and  
16 is that my correct understanding?  
17  
18 **MS. WIEGAND:** Yes, ma'am. That's correct.  
19  
20 **MS. BOGGS:** Okay. **Then I will make a motion that the Gulf**  
21 **Council select Action 7, Preferred Alternative 2, as their**  
22 **preferred.** I'm not exactly sure if that's the right way to  
23 stage that motion.  
24  
25 **CHAIRMAN ANSON:** Susan, do you want to include the sub-  
26 alternatives too in this motion?  
27  
28 **MS. BOGGS:** **Yes, please.** Thank you.  
29  
30 **CHAIRMAN ANSON:** Susan, how does that look to you?  
31  
32 **MS. BOGGS:** I think it looks beautiful.  
33  
34 **CHAIRMAN ANSON:** Great. Is there a second to the motion?  
35  
36 **MR. BROUSSARD:** I will second it.  
37  
38 **CHAIRMAN ANSON:** Billy, thank you. **The motion is, in Action 7,**  
39 **to select the South Atlantic Fishery Management Council**  
40 **Preferred Alternative 2 and Sub-Alternatives 2a and 2b as the**  
41 **Gulf preferred.** Is there any discussion on the motion?  
42 Jessica.  
43  
44 **MS. MCCAWLEY:** Thank you, Mr. Chairman, and so, when you go to  
45 vote on this, if you could count me as an abstention on this.  
46 FWC did not support this when this came before the South  
47 Atlantic, and we have some concerns, and, also, we're waiting on  
48 a stock assessment on Spanish mackerel, and this particular item

1 is going before the South Atlantic Council's Law Enforcement  
2 Committee, and I believe that meeting is coming up on February  
3 10, and so we just had some concerns.

4  
5 There would be some changes that are needed in state waters, in  
6 order to comply with this, and state rules state that you have  
7 to land all these fish in whole condition, and, once we start  
8 doing this for mackerel, are we going to start doing this for  
9 reef fish and other species, and we do agree that sharks are a  
10 problem, and barracuda are a problem sometimes as well, but we  
11 just have some concerns about this particular action. Thank  
12 you.

13  
14 **CHAIRMAN ANSON:** Thank you. Any other discussion or comments  
15 from committee members? All right. **Seeing none, we have the**  
16 **one abstention, and is there any opposition to this motion? I**  
17 **am not seeing any, or hearing any, and so the motion is approved**  
18 **with the one abstention.**

19  
20 That takes us to the last -- Is there any other discussion on  
21 this amendment? All right. Thank you, Christina. Thank you  
22 for the presentation.

23  
24 **MS. WIEGAND:** Thank you, guys, for taking time at the end of  
25 your day to pay attention to an Atlantic species, and so good  
26 luck with the rest of your meeting this week.

27  
28 **CHAIRMAN ANSON:** Thank you. Is there -- There was no other  
29 business mentioned, nor is there any other business on the  
30 agenda. I will give an opportunity for anybody to bring up any  
31 items, quick items. Mr. Gill is not on the committee, but I  
32 will let him go ahead and provide comment.

33  
34 **MR. GILL:** Thank you, Mr. Chairman. I am not on your committee,  
35 and I may well be accused of being a broken record, but I would  
36 like to point out that both Amendment 33 and Amendment 34 are  
37 location-specific, and so the 33 is purely in the Gulf, and 34  
38 is purely in the South, and yet we both get wrapped in -- Both  
39 councils get wrapped in, because it's a joint amendment, and you  
40 recollect that, in the last meeting in October, we did briefly  
41 discuss the potential for splitting these out and deciding on  
42 allocation and making amendments in the CMP world unique to the  
43 location to which they apply.

44  
45 It seems to me that has potential for a whole lot of staff work,  
46 a whole lot of less council activity and agenda loading, and so  
47 I just raise it, and it's probably not the last time you're  
48 going to hear this, that there is potential here for improving

1 the process and allowing the councils that have specific items  
2 to address that without involving the other council, and what it  
3 fundamentally takes, at least to me, is that we mutually decide  
4 on an allocation amendment, and then each council can do as it  
5 deems appropriate with that stock in that area. Thank you, Mr.  
6 Chairman.

7  
8 **CHAIRMAN ANSON:** Thank you for your comments, Bob. We did have  
9 some brief discussion about this, and, in today's world, with as  
10 much things are going on within each council and the workload  
11 for staffs, both NOAA and the council staffs, and in light of  
12 how much time these particular amendments take, it might be a  
13 worthy conversation to at least start. I do see a couple other  
14 folks. Ryan.

15  
16 **MR. RINDONE:** Thank you, Mr. Chair. I just wanted to remind the  
17 committee and the council that these are joint plans, and it's  
18 because we have a single commercial permit for coastal migratory  
19 pelagic species, because these species are all managed jointly,  
20 and we've had this discussion about splitting the permits in the  
21 past, in order to allow the councils to do exactly what Mr. Gill  
22 is talking about, but the reason why the current framework  
23 procedures do not include allocation as part of the things that  
24 can be handled by a single council is because of this, and it  
25 has to do with the traveling fishermen that come from the  
26 Atlantic and fish in the Gulf.

27  
28 There is not as many commercial fishermen that are from the Gulf  
29 that fish in the Atlantic, but there is a considerable number  
30 from the Atlantic that fish in the Gulf, and so the South  
31 Atlantic Council historically has expressed keen interest in the  
32 Gulf's allocation decisions and permit decisions and the like,  
33 as a function of that.

34  
35 **CHAIRMAN ANSON:** Thank you for reminding us. Susan.

36  
37 **MS. BOGGS:** Ryan answered my question, and I was going to ask  
38 for a five-second reminder of why we do this. Thank you, Ryan  
39 Rindone.

40  
41 **CHAIRMAN ANSON:** All right, and so, seeing no other names, that  
42 concludes the Mackerel Management Committee.

43  
44 (Whereupon, the meeting adjourned on January 24, 2022.)

45  
46 - - -  
47