

1 GULF OF MEXICO FISHERY MANAGEMENT COUNCIL

2  
3 MACKEREL MANAGEMENT COMMITTEE

4  
5 Opal Key Resort & Marina and Virtual Key West, Florida

6  
7 June 22, 2021

8  
9 **VOTING MEMBERS**

10 Robin Riechers.....Texas  
11 Kevin Anson (designee for Scott Bannon).....Alabama  
12 Susan Boggs.....Alabama  
13 Leann Bosarge.....Mississippi  
14 Dale Diaz.....Mississippi  
15 Jonathan Dugas.....Louisiana  
16 Martha Guyas (designee for Jessica McCawley).....Florida  
17 John Sanchez.....Florida  
18 Andy Strelcheck.....NMFS  
19 Ed Swindell.....Louisiana  
20 Troy Williamson.....Texas

21  
22 **NON-VOTING MEMBERS**

23 Patrick Banks.....Louisiana  
24 Dave Donaldson.....GMFMC  
25 Phil Dyskow.....Florida  
26 Tom Frazer.....Florida  
27 Bob Shipp.....Alabama  
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 Natasha Mendez-Ferrer.....Fishery Biologist  
41 Emily Muehlstein.....Public Information Officer  
42 Kathy Pereira.....Meeting Planning - Travel Coordinator  
43 Ryan Rindone.....Lead Fishery Biologist/SEDAR Liaison  
44 Bernadine Roy.....Office Manager  
45 Carrie Simmons.....Executive Director  
46 Carly Somerset.....Fisheries Outreach Specialist

47  
48 **OTHER PARTICIPANTS**

49 Chester Brewer.....SAFMC

1 Peter Hood.....NMFS  
2 Kelli O'Donnell.....NMFS  
3 Clay Porch.....SEFSC  
4 Chris Schieble.....LA  
5 Christina Wiegand.....SAFMC

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8

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19  
20

1 The Mackerel Management Committee of the Gulf of Mexico Fishery  
2 Management Council convened on Tuesday morning, June 22, 2021,  
3 and was called to order by Chairman Robin Riechers.

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

9 **DR. TOM FRAZER:** We're going to get started right away with the  
10 Mackerel Committee, and Robin Riechers is the chair of that  
11 committee. Robin, if you're ready to go.

12  
13 **CHAIRMAN ROBIN RIECHERS:** Yes, sir, Mr. Chairman, but I have  
14 asked Kevin to take and run the meeting, just simply because he  
15 can see the hands there, and someone then doesn't have to prompt  
16 me about that.

17  
18 **DR. FRAZER:** No problem. I apologize that I didn't get that  
19 message. Kevin, go ahead.

20  
21 **VICE CHAIRMAN KEVIN ANSON:** Thank you, Mr. Chair. We'll start  
22 with Tab C, Number 1, the Mackerel Management Committee agenda.  
23 The members that are present here at the table and online is, of  
24 course, Mr. Riechers online, Ms. Boggs, Ms. Bosarge, Mr. Diaz,  
25 Mr. Dugas, Ms. Guyas, Mr. Sanchez, Mr. Strelcheck, Mr. Swindell,  
26 and Mr. Williamson are in attendance. We'll start with the  
27 agenda. Are there any modifications that are needed for the  
28 agenda? Seeing none, is there any opposition to accepting the  
29 agenda as written? Seeing no opposition, the agenda is approved  
30 as written.

31  
32 Moving on to Item Number II, Approval of the April 2021 Minutes,  
33 Tab C, Number 2, are there any modifications to the minutes  
34 needed? I have two. Page 12, line 29, I believe it needs to be  
35 changed -- The "2021" reference needs to be changed to "2001",  
36 and then, on page 16, line 18, there is a time series reference,  
37 and it's listed as "2008 through 2018" in the minutes, and I  
38 think it needs to be changed to "2000 to 2008".

39  
40 **MR. RYAN RINDONE:** Kevin, can you repeat that last one again,  
41 please?

42  
43 **VICE CHAIRMAN ANSON:** Page 16, line 18, the time series needs to  
44 be changed from "2008 to 2018" to "2000 to 2008".

45  
46 **MR. RINDONE:** Thank you.

47  
48 **VICE CHAIRMAN ANSON:** Any other changes to the minutes? Can I

1 get a motion to accept the minutes as amended then?

2

3 **MR. JOHN SANCHEZ:** So moved.

4

5 **MR. TROY WILLIAMSON:** Second.

6

7 **VICE CHAIRMAN ANSON:** Mr. Sanchez with the motion and Mr.  
8 Williamson with the second. Any opposition to the motion?  
9 Seeing none, the minutes are approved as amended.

10

11 Item Number III, Action Guide and Next Steps, Dr. Mendez-Ferrer,  
12 I think it would be best maybe just to refer to the document  
13 before each agenda item, but Dr. Mendez-Ferrer.

14

15 **DR. NATASHA MENDEZ-FERRER:** Thank you, Mr. Chair. The first  
16 item that we'll be discussing is Agenda Item Number IV, Coastal  
17 Migratory Pelagics Landings Update, and we will have Ms. Kelli  
18 O'Donnell from NMFS Southeast Regional Office providing you with  
19 an update on the status of CMP landings in relation to their  
20 ACLs, and, as usual, this is for information only, and no action  
21 is required by the committee.

22

23 **VICE CHAIRMAN ANSON:** Thank you. We have Ms. O'Donnell on the  
24 line.

25

26 **MS. KELLI O'DONNELL:** Yes, I'm here, Mr. Chair.

27

28 **VICE CHAIRMAN ANSON:** All right. Go ahead.

29

### 30 **COASTAL MIGRATORY PELAGICS LANDINGS UPDATE**

31

32 **MS. O'DONNELL:** First, we've got our Gulf Zone cobia commercial  
33 landings, and the 2021 landings are preliminary, but we can see,  
34 from the past couple of years, and even the three-year average  
35 from 2018 to 2020, landings have been fairly similar over the  
36 past couple of years.

37

38 We didn't have time to request a breakout of the Gulf Zone  
39 recreational landings from the stock landings that come in, and  
40 so we are presenting them as these bar graphs, with 2020 being  
41 the last year, because we did just get in most of 2020 landings,  
42 although they are still preliminary, because we only have half  
43 the year's landings from Texas, and, even with 2020 being a year  
44 where people were thinking maybe not as much fishing going on,  
45 recreational landings were still pretty similar, as well as  
46 commercial.

47

48 For the Florida East Coast Zone commercial landings, they've

1 kind of been all over the place the past couple of years, and,  
2 again, keep in mind that 2021 is still preliminary, but it does  
3 look like the past couple of years landings have been going down  
4 for the commercial sector.

5  
6 For the recreational sector, they seem to be doing pretty well,  
7 and Natasha will be going into some more detail with this when  
8 she goes over the decision tool, when we talk about CMP 32 and  
9 what this could mean with how their landings have been generally  
10 pretty steady over the past couple of years, and, again, we do  
11 have most of the 2020 recreational landings, and we're just  
12 waiting for the last little bit from Texas.

13  
14 King mackerel commercial landings, we have combined all of the  
15 zones together for this, and it was brought up at the last  
16 meeting why was there such a jump at the beginning. Well, last  
17 meeting, we had started and did a calendar year of January to  
18 December.

19  
20 This time, we changed the slide to be the actual fishing year of  
21 July, and that jump that happened around January and February  
22 was due to the gillnet sector opening for their fishing year and  
23 then just depending on the past couple of years, if they had  
24 closed in January or closed in February, filling their whole  
25 quota of around 500,000 pounds, and so that's why that big jump  
26 was there, and you can still see that within this figure, around  
27 that January to February timeline.

28  
29 Also, to note that king mackerel commercial has been one of the  
30 only ones within the CMP that routinely meets their total ACL,  
31 and another note was we just got notice that we had a lot of  
32 late northern zone commercial landings that came in, and they  
33 have now exceeded the quota, and so we are in the process of  
34 putting in a closure package for the northern zone, and so that  
35 will mean, once that closes, the only zone that is still open  
36 would be the western zone, although all of the zones, except for  
37 the northern, are starting their new fishing year on July 1.

38  
39 King mackerel recreational landings, you can still see that they  
40 have steadily, over the past couple of years, been well below  
41 half of what their ACL is, and the 2020 and 2021 is looking kind  
42 of like it's going a little bit lower, but keep in mind that we  
43 only have Wave 1 landings for 2021, and so, once we have the  
44 rest of those, that will probably adjust that 2020 and 2021  
45 landings like a little bit.

46  
47 Spanish mackerel commercial, again, is another one of those ones  
48 that has kind of been all over the place, and, even though our

1 2021 landings are preliminary, the fishing year ends in March  
2 for this, and so that's only a couple of months that we have in  
3 there that are preliminary, and 2020 is considered final, and so  
4 they did have a lot lower landings this past year than what they  
5 have in the past few years, and I'm not sure if anybody has any  
6 insight to what has been going on with that at all.

7  
8 Same as we saw for the cobia stock, we did not have time to  
9 request a breakout of the recreational landings separately, and  
10 so we're just showing the bar graph that combines the commercial  
11 and recreational, and we were able to put in a little bit of  
12 those 2021 landings, because their fishing year does end in  
13 March, and we have almost all of that for Wave 1, but just  
14 remember that that number can kind of fluctuate a little bit  
15 until those recreational landings are final. I think that is  
16 the last slide, and I'm not sure if anybody has any questions at  
17 all.

18  
19 **VICE CHAIRMAN ANSON:** Thank you for the presentation. Any  
20 questions from the committee? I am not seeing any questions.  
21 Do you have anything else, Ms. O'Donnell?

22  
23 **MS. O'DONNELL:** That's it for me. Thank you, Mr. Chair.

24  
25 **VICE CHAIRMAN ANSON:** All right. Thank you. Next, that will  
26 take us to our next item. Dr. Ferrer.

27  
28 **DRAFT AMENDMENT 32: MODIFICATIONS TO THE GULF OF MEXICO**  
29 **MIGRATORY GROUP COBIA CATCH LIMITS, POSSESSION LIMITS, SIZE**  
30 **LIMITS, AND FRAMEWORK PROCEDURE AND SOUTH ATLANTIC**  
31 **RECOMMENDATIONS**

32  
33 **DR. MENDEZ-FERRER:** Thank you, Mr. Chair. Agenda Item Number V  
34 is Draft Amendment 32: Modifications to the Gulf of Mexico  
35 Migratory Group Cobia Catch Limits, Possession Limits, Size  
36 Limits, and Framework Procedure.

37  
38 This draft, this version of the draft amendment, includes a  
39 couple of updates since April. We have updated analyses related  
40 to possession limits, and we're including some closure analyses,  
41 and the South Atlantic Council reviewed this amendment last  
42 week, and so I will have to be referring kind of back and forth  
43 between some of their decisions that I have not been able to  
44 highlight on this version of the amendment, but, today, the  
45 committee will need to vote on some of the decisions that have  
46 been made and provide feedback to staff regarding the range of  
47 actions and alternatives that we're including, with the hopes  
48 that we could move forward with a creating a public hearing

1 draft that we would present in August for the Gulf and in  
2 September for the South Atlantic.

3  
4 If we got to Figure 1.1.5. to remind the committee, the reason  
5 why we are doing this amendment is that the latest stock  
6 assessment for Gulf migratory group cobia determined the stock  
7 was not overfished, but is undergoing overfishing, and so  
8 received direction from the council to address modifications to  
9 OFL and ABC and ACL, overall catch limits, and we're looking at  
10 changing possession limits and size limits, and we are also  
11 including another action to address some issues regarding the  
12 management of cobia through the framework procedure.

13  
14 Like I mentioned, we have seven actions. Actions 1 through 4  
15 are kind of tied to each other, and just know that, as you're  
16 selecting the overall Gulf group cobia ACL, and, when I speak  
17 about the Gulf group, I'm referring to cobia that are throughout  
18 the whole range from Texas to the Florida/Georgia state line.

19  
20 Then this ACL is apportioned between two zones, and the Gulf  
21 Zone are cobia within the Gulf Council's jurisdiction, and then  
22 the FLEC Zone includes the southern portion of the Florida Keys  
23 and the Florida east coast.

24  
25 Action 3 would modify the recreational ACL and the sector  
26 allocation for the FLEC Zone. This action would not be changing  
27 sector allocations in the Gulf Zone, because we manage this as a  
28 single stock, and then Action 4 looks at the ACTs for each of  
29 the zones.

30  
31 If we move to Action 1, Action 1 modifies the Gulf group OFL,  
32 ABC, and ACL. Currently, we have three alternatives.  
33 Alternative 1 is no action. Alternative 2 modifies the OFL,  
34 ABC, and ACL based on the council's SSC recommendations for the  
35 years 2021 -- An increasing yield stream from 2021 to 2023.  
36 This is another, Alternative 3, which would be to keep the OFL,  
37 ABC, and ACL constant for the year 2021.

38  
39 The way that preferred alternatives are being outlined in this  
40 draft is, when you see "preferred", just the word "preferred",  
41 it means that both councils have agreed, or concurred, that that  
42 alternative is the preferred, and so, if we reach a point where  
43 one council has selected a preferred, versus the other, you will  
44 see that it either says Gulf Council or South Atlantic Council.

45  
46 Last week, there were no changes to the preferred alternative on  
47 the South Atlantic, and so I can stop here and see if the  
48 committee has any questions or any further discussion regarding

1 the alternatives presented in this action.

2  
3 **VICE CHAIRMAN ANSON:** Thank you. Is there any questions from  
4 the committee? Ms. Boggs.

5  
6 **MR. BOGGS:** Thank you, Dr. Ferrer. My question is we're looking  
7 at this document, and it's June, and the first year in the  
8 preferred that has been chosen by this council is the year 2021,  
9 and so I don't see this document going into effect in 2021, and  
10 so what happens now? Do we just jump into 2022 and have this  
11 really large increase in the OFL starting in 2022?

12  
13 **DR. MENDEZ-FERRER:** My understanding is that, yes -- You're  
14 correct. This amendment, it's very unlikely that it will be  
15 implemented in 2021, and so we would be -- When it gets  
16 implemented, we will be using 2022 numbers, and so, when I  
17 mentioned that we updated closure analyses, we are including  
18 what the predicted closure dates, based on the changes being  
19 proposed here would be if we were to implement this this year,  
20 but, also, with an implementation year of 2022.

21  
22 **VICE CHAIRMAN ANSON:** Any other questions from the committee on  
23 Action 1? All right, Dr. Ferrer, if you can continue.

24  
25 **DR. MENDEZ-FERRER:** All right. Moving on to Action 2, Action 2  
26 would modify the apportionment of that total Gulf group ACL  
27 between the Gulf Zone and the FLEC Zone. Currently, we have  
28 five alternatives here. The preferred alternative for both  
29 councils is Alternative 3, which modifies the apportionment to  
30 be 63 percent of the Gulf group ACL to the Gulf Zone and 37  
31 percent of the Gulf group ACL to the FLEC Zone, and this ACL  
32 would be monitored using MRIP-FES landings, and this was  
33 calculated using data from 1998 to 2012.

34  
35 At the last April meeting, the Gulf Council made a motion to  
36 move Alternative 4 to Considered but Rejected, because the  
37 difference between Alternative 4 and Alternative 3 was so small,  
38 only 1 percent, and so, last week, the South Atlantic concurred  
39 with moving Alternative 4 to Considered but Rejected. I can  
40 stop here, to see if the committee has any questions or any  
41 further discussions on the apportionment of the Gulf group ACL.

42  
43 **VICE CHAIRMAN ANSON:** Thank you. Are there any questions or  
44 comments from the committee? Seeing none, please continue.

45  
46 **DR. MENDEZ-FERRER:** All right. Action 3 modifies the FLEC Zone  
47 cobia sector allocation. In April, the council, the Gulf  
48 Council, did not select a preferred alternative, since this is

1 focused on management with the South Atlantic Council, and so  
2 this was discussed last week, and the South Atlantic selected  
3 Alternative 3 as the preferred, and so that is to retain the 8  
4 percent commercial sector allocation and 92 percent of the ACL  
5 to the recreational sector, and these ACLs would be updated  
6 based on MRIP-FES landings.

7  
8 They selected Alternative 3 because Alternative 3 and 4 are very  
9 similar in maintaining the current percentages, which,  
10 currently, their sector allocation is divided 8 percent to the  
11 commercial and 92 percent to the recreational, but, when  
12 comparing what the actual poundage would be and how they're  
13 calculated between 3 and 4, Alternative 3 is less confusing and  
14 more straightforward.

15  
16 Alternative 3 would retain -- Also, Alternative 3 would retain  
17 the commercial quota close to the current poundage, which is  
18 already pretty small, and the South Atlantic Council did not  
19 want to lower the poundage any further at this time.

20  
21 I can stop here, if the committee has any questions, and we  
22 would need to vote on if we want to concur on the sector  
23 allocation for the FLEC Zone cobia to be Preferred Alternative  
24 3. We also have Ms. Wiegand on the line, and she is my co-lead  
25 from the South Atlantic Council, and so, if you have any  
26 questions that might be more directly towards their discussion,  
27 she can also help with the answers.

28  
29 **VICE CHAIRMAN ANSON:** All right. Thank you. This is kind of a  
30 -- Dale.

31  
32 **MR. DALE DIAZ:** You can finish what you were saying, Kevin, and  
33 you can call on me when you're done.

34  
35 **VICE CHAIRMAN ANSON:** I was just going to repeat trying to get  
36 some action out of the committee is all, just to repeat Dr.  
37 Ferrer's comment. Thank you.

38  
39 **MR. DIAZ:** Okay. **I was going to make a motion that we make**  
40 **Alternative 3 the preferred.**

41  
42 **MS. MARTHA GUYAS:** I second that.

43  
44 **VICE CHAIRMAN ANSON:** All right. We have a motion, and it's  
45 seconded by Martha. I will give a second for staff to put that  
46 on the board. While they're going that, Dale, did you want to  
47 explain your motion?

48

1 **MR. DIAZ:** At the last meeting, I was reluctant, and I think the  
2 rest of the committee was, to try to weigh-in on something that  
3 is strictly a South Atlantic Fishery Management Council issue.  
4 They have weighed-in, and it's a decision that mainly affects  
5 the South Atlantic, and I respect their decision, and I would go  
6 along with it. Thank you.

7  
8 **VICE CHAIRMAN ANSON:** Thank you. I think the motion is on the  
9 board. Dale, does that look good for you? Great. Any  
10 discussion on the motion? **Seeing none, is there any opposition**  
11 **to the motion? Seeing none, the motion carries.** Any other  
12 discussion in this action item?

13  
14 **DR. MENDEZ-FERRER:** No, sir, and we can move on to Action 4.

15  
16 **VICE CHAIRMAN ANSON:** Dr. Ferrer, go ahead.

17  
18 **DR. MENDEZ-FERRER:** All right. If there aren't any other  
19 questions on Action 3, then we can move on to Action 4.

20  
21 **VICE CHAIRMAN ANSON:** Go ahead and move on, please.

22  
23 **DR. MENDEZ-FERRER:** All right. Action 4 proposes to modify  
24 annual catch targets for the Gulf group cobia zone, and this  
25 will be updated based on the apportionment selected in Action 2,  
26 and then for the FLEC Zone based on the sector allocation for  
27 Action 3.

28  
29 There is one minor change to Alternative 1 from the draft that  
30 you all saw in April. Alternative 1, no action. The Gulf Zone  
31 ACT equals 90 percent of the Gulf Zone ACL, and so we're  
32 scratching the part where it said that this 90 percent was  
33 calculated using the Gulf ACL/ACT Control Rule. We went back on  
34 the record, and so we modified -- We corrected the language  
35 here.

36  
37 The FLEC Zone ACT is calculated in a different way, by  
38 multiplying the ACL times one minus the proportional standard  
39 error of the FLEC Zone recreational landings, or 0.5, whichever  
40 is greater. Alternative 2 proposes to use the Gulf Council's  
41 ACL/ACT Control Rule to calculate the ACTs for both zones, for  
42 the Gulf Zone and the recreational sector FLEC Zone.

43  
44 Alternative 3 would establish an ACT for the commercial sector  
45 in the FLEC Zone, and that would also be calculated using the  
46 ACL/ACT Control Rule. Now, if Alternative 3 were to be selected  
47 as a preferred, we would probably need to add one more action to  
48 this document to modify accountability measures for the FLEC

1 Zone commercial sector as the way that accountability -- They  
2 don't have a post-season -- The way that the closures work in  
3 the FLEC Zone are different from the Gulf.

4  
5 In the Gulf Zone, once the ACT is met, the fishery is closed,  
6 and so, for the FLEC Zone, if the commercial sector reaches the  
7 ACL, that's when there is a closure for the recreational. It's  
8 a post-season accountability measure. If their ACL is exceeded,  
9 then it would need to be a modification on the following fishing  
10 year, so that it doesn't exceed the ACT. I know it's a bit  
11 confusing, but the South Atlantic selected Preferred Alternative  
12 -- Their selected preferred alternative is Alternative 2, to use  
13 the Gulf Council's ACL/ACT Control Rule to calculate the ACTs  
14 for both zones.

15  
16 The South Atlantic, at this time, is not choosing to select  
17 Alternative 3 as preferred, because the current accountability  
18 measures for the FLEC Zone are not tied to an ACT, and the South  
19 Atlantic Council didn't feel as though the ACT was needed,  
20 because commercial landings have been below the ACL in recent  
21 years, and, when we looked at the potential for a closure for  
22 the commercial sector ACL, it didn't look like that was going to  
23 happen, based on the catch limit recommendations that are being  
24 proposed in this amendment.

25  
26 One thing to note is that, when we ran the council's ACL and ACT  
27 Control Rule for the Gulf Zone, the ACT would also equal 90  
28 percent of the Gulf Zone ACL, and so, at this point, that 90  
29 percent would basically stay the same, and so, when you look at  
30 the tables, that's the reason why you will see the -- When you  
31 scroll down to Table 2.4.1, we see that the ACTs, using  
32 Alternative 1 for the Gulf Zone, versus Alternative 2, would be  
33 the same.

34  
35 One thing to note is that, and to Susan's point, when we looked  
36 at the -- We ran a closure analysis looking at what potential  
37 closures we would see with these ACTs in the year 2021 and 2022,  
38 and so, if -- As we currently stand, with the preferred ACL  
39 alternative, and looking at the most conservative ACTs, in 2021,  
40 the ACT would be projected to be met between October and  
41 November, and this is without considering any changes to  
42 possession limits, vessel limits, trip limits, or changing the  
43 minimum size limit.

44  
45 Now, looking at the potential closures that could happen in the  
46 year 2022, under the most conservative ACTs for that fishing  
47 year, no closure is projected under most of the alternatives,  
48 except for Alternative 5, which would have a closure around the

1 month of December.

2  
3 All of these analyses are included in Appendix F of your  
4 document, and so, if you want to see the tables, we can go  
5 there, or I can stop here for any questions, before we move on  
6 with the discussion.

7  
8 **VICE CHAIRMAN ANSON:** All right. We do have a question from  
9 Leann.

10  
11 **MS. LEANN BOSARGE:** I had a question. The South Atlantic bases  
12 their ACT, and so their buffer between the ACL and the ACT, on  
13 the rec side, and it's based on a formula that is generated by  
14 the PSE, the percent standard error, around the landings, and  
15 I'm sure it's somewhere in this document, but what was the PSE  
16 before on CHTS, versus what's the PSE now on FES for them?

17  
18 **DR. MENDEZ-FERRER:** One second, Leann. I will have to go back  
19 to Action 4, or, Christina, if you have those numbers readily  
20 available, feel free to chime in.

21  
22 **MS. CHRISTINA WIEGAND:** I don't have the numbers readily  
23 available. I have the numbers that were in the document for the  
24 current PSEs, and I will try to find the ones for CHTS, what it  
25 would have been based on when we originally set it.

26  
27 **MS. BOSARGE:** Okay. Do we know generally? Did the error go up,  
28 or did the error go down, when we moved to FES?

29  
30 **MR. RINDONE:** Up.

31  
32 **MS. BOSARGE:** So they're more uncertain. The FES numbers are  
33 more uncertain than the old CHTS, even though we improved the  
34 survey.

35  
36 **MR. RINDONE:** Using the proportional standard error as the  
37 metric, yes.

38  
39 **MS. BOSARGE:** All right.

40  
41 **VICE CHAIRMAN ANSON:** Any other questions from the committee?

42  
43 **DR. MENDEZ-FERRER:** Mr. Chair, on this action, we will also need  
44 a vote from the committee. The South Atlantic's preferred  
45 alternative, currently, it's Alternative 2, and so the committee  
46 would have to decide if they want to concur or if they want to  
47 make any changes to the alternatives on this action.

48

1 **VICE CHAIRMAN ANSON:** Thank you. Martha.  
2  
3 **MS. GUYAS:** I will make that motion to select Alternative 2 in  
4 Action 4 as the preferred alternative.  
5  
6 **VICE CHAIRMAN ANSON:** We have a motion. Is there a second to  
7 the motion?  
8  
9 **MR. ANDY STRELCHECK:** Second.  
10  
11 **VICE CHAIRMAN ANSON:** It's seconded by Andy Strelcheck. I will  
12 give just a second for the motion to be put on the board.  
13 Martha, is that your motion?  
14  
15 **MS. GUYAS:** Yes.  
16  
17 **VICE CHAIRMAN ANSON:** All right. Any discussion on the motion?  
18 **Seeing no discussion, is there any opposition to the motion? No**  
19 **opposition, and the motion carries.** Dr. Ferrer.  
20  
21 **DR. MENDEZ-FERRER:** Thank you, Mr. Chair. Moving on to Action  
22 5, Action 5 proposes to modify the Gulf Zone and the FLEC Zone  
23 cobia possession, vessel, and trip limits, and so this action  
24 has been divided into two sub-actions, and Sub-Action 5.1 is  
25 focused on the Gulf Zone, and 5.2 is focused on the FLEC Zone.  
26  
27 Here is where the committee -- We would need some discussion  
28 from the committee. From the draft that you all saw in April  
29 2021, we have -- That draft included some preliminary analyses  
30 to predict the potential of reducing cobia harvest based on the  
31 alternatives that are being proposed here, and so the tables  
32 that are included in Action 5.1 and 5.2 have been updated.  
33  
34 Also, included in this briefing book is a decision support tool  
35 that can help you kind of play with the different combinations  
36 of the alternatives that are being presented in Action 5 and  
37 Action 6 and how this will affect the recreational -- Excuse me.  
38 The cobia harvest, in terms of a closure or how close we're  
39 going to get to the ACT, and so, currently -- At the last April  
40 2021 meeting, the Gulf Council passed a motion to remove  
41 "preferred" from Alternative 2, Option 2b, and so that would be  
42 -- That alternative would reduce the daily possession limit from  
43 two fish to one fish per person, regardless of the number or  
44 duration of trips, and that could be for the recreational or  
45 commercial sector.  
46  
47 When the South Atlantic discussed this action at its last  
48 meeting, the South Atlantic chose to maintain the current

1 preferred alternative, and so that would be to also reduce the  
2 possession limit from two to one fish per person for the  
3 recreational and the commercial sector.

4  
5 Right now, I guess, we would need to sort -- In order for this  
6 action to pass, both councils need to agree, and the reason why  
7 they did not change their stance is because the goal of this  
8 amendment is to reduce harvest and to recover from an -- Prevent  
9 overfishing, and so the council would like to maintain  
10 consistency in regulations between federal waters and Florida  
11 state waters, as well as retaining consistency between the  
12 regulations in the Gulf Zone and the FLEC Zone.

13  
14 When we discussed Action 5.2, the South Atlantic Council's  
15 preferred alternatives matched those in 5.2 and 5.1, and so  
16 there are two -- Right now, both councils are agreeing on  
17 creating a recreational vessel limit of two fish per trip and  
18 creating a commercial vessel trip limit also of two fish per  
19 trip, and so we can -- If we scroll down to Table 2.5.1.1, and  
20 so that would be in Action 5.1, and you can scroll down to Table  
21 2.5.1.1.

22  
23 That table summarizes what the predicted percent reduction in  
24 cobia harvest would be related to each one of the alternatives  
25 on these actions, and, as you can see, reducing the per-person  
26 daily possession limit for the recreational sector is expected  
27 to have a reduction of 1.2 percent, and, for the commercial  
28 sector, of less than 1 percent.

29  
30 If we move on to setting a recreational vessel limit per trip of  
31 two fish per vessel, there is an expected reduction of 9 percent  
32 in harvest, but then the effects are much lower for the  
33 commercial, and so we have two -- I guess I have two questions  
34 for the committee. One of them is we need to make a decision on  
35 the Alternative 2, since we're currently not concurring on the  
36 commercial sector, on reducing the commercial sector per person  
37 possession limit, and, also, discuss, if the committee does not  
38 want to modify the commercial sector possession limit and retain  
39 that too, would it still want to retain -- Modify and create a  
40 trip limit for that sector?

41  
42 One of the things that -- If we scroll back up to the figures,  
43 most of the trips are already catching one cobia per vessel, and  
44 we've heard, from public testimony, that our anglers are having  
45 issues catching cobia, and so these percent reductions might be  
46 a reflection of that, that the fish aren't there for people to  
47 catch.

1 As the stock recovers, with these changes in the catch limits  
2 that we're proposing, that story may change, as there may be  
3 more fish in the water and more opportunity for anglers to catch  
4 the fish, and so I can open the floor for some discussion, and  
5 maybe we can begin by talking about the per-person possession  
6 limit in Alternative 2.

7  
8 **VICE CHAIRMAN ANSON:** That's a good plan, Dr. Ferrer, and so  
9 let's talk about Preferred Alternative 2. Do we want to make  
10 any changes? Martha.

11  
12 **MS. GUYAS:** I would support adding in Option 2b again. I mean,  
13 this is essentially what the commercial is doing now, and it  
14 does make the regulations more consistent. I mean, in Florida,  
15 we're already at one fish per person, no matter who you are, and  
16 we're dealing with an -- The stock is undergoing overfishing,  
17 and it's in danger of being overfished, and so I think that's  
18 probably the right thing to do here. Maybe that's Chester that  
19 wants to talk about the South Atlantic meeting, and so I will  
20 stop there.

21  
22 **VICE CHAIRMAN ANSON:** Chester, if you want to go ahead.

23  
24 **MR. CHESTER BREWER:** I am excited. This is my first chance to  
25 speak. I've been sitting here on my hands for a day-and-a-half  
26 now. Yes, we were concerned, because we realized that we were  
27 not coming to the same preferred that the Gulf Council  
28 potentially had picked, but our thinking, I think, was  
29 controlled by a couple of different things.

30  
31 One is that, obviously, as has been mentioned, cobia are --  
32 While they're not overfished, overfishing is occurring, and so  
33 there is some need to constrain the catch a little bit, and then  
34 the other one was really dealing more with the FWC.

35  
36 My understanding is that the FWC has already gone to one fish  
37 per person, recreational and commercial, in western Florida, the  
38 Gulf side, and the representatives -- Our FWC representative  
39 indicated that the FWC is going to do the same on the Atlantic  
40 side, and so, for the sake of consistency between both coasts  
41 and between the federal and state, we thought it would be more  
42 conservative, and probably a better idea, to just go to one fish  
43 per person across-the-board, and, in looking at some of these  
44 figures here, that does not really adversely impact the  
45 commercial folks that much. Less than 1 percent is what the  
46 tables are showing.

47  
48 **VICE CHAIRMAN ANSON:** Thank you, Chester. Martha.

1 **MS. GUYAS:** I am going to make a motion here that, in Action 5.1  
2 we add Option 2b as a preferred alternative.  
3  
4 **VICE CHAIRMAN ANSON:** All right. We have a motion. Is there a  
5 second to the motion? I am not seeing any hands, and so the  
6 motion --  
7  
8 **MR. STRELCHECK:** I will second for discussion.  
9  
10 **VICE CHAIRMAN ANSON:** We have a second for discussion by Andy.  
11 Go ahead.  
12  
13 **MR. STRELCHECK:** Martha, I went on your website after the South  
14 Atlantic Council meeting, and I found conflicting information  
15 with regard to bag limit and vessel limit for cobia on the  
16 Atlantic coast, and I've seen two fish, and I've seen one fish  
17 per person, and I've also seen a six-fish vessel limit. Can you  
18 clarify?  
19  
20 **MS. GUYAS:** Yes, and so the Atlantic does not have the one fish  
21 per person and two fish per vessel like we do on the Gulf side.  
22 They have the same regulations that were in place before, and we  
23 haven't made those changes over there. At least the vessel  
24 limit is the same, and I can't remember if it's one or two per  
25 person over there, and I can check that, really quick.  
26  
27 At the time, when the FWC did this, this was maybe 2017, and  
28 fishermen came to us from the Gulf coast, really concerned about  
29 cobia, and they talked about how tournaments have been  
30 cancelled, and they're just not seeing the fish, and so, at the  
31 time, the FWC took action on the Gulf coast and then decided to  
32 consider Atlantic once we had this assessment in hand.  
33  
34 Now we have it, and it's not looking good, and so, once the  
35 councils dispense with this amendment, we'll take a package to  
36 our commission for consideration for cobia, to basically make  
37 what's in place on the Gulf coast in Florida in state waters  
38 consistent throughout the state. Hopefully we have consistent  
39 regulations for federal waters as well, but that's kind of the  
40 rough game plan at this point.  
41  
42 **VICE CHAIRMAN ANSON:** Andy.  
43  
44 **MR. STRELCHECK:** To add to that, during the South Atlantic  
45 Council meeting, I think we were giving a lot of deference to  
46 Florida, because they're the only state that would be affected  
47 on the east coast for Gulf cobia, in the FLEC Zone, but, in  
48 terms of the Gulf of Mexico, Florida is not the only state that

1 manages cobia, and so the issue of consistency certainly is  
2 appropriate for Florida, but other states, obviously, will have  
3 varying bag limits and vessel limits, and I don't know if  
4 there's any consideration or intent for Alabama through Texas to  
5 consider consistency and how important that is, obviously, from  
6 the standpoint of these options, and so I just wanted to mention  
7 that.

8

9 **VICE CHAIRMAN ANSON:** Leann.

10

11 **MS. BOSARGE:** We removed this last time, and I spoke in favor of  
12 what we did last time, and, yes, the purpose and need may say to  
13 reduce harvest, but what you want to do is holistically  
14 substantially reduce harvest in a way where the stock can  
15 rebuild, right, and grow again, and this would get you, what,  
16 maybe a thousand -- I calculated it last time, and it was like  
17 1,500 pounds, and it's just minimal, right, because our harvest  
18 has been constrained so much on the commercial side already,  
19 through both state and federal regulations combined, right.

20

21 I'm not going to make or pass any judgments on that, but we have  
22 been constrained, to the Nth degree, and some people may not see  
23 it as substantial to reduce us to one, but, when you look at it,  
24 there's 20 percent that is landing that two fish right now, and  
25 so that's not insignificant, in my world.

26

27 Think about it this way. First off, how many commercial  
28 fisheries do you have where our limits are set in numbers of  
29 fish? We don't fish that way. We fish on a certain number of  
30 pounds, because we have a different purpose for fishing, right,  
31 and so we're already in a weird predicament here, where you're  
32 telling us that we actually have a bag limit of two fish.

33

34 When you take it down to one fish, I mean, at that point, you  
35 really have no market anymore for the fish, and what you will do  
36 is essentially wipe the commercial fishery off the map  
37 completely. We're only barely on the map for this species  
38 already, because of the regulations, and this will just take us  
39 out, and I just don't see where that's fair and equitable, nor  
40 does it really promote any conservation benefit.

41

42 You saw it's less than 1 percent that is the benefit that you're  
43 going to see in the reduction in harvest, and so, for that  
44 reason, I would vote against this motion.

45

46 **VICE CHAIRMAN ANSON:** Ms. Guyas and then Mr. Sanchez.

47

48 **MR. GUYAS:** Just to clarify, the Atlantic state waters

1 regulations for Florida, the vessel limit is six across-the-  
2 board right now. It's per person recreational, currently, but  
3 two per person commercial, and so I would expect that commercial  
4 limit is going to change, once the commission considers how to  
5 move forward here, so that we can get out of this overfishing  
6 situation.

7

8 **VICE CHAIRMAN ANSON:** John.

9

10 **MR. JOHN SANCHEZ:** Again, I would echo, I guess, some of what's  
11 been said already, that the commercial landings of cobia are  
12 nothing compared to what we're trying to accomplish here in  
13 terms of reduction, and so to impact them by lumping them in  
14 with a one fish, it doesn't make much sense to me, and I don't  
15 think it accomplishes much biologically, yet the impact will be  
16 real for them, and so I would like to see them stay at two fish.

17

18 **VICE CHAIRMAN ANSON:** Any other discussion from the committee?  
19 Andy.

20

21 **MR. STRELCHECK:** I guess a question for staff. With regard to  
22 the recreational landings, do we project, by reducing the bag  
23 limit to one, that we would be potentially exceeding the catch  
24 limit, if no other actions are taken, or will it remain under  
25 the catch limit?

26

27 **DR. MENDEZ-FERRER:** For the Gulf Zone, without any changes to  
28 the current possession in vessel or trip limits, under the  
29 preferred alternatives that we have right now, we are not  
30 expected to meet the ACT, and so maybe, Bernie, we can open the  
31 spreadsheet that we have in the briefing book.

32

33 **MR. STRELCHECK:** While you're doing that, I guess my comment is  
34 the commercial sector operates differently, and reducing the bag  
35 limit from two to one, obviously, from a conservation  
36 standpoint, reduces harvest, but we are managing them with a  
37 catch limit, and so we are constraining harvest, regardless of  
38 what the vessel limit or bag limit is, and so, although I  
39 seconded the motion, I think I'm going to speak against it,  
40 because I think the catch limit is reasonable, in terms of  
41 constraining harvest here.

42

43 **DR. MENDEZ-FERRER:** If you scroll down to the purple panel below  
44 this, when you play with the alternatives that are in the top  
45 panel, these numbers right here, the ACT overage and underage  
46 that you see on this little table, those are the numbers that  
47 are going to change, and so, like I mentioned earlier, under the  
48 most conservative ACTs, we would only be expected to exceed the

1 ACT in Alternative 5, and Alternative 5, to remind the  
2 committee, is, if the stock ACL were to be apportioned 59  
3 percent to the Gulf Zone and 41 percent to the FLEC Zone, and  
4 that currently is not our preferred alternative. The preferred  
5 alternative, where we currently stand, is Alternative 3, and so  
6 that middle column.

7  
8 If you scroll up, right now, these are selections for the status  
9 quo, which are two fish per person for the commercial, two fish  
10 per person for the recreational, no vessel limit for the  
11 recreational, and no trip limit for the commercial, and so what  
12 Andy was talking about is, if we were to not make any changes in  
13 the possession limit, given the changes that we're making in  
14 catch limits, we're not predicting that we're going to exceed or  
15 meet the ACT.

16  
17 Now, if you change this to -- If, in Number 2, if you change  
18 that two fish per person to -- Let's put this into what the  
19 current preferreds are, and so, that one, leave at two fish per  
20 person, and then, for Number 3, change that to two cobia per  
21 trip, and this is Action 5.1. and that one reduced to one fish  
22 per person, and then the vessel limit of two cobia per vessel,  
23 and we'll keep the size limit at thirty-six, which is where we  
24 currently are. If you scroll down, then there is a slight  
25 change, and so, if you look at Alternative 3, we would be 14  
26 percent below the ACT.

27  
28 You can play with this, and I guess, once we vote on the motion  
29 on the board, I feel like we may need -- Depending on the  
30 outcome, we may need to revisit Alternative 4, which is setting  
31 a trip limit for the commercial sector. I will be quiet for now  
32 and let you vote on the action on the board.

33  
34 **VICE CHAIRMAN ANSON:** Thank you. There is a motion on the  
35 board. Is there any other discussion on the motion? **All those**  
36 **in favor, please your hand, real and digital, six; for the**  
37 **record, all those opposed raise your hand, four. It's six to**  
38 **four, and the motion carries.** All right, and so we have the  
39 second alternative that Dr. Ferrer had mentioned that we need to  
40 discuss, potentially.

41  
42 **DR. MENDEZ-FERRER:** Just, given the discussions that we've been  
43 having today, currently, Alternative 4, which would be to create  
44 a commercial trip limit of two fish per trip, is preferred, and,  
45 when I say preferred here, it's both councils have selected that  
46 as a preferred.

47  
48 If, during today's discussion, and I guess I want to ask the

1 committee if this is still considered a preferred alternative,  
2 to create a trip limit. If we make any changes here, then this  
3 would need to go back to the South Atlantic Council for further  
4 discussion, because they are currently selecting a trip limit of  
5 two fish for the commercial sector as a preferred.

6  
7 Again, to remind the committee, Alternative 2 is focused on the  
8 per-person daily possession limit, and Alternative 4 is a trip  
9 limit, and so this is a slightly more conservative alternative.

10  
11 **VICE CHAIRMAN ANSON:** All right. Thank you. Is there -- Is  
12 everyone happy with what we have? Dale.

13  
14 **MR. DIAZ:** Thank you, Mr. Chairman. We jumped to Alternative 4,  
15 and I wanted to talk about Alternative 3. Is this the  
16 appropriate time to do that?

17  
18 **VICE CHAIRMAN ANSON:** Go ahead.

19  
20 **MR. DIAZ:** Thank you. As I read through the document, and I  
21 think about this, we've got a lot of moving parts here, and  
22 that's why I wanted to try to look at this a little bit closer.  
23 **I want to make a motion, and, if I get a second, I will try to**  
24 **give some rationale, and so, in Action 5, I would like to make**  
25 **the preferred alternative Alternative 3b. The vessel trip limit**  
26 **is four fish per person, and that would be my motion, if I get a**  
27 **second.**

28  
29 **VICE CHAIRMAN ANSON:** We have a motion, and it's seconded by Mr.  
30 Schieble. Is there any further discussion? Dale.

31  
32 **MR. DIAZ:** Yes, sir. I will try to give some rationale. I do  
33 realize that we're not overfished, but we are undergoing  
34 overfishing, and we're trying to right the ship. I am in favor  
35 of righting the ship, but a lot of stuff has already taken  
36 place, and I just wanted to mention a few things.

37  
38 The Gulf Council changed to thirty-six inches, and the last  
39 stock assessment did not include the impact of that change, and  
40 so we're going to figure out exactly what that means in the  
41 future, I believe. In the document right now, the preferred,  
42 for the FLEC Zone, it looks like it's going to go up to thirty-  
43 six inches, and so that's a move in a positive direction, and we  
44 just went over Alternative 2 here, which drops the bag limit to  
45 one fish per person, and so we've made some substantial changes  
46 already.

47  
48 I think the per-vessel limit, in my opinion right now, is a

1 little bit too much, to drop it down to two, and that's why I  
2 wanted to do some type of compromise, and even our own document,  
3 on page 35, if we're talking about Alternative 3, it says,  
4 "However, since the majority of trips catching cobia retain one  
5 fish per vessel, the predicted reductions in harvest from  
6 options in Preferred Alternative 3 are low."

7  
8 Also, there is some public comments, and the public comments are  
9 kind of all over the place, but there are some public comments  
10 that would prefer to have more than two fish per vessel, and so  
11 that's my rationale for making the motion. Thank you, Mr.  
12 Chair.

13  
14 **VICE CHAIRMAN ANSON:** All right. Thank you. Martha.

15  
16 **MS. GUYAS:** I am going to speak against this motion. I mean,  
17 right now, the situation is people can't -- They can hardly  
18 catch one fish per trip, let alone four, but, once we get to a  
19 situation where things are looking better, then maybe people  
20 start catching more fish on a trip.

21  
22 I mean, right now, people are lucky to see a cobia, let alone  
23 harvest it, on a recreational trip, and so this might have some  
24 unintended consequences, in that, as the situation gets better,  
25 people start taking more fish per trip, and then we end up  
26 facing quota closures, which I think is particularly challenging  
27 in the case of cobia, because it is coastal migratory, and we've  
28 got fish in different places at different times, and this could  
29 have some serious impacts for some of the communities that at  
30 least have historically depended on cobia being there at  
31 different times of the year.

32  
33 Once we start seeing some progress, I am not opposed to looking  
34 at going back up in the vessel limit, or maybe even the  
35 possession limits, for recreational and commercial, but, I mean,  
36 we're in a bad place right now, and so my preference is to right  
37 the ship first and then start ratcheting up on the vessel limit.  
38 I realize this is a decrease from where federal waters is now,  
39 but I just think that this could have some serious unintended  
40 consequences, and so I do not support this motion.

41  
42 **VICE CHAIRMAN ANSON:** Susan.

43  
44 **MS. BOGGS:** Thank you, Mr. Chair. I wanted to speak in  
45 opposition to this motion as well, for a lot of the same reasons  
46 that Martha just mentioned, and, Dale, you mentioned it too, but  
47 cobia tournaments being cancelled because the cobia can't even  
48 meet a thirty-pound weight limit.

1  
2 I know I've spoken to the charter fleet in Orange Beach, and  
3 I've talked to some of them in Destin and along the Florida  
4 Panhandle, and they're not seeing the cobia, and I agree. I  
5 think there may be some unintended consequences, and, until we  
6 can see some rebound in the cobia, I would not be in favor of  
7 this motion. Thank you.

8  
9 **VICE CHAIRMAN ANSON:** Chris.

10  
11 **MR. CHRIS SCHIEBLE:** I would like to speak in favor of this  
12 motion, I guess reiterating what Dale said. Back in 2018, we  
13 took action on cobia, and that action, with the size limit  
14 change of thirty-six inches, was supposed to give us a 26  
15 percent reduction in harvest recreationally and a 10 percent  
16 reduction commercially, right, and we haven't really seen those  
17 benefits at this point, because the current stock assessment  
18 goes through 2018 data, and this rule went into effect I think  
19 in 2019, after getting it finalized.

20  
21 We don't know if we've seen a benefit of the 26 percent, or the  
22 10 percent, reduction, yet at this point in harvest. I would  
23 like to take a step-wise approach to this. To take a pile, a  
24 litany, of action here at one time, we won't know which  
25 independent action has given us a benefit, two or three years  
26 down the road from now, if we keep taking multiple actions at  
27 one time.

28  
29 I think a step-wise progress here would be good, and we saw, in  
30 the workbook there, the decision tool, a minute ago, that it  
31 showed a reduction in ACL for every single alternative when no  
32 vessel limit was selected, and so I'm not sure that we need a  
33 vessel limit at this point yet. Maybe the other actions, by  
34 themselves, will be enough.

35  
36 **VICE CHAIRMAN ANSON:** Martha.

37  
38 **MS. GUYAS:** To that point, just a reminder to the committee that  
39 the analysis that we have indicates that what we've already done  
40 for cobia is not enough, and so we do need to look at some other  
41 thing, and, I mean, this seems to be an appropriate one, and so,  
42 once again, our current action is not enough for cobia, and  
43 we're going to have to make some changes here.

44  
45 **VICE CHAIRMAN ANSON:** Leann.

46  
47 **MS. BOSARGE:** In the last action item, we kept commercial and  
48 recreational consistent with each other, and, Dale, would you be

1 amenable to have this preferred option apply to both commercial  
2 and recreational, and so it would be for both Alternative 3 and  
3 Alternative 4, to make the Option b the preferred?  
4  
5 **MR. DIAZ:** I would if the seconder agrees.  
6  
7 **MR. SCHIEBLE:** I will agree for the discussion.  
8  
9 **VICE CHAIRMAN ANSON:** Tom.  
10  
11 **DR. FRAZER:** I am just trying to adhere to the process here,  
12 Chris, and I'm not sure that you're on this committee. Kevin,  
13 can you check that? He can't second the motion.  
14  
15 **VICE CHAIRMAN ANSON:** Good catch, Dr. Frazer. John.  
16  
17 **MR. SANCHEZ:** If we need a second, I will second it.  
18  
19 **VICE CHAIRMAN ANSON:** All right, and so we still have the motion  
20 on the board, and Mr. Sanchez has seconded the motion. Do you  
21 approve of the change, the addition then, of commercial and  
22 recreational, John?  
23  
24 **MR. SANCHEZ:** I will agree to that. We're real good at the  
25 takeaway business, but we're not real great at the giveback  
26 business, and so I will agree.  
27  
28 **VICE CHAIRMAN ANSON:** Okay. **If staff can make that correction,**  
29 **to add the Option 3b for Alternative 4 as well.** Dr. Frazer.  
30  
31 **DR. FRAZER:** Thank you, Kevin. I think we're going to have to  
32 go back and just make sure that we have everything correct on  
33 the record. The previous motion that was passed, Chris, did you  
34 vote on that? We're going to have to go back and redo that.  
35  
36 **VICE CHAIRMAN ANSON:** So, Dale, is that the motion?  
37  
38 **MR. DIAZ:** It is, and, while I have the mic, I am okay with  
39 adding Alternative 4. I think we've always had the same limits  
40 for recreational and commercial in the Gulf on vessel limits,  
41 and I don't see why we would change that now, and the commercial  
42 harvest is quite small, and I don't think the impact is great.  
43 Thank you.  
44  
45 **VICE CHAIRMAN ANSON:** Is there any further discussion on the  
46 motion? J.D.  
47  
48 **MR. J.D. DUGAS:** I have a question. Does Preferred Alternative

1 4 increase the commercial trip limit from where it currently is?  
2

3 **DR. MENDEZ-FERRER:** Mr. Chair, I can answer that question.  
4

5 **VICE CHAIRMAN ANSON:** Go ahead.  
6

7 **DR. MENDEZ-FERRER:** No, and it would create one. Currently,  
8 there are no vessel limits and no trip limits. If you refer  
9 back to Alternative 1, currently, the recreational and  
10 commercial sector have a daily possession limit of two fish per  
11 person, but they don't have a vessel limit or a trip limit.  
12

13 **MR. RINDONE:** Mr. Dugas, the commercial trip limit --  
14 Technically, it's a de facto trip limit, due to the crew size  
15 limitation for the commercial vessels, and so at four persons,  
16 and so it would be eight fish per trip, or per day, and so two  
17 fish per person. If it was reduced to four fish, that would be  
18 a 50 percent reduction to what they can keep now.  
19

20 **VICE CHAIRMAN ANSON:** All right. Any further discussion on the  
21 motion? Andy.  
22

23 **MR. STRELCHECK:** I was just looking at the decision tool and  
24 share that it's about a hundred-thousand-pound difference in  
25 landings with this alternative versus a two-fish vessel limit,  
26 and I guess my concern with the alternative on the board is this  
27 brings us much closer to our catch target, and granted not the  
28 catch limit at that point, for exceeding harvest and potentially  
29 triggering accountability measures, and so there's a kind of  
30 risk/reward here, in terms of you potentially allow more  
31 harvest, but you have a higher likelihood of accountability  
32 measures being triggered, and so I just wanted to acknowledge  
33 that.  
34

35 **VICE CHAIRMAN ANSON:** Thank you, Andy. Chester.  
36

37 **MR. BREWER:** I was going to say, if you really want to help  
38 cobia, we need to get rid of some sharks, but the -- As somebody  
39 who does fish for cobia, and I do fish, obviously, for the most  
40 part, over on the east coast of Florida, and some on the west  
41 coast, we need to be careful about increasing trip limits,  
42 because what's happening more and more and more, to catch a  
43 legal keeper cobia, you're having to catch more and more fish  
44 that are more and more being eaten by sharks, and so there's  
45 sort of a multiplier effect when you increase your trip limit,  
46 because people are going to try to catch what they legally can,  
47 and that's four fish, and they're going to probably keep going  
48 until they've got four fish, and so I would be really careful

1 about increasing the trip limits.  
2  
3 **VICE CHAIRMAN ANSON:** Thank you, Chester. Any other discussion  
4 on the motion? Seeing none, we will go ahead and vote on it.  
5 **All those in favor of the motion on the board, signify by**  
6 **raising your hand, four hands raised; all those not in favor of**  
7 **the motion, also raise your hand, six. The motion fails.** Dr.  
8 Frazer, does staff have the other previous motion, or motions?  
9  
10 **DR. FRAZER:** Yes, and we'll put it up on the board. I think the  
11 process, Kevin, is we'll go ahead and read the motion again, to  
12 make sure that we have the original motion maker and the  
13 seconder, and then we'll take a re-vote.  
14  
15 **VICE CHAIRMAN ANSON:** All right. We have this one, and Martha,  
16 I believe, made this motion.  
17  
18 **MS. GUYAS:** I think I did, yes, and so this would set commercial  
19 at one fish per person, just to summarize where we're at.  
20  
21 **VICE CHAIRMAN ANSON:** Then, Andy, did you second this?  
22  
23 **DR. FRAZER:** He did, yes.  
24  
25 **VICE CHAIRMAN ANSON:** All right, and so we have the motion on  
26 the board. **We need to go ahead and revote, and so all those in**  
27 **favor of the motion in Action 5.1 to make Alternative 2, Option**  
28 **2b, the preferred, all those in favor of the motion, please**  
29 **signify by raising your hand, five with Robin, and I will raise**  
30 **my hand; all those opposed. The motion carries six to five.**  
31  
32 **DR. FRAZER:** We're good to go.  
33  
34 **VICE CHAIRMAN ANSON:** All right. Thank you. Do we have a need,  
35 or maybe not a need, as the committee sees it, for Preferred  
36 Alternative 4, and do we need to address that? Okay. We will  
37 move on then. Dr. Ferrer.  
38  
39 **DR. MENDEZ-FERRER:** Okay. If I follow this correctly,  
40 currently, Option 2 in 5.1, Option 2b, for Alternative 2, is the  
41 preferred. Then the current preferreds for Alternatives 3 and 4  
42 have not changed, correct, at this point. In Action 5.2, we  
43 have the same list of alternatives listed here, but they would  
44 apply to the Florida East Coast Zone, and, currently, both  
45 councils concur on reducing the daily possession limit from two  
46 to one fish per person for the recreational sector and the  
47 commercial sector on creating a recreational vessel trip limit  
48 of two fish for the recreational sector and a commercial vessel

1 trip limit also of two fish in Alternative 4, and so it seems  
2 like we have preferred alternatives that align, at this point,  
3 between the Gulf Zone and the FLEC Zone.

4  
5 If you scroll down, I guess we kind of give you some  
6 perspective. The tables on page 42, the changes being proposed  
7 under this action would have a stronger effect, a larger effect,  
8 on the Florida East Coast Zone, and so, at this point, both  
9 councils are concurring on the preferred alternatives for Action  
10 5.2. I can stop here, if we have any other questions or  
11 discussions.

12  
13 **VICE CHAIRMAN ANSON:** Okay. Any questions? Martha.

14  
15 **MS. GUYAS:** Just a comment. I mean, I'm glad to see that the  
16 South Atlantic has done this, and I just feel like, if we  
17 deviate from the path that we've set forward for them, then they  
18 may deviate as well, and then we start losing some of the  
19 benefits here and some of the credits towards ending  
20 overfishing, and so I'm just putting that out there.

21  
22 **VICE CHAIRMAN ANSON:** Thank you for putting that out there,  
23 Martha. Any other comments? Dr. Ferrer.

24  
25 **DR. MENDEZ-FERRER:** Okay. Action 6 proposes to modify the Gulf  
26 group cobia minimum size limit. Alternative 1, no action, would  
27 retain the current recreational and commercial minimum size  
28 limit of thirty-six inches fork length for the Gulf Zone, and,  
29 to remind the committee, this was actually implemented in March  
30 of 2020, and so the effects from that change have not been fully  
31 captured yet by the data that we currently have.

32  
33 The FLEC Zone has a minimum size limit of thirty-three inches,  
34 and so both councils are currently selecting Alternative 2 as  
35 preferred, which would retain the current recreational and  
36 commercial minimum size limits of thirty-six inches fork length  
37 in the Gulf and then increase the recreational and commercial  
38 minimum size limit from thirty-three to thirty-six in the FLEC  
39 Zone, and so, under the current preferred alternative, both  
40 zones would have a minimum size limit of thirty-six.  
41 Alternative 3 and Alternative 4 then allow the councils to  
42 increase the size limit from either thirty-nine or to forty-two.

43  
44 Currently, both councils are agreeing. The changes associated  
45 with the proposed alternatives, you guys can also play with  
46 these alternatives in the decision support tool that we used  
47 earlier, and so I will stop here for any further discussion.

1 If we scroll to the table, to Table 2.6.1, you can see the  
2 predicted percent reduction associated with the changes. At  
3 this point, that percent reduction on the Preferred Alternative  
4 2 is zero, but that's based on the status quo, because we are  
5 currently at thirty-six, and so there wouldn't be a change, but  
6 increasing it from thirty-three to thirty-six in the FLEC Zone,  
7 then we would see a predicted -- About a 27 percent expected  
8 reduction in cobia harvest.

9  
10 **VICE CHAIRMAN ANSON:** All right. Thank you. Both councils have  
11 the same preferred.

12  
13 **DR. MENDEZ-FERRER:** Yes, and I just noticed that I need to make  
14 an edit on the table.

15  
16 **VICE CHAIRMAN ANSON:** All right, and so there is there any  
17 discussion or questions about the preferred? Leann.

18  
19 **MS. BOSARGE:** No, and it's just a general comment. If you look  
20 at this species, right, whether state or federal, it's pretty  
21 close to a gamefish, generally speaking. I mean, almost all the  
22 harvest is recreational. It's in a pretty bad spot, and  
23 overfishing is occurring, and, like Martha said, you're not even  
24 seeing the fish, much less catching them.

25  
26 We've heard lots of testimony from all our different sectors  
27 that we've got a problem with cobia, and I say this not to place  
28 blame, but I say this so that hopefully we can look at this and  
29 realize that, at some point -- I mean, we're using the same old  
30 tricks, right? We're doing to decrease the bag limit, and so  
31 the rec guys are going to get down to one fish per person, and  
32 now we're going to put a vessel limit on you, and you're going  
33 to get down to two fish per boat.

34  
35 You can only go so far, and, in some of the other species, we're  
36 talking about half a fish per person, and we've been through  
37 this with other sectors, and, at some point, you have to make a  
38 real change to how you're going to manage your fishery, and I  
39 think you're starting to get there on the rec side, where you're  
40 going to get down to the point that you just -- You don't have  
41 many options left, and you're going to have to look at something  
42 different.

43  
44 How do you want to manage your fishery, when you've got no more  
45 room left to decrease bag limits? I just think you need to  
46 start thinking about that and where you want to go. I mean, you  
47 can cut the commercial sector out of this completely, and you're  
48 still going to have a problem, and so, by and large, it is your

1 fishery, recreationally, and how do you want to manage it? What  
2 are you going to change?

3  
4 You don't have a limit on capacity of fishermen, and that's kind  
5 of what we changed on the commercial side, and that's how we  
6 chose to do it, and that's fine, and you may not want to go that  
7 route. You may not want to limit industry, and I can see where  
8 that would be an issue for you, but you're going to have to come  
9 up with something else, because, as you can see, it's not a  
10 bottomless pit of fish, and they're disappearing on you, and so  
11 what do you want to do differently that will work best for you?

12  
13 I don't know if it's tags, and I don't know what it is, but I am  
14 just hoping that you will start to think about it, because it's  
15 coming, and, at some point, you're going to have to deal with  
16 it.

17  
18 **VICE CHAIRMAN ANSON:** Thank you for the comment, Leann. Andy.

19  
20 **MR. STRELCHECK:** Just a comment about the table that was up  
21 previously that was showing the size limit reduction of zero,  
22 and so I can understand why it's being presented that way, and  
23 maybe you have acknowledged the reduction that we're getting  
24 from the recently-implemented size limit change in the document,  
25 but, if you haven't -- I couldn't find it, and I would recommend  
26 at least including that information in the document, because, to  
27 me, we are realizing a reduction, but it's just kind of a timing  
28 situation with regard to when we implemented that size limit  
29 change, and, to me, showing a zero percent reduction from the  
30 size limit really isn't truly what is occurring.

31  
32 **DR. MENDEZ-FERRER:** Just to capture that, you're suggesting to  
33 include all the analysis that was the predicted percent  
34 reduction when the change was implemented? I think it was close  
35 to 20 percent, but I will have to double-check Framework  
36 Amendment 7.

37  
38 **MR. STRELCHECK:** Yes, and I think the way you presented it in  
39 the table is fine, but there might be either a footnote or an  
40 acknowledgement that there is a realized reduction occurring  
41 based on a previous action that has taken place, or at least  
42 acknowledge it in the description of effects.

43  
44 **DR. MENDEZ-FERRER:** Okay.

45  
46 **VICE CHAIRMAN ANSON:** All right. Any further discussion for  
47 Action 6? Seeing none, Dr. Ferrer.

48

1 **DR. MENDEZ-FERRER:** All right, and so we can move on to Action  
2 7. Action 7 has been slightly reworked. For Alternative 1,  
3 instead of just putting a snippet of the CMP framework  
4 procedure, we are now including the full framework procedure,  
5 and this text is also included in Appendix A.

6  
7 If we scroll down to Alternative 2, at its April meeting, the  
8 Gulf Council passed a motion to select Alternative 2 as  
9 preferred, and so Alternative 2 would modify the framework  
10 procedure to update the responsibilities of each council for  
11 setting regulations to the Gulf group cobia, and the changes are  
12 associated with the section of the framework procedure that  
13 outlines the responsibilities of each council.

14  
15 As it's currently written, the South Atlantic can modify vessel  
16 trip limits, closed seasons and areas, and gear restrictions for  
17 FLEC Zone cobia via a framework amendment, and so, when we  
18 passed this alternative in April, the text in 1(a) says the  
19 South Atlantic Council will have the responsibility to specify  
20 management measures that affect only the east coast of Florida,  
21 including the Atlantic side of the Florida Keys.

22  
23 At that point, we were still getting some concerns as to what  
24 actions are included here, and so, after some discussion with  
25 the IPT, after that meeting, the IPT is proposing some revised  
26 language for Alternative 2, and so we can scroll down a little  
27 bit more to that.

28  
29 Instead of -- What we're doing here is now we're kind of  
30 outlining which management actions the South Atlantic can  
31 address via framework, in terms of managing cobia in the FLEC  
32 Zone, and so the South Atlantic Council will have the  
33 responsibility to set vessel trip limits, closed seasons or  
34 areas, gear restrictions, and that remains the same as we  
35 currently have it in our framework procedure, but, to this list,  
36 we're adding per person bag and possession limits, size limits,  
37 in-season and post-season accountability measures, and  
38 specification of ACTs or sector ACTs for the east coast of  
39 Florida, including the Atlantic side of the Florida Keys, for  
40 Gulf migratory group cobia, and that is the Florida East Coast  
41 Zone.

42  
43 Again, to remind you all, when it comes to changes that would  
44 affect the entire migratory group stock, those are addressed  
45 jointly, and so this only pertains to kind of those changes that  
46 the South Atlantic can take in a faster, or quicker, manner to  
47 address changes related to FLEC Zone cobia.

1 Last week, when the South Atlantic saw this action, they  
2 selected this revised Alternative 2 as preferred, and there are  
3 two other minor changes that we have to address when we are  
4 updating the framework procedure, and one of them is, from this  
5 Number 1, the reason why we're scratching cobia is because  
6 Atlantic migratory group cobia was removed from the CMP FMP, via  
7 CMP Amendment 31, and so we need to reflect that change here.

8  
9 Also, there seemed to be an error in the framework procedure  
10 that refers to an ABC/ACL Control Rule, which we don't have, and  
11 it should say ACL/ACT Control Rule. I can stop here, to see if  
12 we have any questions, if the committee likes this approach of  
13 outlining these responsibilities as they are listed here, or if  
14 you wish to retain the preferred alternative as it was selected  
15 in April.

16  
17 **VICE CHAIRMAN ANSON:** All right, committee, and so we have this  
18 new Alternative 2, and it was selected as preferred by the South  
19 Atlantic, and so is there any discussion? Martha.

20  
21 **MS. GUYAS:** I think I like the way this was rewritten. I think  
22 it's easier to understand, and so do we need to do another  
23 motion to, I guess, confirm that we're okay with these changes  
24 to Alternative 2?

25  
26 **VICE CHAIRMAN ANSON:** I would think we would have to come up  
27 with a motion that selects this new, amended Alternative 2 as a  
28 preferred, if that's your intent.

29  
30 **MS. GUYAS:** Okay. I can do that then. **I will make a motion**  
31 **that, in Action 7, that we select the modified Alternative 2 as**  
32 **the preferred alternative.**

33  
34 **VICE CHAIRMAN ANSON:** All right, and so we have a motion to make  
35 the new amended Alternative 2 as the preferred alternative. Is  
36 there a second to the motion? It's seconded by J.D. Any  
37 discussion on the motion? I kind of agree with Martha that it  
38 does clarify things and make it a little easier to understand  
39 and read, and so that's my two-cents. All right. **Seeing no**  
40 **further need for discussion, or request for discussion, all**  
41 **those in favor of the motion, signify by raising your hand. The**  
42 **motion carries.**

43  
44 Dr. Ferrer, that wraps up the document, I think, and is there  
45 any other comments or information from the South Atlantic that  
46 you would like to share?

47  
48 **DR. MENDEZ-FERRER:** No. At this point, unless I am missing

1 anything, if Christina or Chester want to chime in, but I think  
2 that wraps up this document.

3

4 **VICE CHAIRMAN ANSON:** All right. Martha.

5

6 **MS. GUYAS:** Just a question. So I guess this goes back to the  
7 South Atlantic in September, and so then is it -- If they get  
8 onboard with everything that we did today, are we final in  
9 October, potentially?

10

11 **DR. MENDEZ-FERRER:** We would bring a public hearing draft for  
12 August and September, August for the Gulf Council and a public  
13 hearing draft for the South Atlantic in September, and so if  
14 those get approved.

15

16 **VICE CHAIRMAN ANSON:** All right. Great. If there is no other  
17 questions about this amendment, we're a little early for a  
18 break, but I think it would be a good time to go ahead and take  
19 a fifteen-minute break, if that's okay, Mr. Chair.

20

21 **DR. FRAZER:** Yes, and I think we're actually right on time, and  
22 so we'll come back at 10:15.

23

24 (Whereupon, a brief recess was taken.)

25

26 **VICE CHAIRMAN ANSON:** We're going to start back the Mackerel  
27 Management Committee, and we're going to continue in the agenda  
28 with Agenda Item Number VI. Dr. Mendez-Ferrer, if you can read,  
29 or summarize, the guideline.

30

31 **DRAFT AMENDMENT 33: MODIFICATIONS TO THE GULF OF MEXICO**  
32 **MIGRATORY GROUP KING MACKEREL CATCH LIMITS AND SECTOR**  
33 **ALLOCATIONS**

34

35 **DR. MENDEZ-FERRER:** Thank you, Mr. Chair. Agenda Item Number  
36 VI, we'll have Draft Amendment 33, Modifications to the Gulf of  
37 Mexico Migratory Group King Mackerel Catch Limits and Sector  
38 Allocations, and so council staff, Mr. Rindone, will present  
39 draft options to be considered in this amendment, which examines  
40 Gulf migratory group king mackerel catch limits and sector  
41 allocations.

42

43 The SEDAR 38 update assessment found Gulf king mackerel to be  
44 healthy, not overfished, and not undergoing overfishing, and CMP  
45 Amendment 33 was initiated by the council in response to that  
46 stock assessment. The range of actions and alternatives to  
47 modify catch levels and sector allocations incorporate the  
48 projections and recommendations from using MRIP-FES, and the

1 committee should review the proposed actions and alternatives  
2 and provide feedback to council staff for consideration, as  
3 appropriate.

4  
5 **VICE CHAIRMAN ANSON:** Thank you. Any questions? Dr. Simmons.

6  
7 **DR. SIMMONS:** Thank you, Mr. Chair. Not a question on the  
8 action schedule, but just going back to cobia, Amendment 32, at  
9 Full Council, if we could just get a little discussion and  
10 feedback regarding the plan for public hearings, if we need to  
11 hold in-person public hearings, how many, et cetera, and so, if  
12 everyone could be thinking about that, and then we could spend  
13 some time discussing it, when we get to that part of the  
14 committee report, that would be helpful.

15  
16 Also, if we could get some information regarding what the South  
17 Atlantic Council may be doing, and are they going to plan any  
18 in-person meetings after the September council meeting regarding  
19 public hearings? That would also be informative, and so, maybe  
20 at Full Council, we could discuss that. Thank you.

21  
22 **VICE CHAIRMAN ANSON:** Thank you, Dr. Simmons. Dr. Mendez-  
23 Ferrer.

24  
25 **DR. MENDEZ-FERRER:** I think we can move on to CMP Amendment 33  
26 with Mr. Rindone.

27  
28 **MR. RINDONE:** All right. This document looks to modify the Gulf  
29 kingfish catch limits and sector allocations, based on the  
30 results of the SEDAR 38 update stock assessment. We can go  
31 ahead and scroll down into the background information.

32  
33 Kingfish is managed jointly, just like cobia is, between the  
34 Gulf and South Atlantic Councils, and, because we're changing  
35 catch limits and sector allocations in this document, this  
36 document is also considered to be a jointly-developed document,  
37 and so the South Atlantic will need to sign-off on this at some  
38 point.

39  
40 The purpose of this amendment is to revise the catch limits for  
41 Gulf kingfish and to review recreational and commercial  
42 allocations in response to new information on the stock provided  
43 in the SEDAR 38 update stock assessment, and the need for this  
44 amendment is to ensure that catch limits are based on BSIA and  
45 to ensure that overfishing does not occur, while increasing  
46 social and economic benefits of the king mackerel component of  
47 the CMP fishery through sustainable harvest, in accordance with  
48 Magnuson. Do you guys have any edits to the purpose and need?

1 All right. Then we can go down to Chapter 2.

2  
3 Action 1 in Chapter 2 is to modify the catch limits, and so our  
4 current catch limits are shown there under Alternative 1, and  
5 these are based on CHTS units, and we have an overfishing limit  
6 of 8.95 million pounds and acceptable biological catch of 8.55  
7 million pounds, and the annual catch limit is set equal to the  
8 ABC.

9  
10 Alternative 2 would revise the OFL and ABC for king mackerel, as  
11 recommended by the SSC, for 2021 to 2023 and subsequent years.  
12 The total ACL would still be set equal to the ABC, and we do not  
13 use an annual catch target, or an ACT, for kingfish, at present,  
14 and so we're not currently proposing that here, and so you guys  
15 can see those catch limits increase from 2021 to 2023 and  
16 subsequent years, and the reason for that is that, although the  
17 Gulf kingfish stock is thought to be healthy, based on the last  
18 stock assessment, spawning stock biomass, at present, is below  
19 that at maximum sustainable yield, and so we're rebuilding back  
20 up to that spawning stock biomass at maximum sustainable yield  
21 level. Mr. Chair.

22  
23 **VICE CHAIRMAN ANSON:** All right. We have a question from Dale.

24  
25 **MR. DIAZ:** Thank you, Mr. Chair. Ryan, this question is for  
26 you, I believe, or maybe Andy, but, sometime back, I got into  
27 the website where you could look at the landings that were  
28 converted into FES, and what it basically looked like to me was  
29 that FES numbers were basically double the previous numbers.

30  
31 My question to you is is the current OFL, ABC, and ACLs are only  
32 slightly higher now, and I would have been anticipating to see  
33 those go up substantially, being that the difference was double  
34 for FES, and so can you give us some insight as to why the  
35 numbers are like they are? I am going to say the numbers are  
36 low, but the numbers are like they are? Thank you, sir.

37  
38 **MR. RINDONE:** Sure, and so there's a couple of things that are  
39 probably at play here. One is that recruitment for kingfish has  
40 been lackluster for the last eight years or so, and, like  
41 several of the species that we manage, a couple of good years of  
42 recruitment can certainly drive a lot, as far as the abundance  
43 that is seen out on the water, and it's also important to  
44 remember that the update assessment for -- That we're using for  
45 this document, the terminal year of data there was 2017.

46  
47 The projections used the landings that we had available between  
48 2017 and now, to the extent that we could, but everything else

1 was fixed at those 2017 levels, which would have included  
2 recruitment, which, again, was still low.

3  
4 The other factor to consider is that the recreational sector,  
5 under the CHTS monitoring regime, was only landing between 35  
6 and 40 percent, approximately, of its ACL, and it's been that  
7 way for a couple of decades, and so you have routine  
8 underharvests for a long period of time by one sector, and then  
9 you have the other sector is meeting or, in recent years,  
10 modestly exceeding its ACL, and so it's different for kingfish  
11 than it is for like some of our reef fish species, because our  
12 reef fish species -- Typically, those ACLs are being met by both  
13 sectors.

14  
15 In this case, there is a lot of fish that are left in the water  
16 every year, which is unusual for many of the species that we  
17 manage. Kingfish, Spanish mackerel, vermilion, there's only a  
18 few that have that scenario.

19  
20 **MR. DIAZ:** Maybe I am not understanding you right, but it seems  
21 like the underharvest on the recreational side would be  
22 something that would maybe even make the ACLs, OFLs, and ACTs  
23 higher, but, the way I'm hearing you explain it, it's not a  
24 positive thing.

25  
26 **MR. RINDONE:** The catch limits are predicated on whatever is in  
27 Year X being caught, and then that tells you that, in Year X-  
28 plus-one, in the following year, that you can catch that amount,  
29 and so, if you're not catching what you're allowed to catch in  
30 Year X, then whatever is in Year X-plus-one could be an  
31 underestimate, if the fish are out there to be caught.

32  
33 Then, like in the case of cobia, the presumption is that the  
34 stock was in a little bit of trouble, and we're still  
35 underharvesting, and so maybe those fish aren't there, and so  
36 that's a little bit of a different situation.

37  
38 Despite the underharvest, the stock assessment still says that  
39 the Gulf kingfish stock is healthy, but that underharvest isn't  
40 helping the recreational side of things, and so, like with the  
41 reef fish stocks and the increase from CHTS to FES, it presumes  
42 this large increase in harvest, which presumes that there must  
43 have been a lot more fish out there, and so we don't have that  
44 part of the data telling us, or giving us, that signal, in the  
45 kingfish stock assessment, because the recreational sector isn't  
46 catching those fish. They're not bringing them back to the  
47 dock.

48

1  
2 If they were, then that conversion perhaps would have shown a  
3 larger proportion of landings being attributable to the  
4 recreational sector, which in turn would presume that the stock  
5 must have been larger in the past than we had previously  
6 thought, but, because you have that underharvest, that signal is  
7 confounded, and so that's why -- That may be one reason why  
8 you're not seeing this big jump in the ACL that we have seen for  
9 other migrations from CHTS to FES. I will look down the line to  
10 Dr. Porch, if I have misspoken on any of this, or John, to see  
11 if anyone else has an opinion.

12  
13 **VICE CHAIRMAN ANSON:** Dr. Froeschke.

14  
15 **DR. JOHN FROESCHKE:** Well, just a couple other things that are  
16 different about this one, and so it's true that we have been,  
17 especially on the recreational sector, well under the catch  
18 limits that were set in the previous assessment. However,  
19 despite the most recent assessment result that said that we were  
20 not below the MSST, but we were below MSY levels for the first  
21 time in any recent mackerel assessment that I am aware of, which  
22 suggests that the observed harvest level, being, i.e., combined  
23 recreational and commercial, was sufficient to drive the biomass  
24 down relative to previous assessments.

25  
26 It could be because of poor recruitment and things like that,  
27 but it does suggest that, had we been fully catching the ACLs  
28 from both sectors, we likely would have been to the detriment of  
29 the stock biomass, and so, based on taking that information and  
30 going forward in a new assessment, it suggests that we probably  
31 would not be experiencing the levels of increase, and you  
32 probably would have had to make some sort of reduction, and  
33 that's why you do see, in the catch recommendations, it's an  
34 increasing yield stream and things, because the model is  
35 attempting to rebuild the biomass to a higher level, and so  
36 there's kind of that, and that's different, and we have had not  
37 had that scenario for mackerel.

38  
39 **VICE CHAIRMAN ANSON:** All right. John Sanchez.

40  
41 **MR. SANCHEZ:** I had something else to say, but, to this point, I  
42 am wondering if the basically tripling our shrimp trawl bycatch  
43 numbers, if that doesn't have an impact, speaking directly to  
44 what Dale has been asking.

45  
46 **VICE CHAIRMAN ANSON:** Ryan.

47  
48 **MR. RINDONE:** I am trying to remember specifically what the

1 effect in the model was of that, and I would have to look that  
2 back up, and so, I mean, if it's removing those smaller  
3 individuals, then, yes, it would have an effect on biomass, but  
4 I also don't recall that signal being something that was really  
5 driving the stock either, and so I will look that up, and I will  
6 circle back to you guys on that at Full Council.

7

8 **VICE CHAIRMAN ANSON:** Leann.

9

10 **MS. BOSARGE:** Just for clarification, you don't really see those  
11 numbers in the observed data for kingfish in the bycatch.  
12 However, we have a model that uses a proxy, which is the SEAMAP  
13 trawl, right, for shrimp trawl bycatch, because, in observer  
14 data, you don't have it for every single year, right.

15

16 Now, the model is supposed to use the trajectory, right, of the  
17 SEAMAP bycatch as a proxy, but, given the levels that they're  
18 showing, my guess is it's probably pulling more than just the  
19 trajectory, and so I think a good -- This is probably a  
20 discussion for the SSC, but I think sometimes you're almost  
21 asking that model to make chicken salad out of chicken poop,  
22 right?

23

24 The numbers aren't there, but you're asking it to create them,  
25 and so I think one thing that could be helpful, going forward in  
26 the future, is, in situations like that, for species where the  
27 shrimp trawl bycatch is very minimal, right, you almost want to  
28 look at the life history parameters of that species and use that  
29 as a context for the observer data and what you see or don't  
30 see.

31

32 In other words, think about gray trigger, for example. Gray  
33 trigger really doesn't have a significant portion of its life  
34 history that it spends off the reef, right, and so, if you do  
35 see very minimal numbers in observer data, which that can get  
36 complicated, depending on the protocols for that observer data  
37 and what they list as a species or not, and you also know that  
38 the life history parameters of that species don't lend itself to  
39 showing up in shrimp trawl bycatch, then, at some point, you  
40 want to step back and say should we actually be trying to  
41 include this as an index in the assessment, because, in doing  
42 so, we don't have the data there, and we're going to have to ask  
43 a model to create the data, and we're going to have to tell the  
44 model to use a proxy, which that proxy, if it only takes a  
45 trajectory, is okay.

46

47 However, if it actually pulls CPUEs from SEAMAP data, that's not  
48 reflective of true shrimp trawl bycatch, because SEAMAP is out

1 there, and they want to catch fish, right, and they're trying to  
2 assess what's happening, it's a fishery-independent index to see  
3 what the stock looks like, and they don't pull fish excluders.  
4 They're not trying to get fish out of the net, and we do, right,  
5 and so their bycatch is going to be significantly greater than  
6 what ours is.

7  
8 In the future, I think, for a lot of our different assessments,  
9 and I think that's something that some of these working groups  
10 have maybe discussed, and I don't know if they got to the point  
11 where they could really discuss it in detail, but I hope that we  
12 will get to that point, where we take a step back, and, if the  
13 numbers aren't there, if you don't see it, let's look at it in  
14 the context of the life history before we try and create the  
15 numbers from a proxy.

16  
17 **VICE CHAIRMAN ANSON:** Dr. Porch.

18  
19 **DR. CLAY PORCH:** Thank you. I just wanted to clarify that it's  
20 not that we use SEAMAP straight up replacing for shrimp trawl  
21 data. There are adjustments made for whether they're not  
22 pulling BRDs, et cetera, and, also, there is some data in the  
23 observer information on various species, and so it's not that  
24 the model just -- It's more a semantic issue, maybe, but it's  
25 not that the model is just making fish up. I mean, there is  
26 some data that underpins all that.

27  
28 Having said all of that, I would agree that our estimates of  
29 bycatch are less than perfect, for a number of reasons, one of  
30 being that we only have 1 percent coverage of the shrimp trawl  
31 fishery, and so, if we could increase that substantially, it  
32 would be extremely helpful, and, of course, that's expensive,  
33 and that's not in the budget right now, and we are looking at  
34 alternative ways to come up with more robust estimates of  
35 bycatch.

36  
37 The way the models typically use that information is they use  
38 the effort estimates that we have a better handle on, the same  
39 ones that you use to monitor for red snapper regulations, and we  
40 use those effort trajectories, and then we scale the magnitude  
41 of bycatch to the median across all years, and so it's not that  
42 we're trying to fit bycatch estimates every single year, because  
43 those have a high variance associated with it, but we just say  
44 that the average across the years should be about this value  
45 that we estimate from the information, and so the real  
46 trajectory part of it is in the effort data that we have a  
47 little bit better handle on. Thanks.

48

1 **VICE CHAIRMAN ANSON:** I have several people. I have John, who  
2 had his hand up earlier, and then Ryan and then Dale.

3  
4 **MR. SANCHEZ:** Thank you, Kevin. When we started asking for the  
5 creation of Amendment 33, a reallocation document to address  
6 what we said was happening, and there was, perhaps arguably, a  
7 little bit of an overage utilization on the commercial side and  
8 a history of underutilization on the recreational side.

9  
10 We thought, well, given that we're looking at allocation  
11 periodically on everything, we need to look at this one, and  
12 it's seemingly the shoe seems to be on the other foot, and it's  
13 probably long overdue, and so we got into it, and then I almost  
14 feel like, now, it's one of those be careful what you ask for,  
15 because then comes FES, and FES pretty much indicates that these  
16 landings, if you can believe it, have doubled the recreational  
17 landings over time, and, whether you believe it or not, you're  
18 kind of saddled with it, because it's the best available data,  
19 but it leaves me shaking my head.

20  
21 How uncertain was our reporting platform, estimating platform,  
22 for the recreational landings that it lent itself to an  
23 underestimation to where it doubles, and then the kicker is, in  
24 that same time period, when you see that this doubling of this  
25 generates a higher ACL, and then we've got some issues with it,  
26 as Dale just pointed out, and it's not as high as one  
27 intuitively would think, when you're doubling the landings, but  
28 you stop and you think, okay, if the commercial guys were fully  
29 utilizing it, but they never had a chance to participate in this  
30 historical, I guess, increased ACL that apparently the  
31 recreational sector has, and, in my mind, not only in this  
32 fishery, but in any fishery, these are going to be biased  
33 discussions regarding allocation, because there is no way to  
34 clearly quantify this foregone commercial opportunity in every  
35 one of these fisheries.

36  
37 It seems like having a reporting platform that lends itself to  
38 underestimation results in you being rewarded increased  
39 allocation, and that just seems bad wrong to me.

40  
41 For us to discuss allocation, and, again, in all, pretty much,  
42 fisheries, this one included, we're going to have to address  
43 that foregone opportunity that the commercial sector is not  
44 having an opportunity to access, and I understand that perhaps  
45 generating FES-equivalent ABCs back in time is probably a  
46 daunting, monumental task, but, unless somebody comes up with a  
47 meaningful way to address this, then these discussions are all  
48 going to be biased.

1  
2 I don't know what to do with it, and then I look at this  
3 document further, and I look at some of the tables in it, and I  
4 compare the references to some of the commercial landings over  
5 time to SEDAR 38, back in 2014, the commercial landings then,  
6 and they're off by like 800,000 pounds a year, and I don't have  
7 an explanation for that, because, in my mind, when you're  
8 dealing with commercial landings, they're solid numbers.

9  
10 We open and close seasons according to them, and they don't lend  
11 themselves to these underestimations or what have you, and yet,  
12 in the document, it's here, and then we get to the next action  
13 item, and we're kind of being asked to pick a percentage. Well,  
14 John, what's your ask, and what do you think it should be, but,  
15 if I don't have numbers that I feel are correct to work with,  
16 honest to god, I can't formulate defensible arguments to ask  
17 that here's what I think the allocation split should be, and so  
18 I'm going to ask that maybe whoever generated --

19  
20 Whoever is responsible for generating the landings that are in  
21 SEDAR 38, 2014, and I have a table that I can show -- For them  
22 to just take a look at that, review that, and explain how they  
23 compare to the table in this document, I think Table 1.1.1,  
24 because, again, they're off by 800,000-plus-pounds a year, and,  
25 over ten years, that's eight million pounds, and that's a bitter  
26 pill to swallow.

27  
28 I think we need to find out what we're working with before we  
29 can generate some meaningful suggestions on what we think this  
30 allocation should be. Thank you.

31  
32 **VICE CHAIRMAN ANSON:** Ryan, you were next. Do you have any  
33 information about John's concerns?

34  
35 **MR. RINDONE:** I will probably only partially explain some of  
36 those differences, and so, directly to Mr. Sanchez's comments,  
37 there is continual QA/QC that happens with all of the data,  
38 recreational and commercial, and so the data pulled from one  
39 year may differ the next year, as some of that quality assurance  
40 and quality control happens, to try to look for outliers or  
41 incorrect reporting or missing reports.

42  
43 For the commercial data, it's submitted through written trip  
44 tickets, and some of those data come in later, and so there  
45 could be differences that could be attributed to that, but,  
46 again, that's only a partial explanation for that.

47  
48 To what Dr. Porch was saying about using the median value over

1 time, and just for Ms. Bosarge's edification, because I  
2 anticipated her asking, that time period is 1975 to 2017, and,  
3 back to Mr. Sanchez's question from earlier that I said I would  
4 circle back on, and it was easier to find than I thought, and so  
5 the tripling of the median bycatch level for shrimp bycatch most  
6 directly affected the estimate of virgin biomass, and so like  
7 the starting biomass at the beginning of the modeling period,  
8 and it had less effect on the current spawning stock biomass  
9 level.

10  
11 Essentially, what that means is, assuming that median value of  
12 shrimp bycatch over time, the model compensates for that by  
13 saying that, well, if this many kingfish have been removed due  
14 to shrimp bycatch over time, then the stock must have been  
15 larger back in time than we previously thought, but it still  
16 resulted in providing the same general conclusion in the present  
17 day. Mr. Chair.

18  
19 **VICE CHAIRMAN ANSON:** John, do you have something? Then Dale  
20 after John.

21  
22 **MR. SANCHEZ:** To that, yes. I can understand that, over time,  
23 numbers get vetted, and they get massaged a little bit, and that  
24 they might change a little bit, but not 800,000-plus pounds a  
25 year, eight million pounds over a ten-year period. That's just  
26 too much, and so I would like whoever, the Regional Office or  
27 the Science Center, to take a look at how those SEDAR numbers  
28 compare and differ so dramatically from Table 1.1.1 in the  
29 document.

30  
31 **VICE CHAIRMAN ANSON:** Any other discussion about Action 1? Just  
32 a general comment about the data, the FES, and, obviously, as  
33 FES is starting to be included in the assessments for these  
34 species we manage, the recreational data is, it appears,  
35 creating some issues, as to how the outputs come out, what is  
36 generated through the assessment.

37  
38 I, frankly, have my concerns about this species too in the FES,  
39 just like I have with some reef fish species, and so I don't  
40 know what the answer is, and so, Leann, you bring up some good  
41 points, as to there might need to be some closer looks, and  
42 maybe the research track assessments would do that, whether or  
43 not it's on the board for activities for the research track  
44 group to look at specifically for each species, and I don't know  
45 if that's something that the council might need to address, if,  
46 every time before a research track assessment is concerned, is  
47 kind of make sure that we have a good handle as to what is on  
48 the docket for the group to look at, or concerns that we have

1 about the model or previous assessments, and that might be  
2 something that we might want to look at in a more structured  
3 way, potentially. Ryan, did you have a comment?  
4

5 **MR. RINDONE:** Yes, sir. Just to your point about the research  
6 track assessments, and just a note for the committee, we don't  
7 have a research track scheduled for kingfish any time in the  
8 next four or five years. If there is a need to do a deeper dive  
9 into the recreational and commercial data, since those datasets  
10 themselves wouldn't be presumed to be changing, that may be  
11 something that can be done through a topical working group,  
12 through our operational assessment approach, and so it may not  
13 require the research track to dive into that.  
14

15 **VICE CHAIRMAN ANSON:** Leann.  
16

17 **MS. BOSARGE:** I don't know if now is the appropriate time, but,  
18 at some point, I wanted to back up to that purpose and need,  
19 whenever you think it's appropriate.  
20

21 **VICE CHAIRMAN ANSON:** Any other comments about Action 1? Mr.  
22 Swindell.  
23

24 **MR. ED SWINDELL:** I am looking a little further down in the  
25 document, and I am looking at Table 2.1.1, where it gives a  
26 really -- I guess you have used the FES analysis back to 2001,  
27 and did we have the FES analysis at that time, or was this just  
28 working backwards with the proposed difference in what we have  
29 now and the FES now and working back, and you didn't have FES, I  
30 assume, back in 2001 and 2002, and is that right?  
31

32 **VICE CHAIRMAN ANSON:** Ryan.  
33

34 **MR. RINDONE:** FES came online across the Gulf in 2017, but it's  
35 been back-calibrated for the CHTS data all the way back to 1981,  
36 and so we have presented the last twenty years of data here, for  
37 the convenience of the committee, and not to put an extra-large  
38 table in here. If you guys want to see more of the data,  
39 there's an appendix that has it going back further.  
40

41 **MR. SWINDELL:** May I, Mr. Chairman? FES came about in 2017, and  
42 is that right?  
43

44 **MR. RINDONE:** It was in development before that, but it came  
45 online in the Gulf in 2017, yes.  
46

47 **MR. SWINDELL:** But was it being used prior to that? I mean, the  
48 data was being collected prior to 2017?

1  
2 **MR. RINDONE:** The data were being collected through MRIP,  
3 through the Coastal Household Telephone Survey program, prior to  
4 2017.  
5

6 **MR. SWINDELL:** So we feel though that it is accurate to project  
7 it all the way back to 2001 on this data that I am looking at  
8 this table here that we're talking about in the total catches  
9 and everything for the recreational landings?  
10

11 **MR. RINDONE:** The data are actually calibrated all the way back  
12 to 1981, but I will let Dr. Porch jump in.  
13

14 **DR. PORCH:** I mean, Ryan is exactly right about that. It's  
15 calibrated back to 1981, but what they did is they contracted  
16 some folks to basically look at cellphone use, the increase in  
17 cellphone use, and other factors that caused the old Coastal  
18 Household Telephone Survey to be biased, and they made  
19 corrections for that, and that's actually been peer reviewed.  
20

21 They did put considerable effort to figuring out how the bias  
22 would have changed over time, and so there was very little bias,  
23 right, in 1981, because there weren't people using cellphones,  
24 but, as cellphones came online, people stopped using their  
25 landlines, or mostly used them to screen calls, and they needed  
26 to account for that, and it changed the sampling frame, and  
27 there were some other things that caused it to change, and so  
28 that's what they did, and Ryan is right that it's calibrated all  
29 the way back to 1981, but the adjustment is less and less  
30 through time, until it's practically zero in 1981.  
31

32 **MR. SWINDELL:** Okay. Has the SSC really looked at this, the  
33 data change? I think they have, and they approved using the FES  
34 data as a calibration tool. You know, for years, we looked at  
35 the fact that the recreational people were not landing anywhere  
36 near their allocation, and now they are well, or close to it,  
37 but, still, if I then go out to the proposed, if I look at 2021  
38 in this same chart, to 2023, you're up to over nine million  
39 pounds, and there is still total landings in the FES projected  
40 is still quite a bit less.  
41

42 What are we going to do, and so are we going to keep pushing on  
43 lessening the commercial and recreational catch, or number of  
44 fish, and the size and so forth, because it looks to me like  
45 you've got plenty of room for -- And almost no risk to take, if  
46 you just leave it alone. Thank you.  
47

48 **VICE CHAIRMAN ANSON:** All right. Any other comments for this

1 action? Mr. Sanchez.

2  
3 **MR. SANCHEZ:** One final one. It just -- In thinking all this  
4 through, and how long we've been discussing this and trying to  
5 get it through and the history of it, and we started by thinking  
6 that we need to look at these allocations, a while back, and  
7 that ended up with pretty much a three-fish bag limit. Then we  
8 had to wait and see, well, is the three-fish bag limit going to  
9 raise the recreational landings by the magnitude to where there  
10 isn't going to be that utilization, and that was kind of the  
11 pitch.

12  
13 That didn't happen, and then we brought it back up again, in I  
14 think it was Amendment 29, which we affectionally dubbed the  
15 Bosarge Method, where we kind of offered a passive way to have  
16 allocation go back and forth, as needed, and it created a  
17 mechanism to do that, and that didn't gain any traction, and it  
18 was put on hold, and I think it's still one of the amendments we  
19 have on hold, but, had we been able to do that, we probably  
20 would have avoided all this right now, and it could have  
21 probably been used to effectively address all these changes in  
22 landings reports. None of that history isn't -- I haven't  
23 forgotten it, and it's not lost for me over time, and yet here  
24 we are, and it seems like we can't get it out of first gear.

25  
26 **VICE CHAIRMAN ANSON:** All right. I know some of you will have  
27 some opinions about this question, but I will offer it anyways,  
28 but does anybody have any other recommendations for suggesting  
29 another alternative for this action? Ryan.

30  
31 **MR. RINDONE:** Well, not that, but Ms. Bosarge had mentioned  
32 revisiting the purpose and need.

33  
34 **VICE CHAIRMAN ANSON:** Sorry. I meant the next action too, by  
35 the way. Leann, the purpose and need.

36  
37 **MS. BOSARGE:** Thank you, Mr. Chair. When I read the need  
38 statement, I don't know, and it kind of struck me, and so this  
39 is a fishery that's not overfished or undergoing overfishing,  
40 and we're actually underfishing, right, in this fishery, and so  
41 the need for this amendment is to ensure catch limits are based  
42 on the best scientific information available and to ensure that  
43 overfishing does not occur, while increasing the social and  
44 economic benefits of the king mackerel component of the CMP  
45 fishery through sustainable harvest in accordance with  
46 provisions set forth in the Magnuson-Stevens Fishery  
47 Conservation and Management Act.

48

1 To me, somewhere in there, if this is a fishery where we  
2 underfish, it really should say, you know, to base it on the  
3 best scientific information and ensure achieving of OY, on a  
4 continuing basis. I mean, that's one of our mandates, right?

5  
6 You want to have the optimum yield from the fishery without  
7 jeopardizing the stock, right? You want to fish just hard  
8 enough, but not too hard, and that's not in here anywhere, and I  
9 think that that's an issue, and so I would like to see something  
10 added, and, I mean, I will leave it flexible to staff, that we  
11 want to achieve OY on a continuing basis, and I don't think the  
12 "while increasing the social and economic benefits", I don't  
13 think that covers it. I think we need to state it very clearly  
14 there.

15  
16 **VICE CHAIRMAN ANSON:** Mr. Rindone.

17  
18 **MR. RINDONE:** Thank you, sir. Just justification for why the  
19 IPT recommended this need statement, and it was because the  
20 SEDAR 38 update assessment indicated that, while the stock was  
21 not overfished or undergoing overfishing, the current spawning  
22 stock biomass level is below the spawning stock biomass at MSY,  
23 which would indicate that, be it because of poor recruitment or  
24 what have you, more harvest than perpetually sustainable may  
25 have occurred during certain years in the recent past, and that  
26 has reduced the stock size below SSB at MSY, and so that's why  
27 "to ensure overfishing does not occur".

28  
29 To Ms. Bosarge's point about having a statement about OY in  
30 there, if I could propose an edit, and, Leann, you tell me what  
31 you think, but "and to prevent overfishing and ensure OY is  
32 achieved on a continuing basis", or something to that effect,  
33 and we can wordsmith. That's why the overfishing statement is  
34 in there, just because of the difference where SSB current is  
35 versus SSB at MSY.

36  
37 **MS. BOSARGE:** Yes, I'm pretty comfortable with how you worded  
38 the OY part. I mean, if you feel that we need to put something  
39 about overfishing in there, I mean, then I will leave that to  
40 you, but I just -- Although, yes, maybe there is an MSY, but we  
41 have catch levels that we are not reaching, right, and we have  
42 sustainable catch levels that were given to us by the  
43 assessment, through the SSC to us, right, and we're not meeting  
44 those, and, to me, the issue here is not an overfishing issue,  
45 but it's an achievement of the allowable harvest for the OY, but  
46 I will leave it up to you, if you think we need the overfishing  
47 in there still.

48

1 **VICE CHAIRMAN ANSON:** Ms. Levy.

2  
3 **MS. MARA LEVY:** Thank you. I would suggest that we do leave the  
4 overfishing, but add the OY, and we can work with the IPT to  
5 tweak the language, and I would get away from ensuring anything,  
6 just because we hope to achieve things, but we can't ensure  
7 things, and so I'm sure we can come back to you with something  
8 that includes both of the components of National Standard 1.

9  
10 **VICE CHAIRMAN ANSON:** Thank you. I think, Ryan, we can move on  
11 to Action 2.

12  
13 **MR. RINDONE:** Did you guys want to make any recommendations  
14 about Action 1, or are you comfortable with the alternatives  
15 that are contained there? I know we only have two, and we only  
16 have two here because, currently, the ACL is set equal to the  
17 ABC, and we don't use an ACT, and the stock is considered  
18 healthy, and so adding an ACT, based on the council's previous  
19 decisions made for this and for other species, just doesn't seem  
20 necessary, and so we haven't proposed that to you, but, if you  
21 guys are good with this, then we can move forward.

22  
23 **VICE CHAIRMAN ANSON:** I am not seeing any hands being raised,  
24 and so I think we can move on.

25  
26 **MR. RINDONE:** Okay. Action 2, the final one, is sector  
27 allocations, and we also have commercial zone quotas included in  
28 here, because those -- If the sector allocations are modified,  
29 the actual poundages for those quotas could change.

30  
31 The current no action alternative shows that we have a  
32 commercial allocation of 32 percent and a recreational  
33 allocation of 68 percent, and this allocation was derived during  
34 Amendment 1 to the CMP FMP, based on the average landings from  
35 1975 to 1979, and Alternative 2, which is incredibly unhelpful  
36 to you guys we'll admit, says that you can change them to  
37 something else, based on some percentage or some set of years or  
38 whatever approach that you would like to take.

39  
40 Now, there is a key difference here for kingfish compared to  
41 other species, and that is that the catch projections for  
42 kingfish are entirely divorced from the sector allocations, and  
43 so, whatever you change the sector allocations to, we don't need  
44 to go back and have the Science Center rerun projections to  
45 accommodate that. The allocations are applied after the fact  
46 for this species. That's the first part, which is kind of a  
47 convenience, because it means that you guys can fiddle with  
48 things a little bit more, and we don't have to wait on those

1 analyses.

2  
3 The second part of this though is the time period for which the  
4 current sector allocations are based, and 1975 to 1979 falls  
5 outside of the calibration period for FES, which means that we  
6 don't have a way to recreate those data in our current data  
7 currency, which is unusual for species that we manage.

8  
9 Usually, we have things that -- We have sector allocations that  
10 are based on more contemporary time series, and this one has  
11 been in effect since 1985, and so all of the landings,  
12 essentially, from that point forward have used that sector  
13 allocation. Just so you guys know, we are going to convene the  
14 Mackerel Advisory Panel on -- Natasha, is it July 22?

15  
16 **DR. MENDEZ-FERRER:** Yes, on July 22.

17  
18 **MR. RINDONE:** We're going to, hopefully, get some good  
19 recommendations from them to feed to you guys about ideas about  
20 how to address sector allocations, and see what they can come up  
21 with.

22  
23 That AP, in the past, has been very good about being able to  
24 work together, especially when the questions are difficult, and  
25 some of you might remember the re-tooling of the commercial zone  
26 quotas that they did, and the commercial, for-hire, and  
27 recreational guys on that AP all got together, and they worked  
28 it out, and they did a solid job for you guys on that, coming up  
29 with those recommendations. Hopefully that AP can come together  
30 again and give you guys something to chew on. Mr. Chair.

31  
32 **VICE CHAIRMAN ANSON:** Thank you, Ryan. Dale.

33  
34 **MR. DIAZ:** Thank you, Mr. Chair. I will be interested to see  
35 what the AP recommends here. In the past, I have always been in  
36 favor of doing some type of reallocation here, not extreme, but  
37 some type of reallocation, because I just -- You know, we say we  
38 want to try to manage the fisheries for the greatest good of the  
39 nation, and I just never have felt like we have utilized this  
40 fishery that way, and it's more complicated now that FES has  
41 been thrown into the equation, and the numbers that we're  
42 getting for catch limits are not going up very much, which makes  
43 it a lot more complicated, in my mind.

44  
45 Having said all that, I do have a question, and so there is a  
46 purpose to my rambling. Ryan, on a lot of these other species,  
47 when FES has been introduced, it's been said, many times, that,  
48 if you don't reallocate, you have reallocated. I think I've

1 done this right, but what is the impact of not reallocating? I  
2 guess, if you can answer that, and, if you can, I will tell you  
3 the way I've tried to look at it, and you can tell me if it's  
4 right, but I will see if you'll take a shot at it first. Thank  
5 you.

6  
7 **MR. RINDONE:** From a data standpoint, I can't tell you. I don't  
8 know. The underharvest on the recreational side is atypical for  
9 these situations, and, like we discussed before, usually the  
10 recreational sector lands most, if not all, of its ACL for these  
11 species that we have observed recently, that we have considered  
12 these migrations from CHTS to FES.

13  
14 This situation is different, and we don't have that, and, even  
15 still, despite all of that, and despite the revision in the  
16 landings, we're -- If you go back to I think it's the Table  
17 1.1.1, or go to Table 2.1.1, and it's the one that has the  
18 projected catches for the future in it, like for 2021 and  
19 beyond.

20  
21 If you scroll down to the bottom there of that table, and you  
22 look at like the 2018/2019 fishing year and the 2019/2020  
23 fishing year, those fishing years, the total landings, in FES,  
24 are still coming under our projected 2021 ACL of 9.37 million  
25 pounds, which would be Alternative 2 of Action 1, and so there's  
26 still room there.

27  
28 I don't have a way to tell you that, and we don't have a way,  
29 because of the way that the projections are done with this  
30 species, to be able to tell you what the past catch limits would  
31 have been in FES, to serve as a comparison, which would help  
32 tell you a little bit more about what sort of effect migration  
33 to FES had, in terms of the catch limits, and I see that Dr.  
34 Porch has his hand up.

35  
36 **VICE CHAIRMAN ANSON:** To that point, Dr. Porch?

37  
38 **DR. PORCH:** Yes. He's right that we don't have it calculated  
39 all the way back in time, what the ABC would have been, and that  
40 would be a difficult undertaking, but we do have an analysis  
41 where we redid SEDAR 38 with FES, and so that ended in I think  
42 2014, and, in that case, the ABC was about 50 percent larger,  
43 when you add FES, and so what that means is, assuming the  
44 percentages have been calculated the same way, the percent of  
45 fish left on the table by the recreational fishery would be the  
46 same, but the total number left on the table would have been  
47 much higher. The total poundage left on the table would have  
48 been higher. Now, whether the council would have made a

1 different decision, knowing that, or not, I can't say, but, yes,  
2 there would have been more poundage of fish left on the table.

3  
4 **VICE CHAIRMAN ANSON:** All right, and so I've got several folks  
5 here. First is Mara.

6  
7 **MS. LEVY:** Thank you. I just wanted to make the point that this  
8 particular stock just seems ripe for a discussion on allocation,  
9 just based on the fact that, if you look at the no action on  
10 when the years of the allocation were established, and when you  
11 look at the table that's on the board now, in terms of what the  
12 landings have been between each sector, and this is not sort of  
13 like the other more recent reef fish species that we've been  
14 talking about.

15  
16 You can't just plug numbers in and come up with a new  
17 allocation, and the FES seems to have less of an impact. I  
18 mean, even when you changed to FES, like Ryan said, you're  
19 still, at least in the last few years, not coming up to the  
20 total ACL, and so, I mean, I just think that it warrants  
21 discussion.

22  
23 If you decide not to change the allocation, you can certainly do  
24 that, but there should be some discussion about why that's  
25 appropriate, and so I encourage a discussion and some  
26 consideration of the allocation with respect to this stock.

27  
28 **VICE CHAIRMAN ANSON:** Yes, and the council, a year or two ago,  
29 we set up a process, if you will, or a decision tool guideline  
30 for determining allocation, or how allocation discussions would  
31 proceed, and I think, within that document, or discussion, we  
32 also had kind of a schedule, and this, obviously, I think kind  
33 of supersedes that, as far as the timeline, and we're a few  
34 years ahead of schedule, I think, which is fine, and I think we  
35 need to address some things here, and I think allocation  
36 discussions are appropriate, but, Dale, you had your hand up?

37  
38 **MR. DIAZ:** Yes, but I am still trying to sort some of this out,  
39 but my original question to Ryan is if we could figure out --  
40 We've said before that, if we don't reallocate, we have  
41 reallocated, and so we're going to go up. In 2021, the ABC/ACL  
42 will be 9.37 million pounds, and the last ACL we had, ABC/ACL,  
43 was 8.55 million pounds, and so is the difference there mostly  
44 attributed to FES, or is that something that you can't determine  
45 at this point?

46  
47 **MR. RINDONE:** I just pulled up what Dr. Porch had just mentioned  
48 about rerunning SEDAR 38 with FES units, and so -- Like Dr.

1 Porch said, the amount of fish that were presumed left behind  
2 from that assessment would have been larger. The amount of  
3 recreational harvest would have been presumably larger as well,  
4 and so it's a matter of scaling, but those fish are still --  
5 More than half of the recreational ACL was still being left  
6 behind.

7  
8 When we look at this through the lens of the update assessment,  
9 and we see that our current spawning stock biomass is below that  
10 at MSY, and so, at some point in the recent past, more fish had  
11 been harvested than the stock was able to sustain, given its  
12 recruitment levels perhaps, or maybe there was another variable  
13 at play, and we like to think that the commercial landings are  
14 known with a little bit more certainty than the recreational  
15 landings, and so that makes some forgiveness for some  
16 variability there, but, as far as like if you kept the current  
17 sector allocations at 32/68, if we used past species and past  
18 conversions to FES as the barometer for that, then, yes, the  
19 commercial sector would benefit, to some degree, at least  
20 marginally, presumably, by the sector allocations remaining the  
21 same.

22  
23 If we look at say the 2015/2016 fishing year to 2019/2020, and I  
24 only picked those because that's the last five or six years, and  
25 so I see that the 2014/2015 fishing year was a little bit  
26 higher, and, actually, it was a lot higher, and I will mention  
27 something about that in a second, but, if we just look at those  
28 last five years, based on our current landings, versus our  
29 proposed ACLs, there is still some safety.

30  
31 If you did nothing, and it was some partial reallocation to the  
32 commercial sector as a result, it doesn't appear as if that  
33 would be resulting in an overharvest. In the past, the  
34 recreational sector has indicated that they -- For them, a more  
35 optimal scenario is to leave some of these fish in the water,  
36 because it increases the probability of interaction with the  
37 species while they're out there fishing, and possibly the  
38 probability of coming across a smoker, or a large kingfish, if  
39 more of them are left out there, and I would defer to those  
40 council members that made those comments in the past to  
41 reiterate that, if they would like.

42  
43 With brief respect to the 2014 fishing year, that one is a  
44 little bit anomalous in the last decade or so, where we saw a  
45 large spike in the recreational landings for that year that  
46 wasn't able to be explained in discussions about the data, but  
47 it also wasn't thought to be erroneous, but we haven't seen a  
48 spike like that in the last five years either. That's just to

1 not think the 2014/2015 year to be typical, is my --

2  
3 **VICE CHAIRMAN ANSON:** Thank you. Andy, you had your hand  
4 raised. Is it to this discussion, or did you have something  
5 else?

6  
7 **MR. STRELCHECK:** Thanks, Kevin. Last week, I was at the South  
8 Atlantic Council meeting, and we were talking about Amendment  
9 34, which to me has some relationship to this, and I guess a few  
10 things. One of the discussions was this antiquated allocation  
11 that can't be updated with FES, because it goes back in time  
12 pre-1981, and so the same situation that kind of the Gulf  
13 Council is facing right now.

14  
15 I asked my team to look at the allocation policy, and it does  
16 not speak directly to that issue, but it does acknowledge that  
17 allocations should be periodically evaluated to remain relevant  
18 to the current conditions, right, and so that's kind of up to  
19 the council's consideration.

20  
21 From a direction to staff standpoint, the alternatives,  
22 presuming the council wants to move forward with considering  
23 allocation, seem to be a wide range here, one of which could be,  
24 essentially, carrying forward the old allocation, but  
25 essentially not linking it to those landings, and we're just  
26 saying that we think this is reasonably calculated and justified  
27 accordingly.

28  
29 I think some other options could be like we've considered  
30 holding the commercial quota at whatever the quota level is and  
31 determining the allocation from that, and then everything  
32 remaining goes to the recreational, but I think another  
33 reasonable alternative would be looking at kind of this issue of  
34 optimizing yield, given that one sector, the commercial, is  
35 largely bumping up against their quota, and the recreational,  
36 although confused by FES, may or may not be bumping up against  
37 their quota now, and determining if there is some redistribution  
38 that needs to happen from the recreational to the commercial,  
39 based on the changes that we're seeing with FES.

40  
41 I think there's a number of ways that you could look at this,  
42 and I don't want to be prescriptive to staff, in terms of years  
43 to use, but, to me, there's at least three approaches there that  
44 could be considered and brought back to us for further  
45 consideration.

46  
47 **VICE CHAIRMAN ANSON:** Thank you. I have several people. I have  
48 Leann, Martha, and then John.

1  
2 **MS. BOSARGE:** Thank you, Mr. Chair. So two comments. John  
3 requested that analysis, and I don't remember if it was at the  
4 last meeting or the meeting before, where he wanted to see if it  
5 was possible to show us what the past ABCs, or ACLs, would have  
6 looked like had we had FES numbers in the assessment at that  
7 point, and I think the Science Center actually ran some  
8 analysis, and they sent it to staff, and staff sent it to us in  
9 April, and I found it very informative.

10  
11 I was surprised that wasn't in our briefing book for this  
12 meeting, because it does give you some sort of idea, using a  
13 couple different variables, and they ran it under four different  
14 sets of assumptions, so you can look and see how things change,  
15 but it gives you an idea of what those ABCs would have been  
16 overall, both commercial and recreational, what the ABC would  
17 have been, so that you can see how much foregone yield we missed  
18 out on, right, that, if we had been given our commercial  
19 allocation of 32 percent of that much higher ABC and ACL, we  
20 would have been able to catch more fish, and we've missed out on  
21 that, all these years, and so that was your de facto  
22 reallocation, you know. The point is I would like to see that  
23 presented to the council.

24  
25 To staff's current request, as to what we would like to see as  
26 some of these alternatives, we are underfishing this. We are  
27 not achieving optimum yield. On Table 1.1.1, I did my best to  
28 run some numbers here, and, on average, for the years that we  
29 have in this table, 2001 through 2020, even with the new FES  
30 landings, we're still leaving, on average, 20 percent of that  
31 total ACL uncaught, in the water. That is not providing the  
32 greatest good to the nation, and we're not achieving OY by doing  
33 that.

34  
35 What I would like to see, in some of the alternatives for  
36 allocation percentages, is a shift of all, or a portion, of that  
37 uncaught 20 percent to the commercial sector, so that we can  
38 achieve OY and land some of those fish, and so I can't tell you  
39 what those percentages would be, and I will have to leave that  
40 up to staff, but, that uncaught 20 percent, I do want to see  
41 some alternatives that shift all, or a substantial portion of  
42 that, to the commercial sector.

43  
44 **VICE CHAIRMAN ANSON:** Thank you. Next is Martha.

45  
46 **MS. GUYAS:** Thanks. Just to weigh-in on this, I mean, I  
47 definitely think we need to look at allocations here, and I  
48 agree with the suggestions that Andy made, and then with what

1 Leann said too. I mean, we need to look at these things at the  
2 table.

3  
4 I am kind of hoping that, with the Mackerel AP -- It's real easy  
5 to get lost in numbers here, right, because there's lots of  
6 twists and turns, and I am kind of hoping that they can have a  
7 higher-level discussion, maybe before getting into the weeds  
8 here, about what should this fishery look like, moving forward.

9  
10 We have had these discussions about potentially shifting more to  
11 commercial for quite some time, like John talked about, and do  
12 they think that's the way to go, and then, kind of based on what  
13 their recommendation is, we may need to back up and try to draft  
14 alternatives that kind of fit that, as options to look at for  
15 the council. I am just hoping that we can try to avoid -- At  
16 least have that group not get lost in the numbers and really  
17 focus on like what should this fishery look like, and then we  
18 can go from there.

19  
20 **VICE CHAIRMAN ANSON:** John.

21  
22 **MR. SANCHEZ:** Well, yes, I am lost in the numbers. I look at  
23 2.1.1, and, just like 1.1.1, the commercial landings are  
24 underrepresented. Again, you go back to the SEDAR commercial  
25 landings for the same time period, and they're off by about  
26 800,000 pounds a year, and so what's going on here is we're  
27 increasing, and, if you believe FES, which I am a little  
28 skeptical, you're increasing twofold the recreational landings,  
29 and then you're underrepresenting the commercial landings, and  
30 so it's just the numbers -- I am lost in them.

31  
32 **VICE CHAIRMAN ANSON:** So is there any way, Ryan, that you can  
33 dig into that a little bit for the next meeting, as to that  
34 discrepancy, and see if you can reach out to the appropriate  
35 folks at the Science Center or NOAA and see if they can help  
36 explain that?

37  
38 **MR. RINDONE:** We definitely can reach out and try and get some  
39 feedback and bring that back to you guys. As far as the percent  
40 of the ACLs that is landed and some idea of what some of the  
41 averages might look like, I would draw you guys' attention to  
42 Table 2.1.1, where there is a couple of columns there that  
43 describe the percent of the sector ACL that's been landed.

44  
45 In recent years, the commercial sector has been landing its ACL,  
46 and, like we discussed, the recreational sector hasn't in the  
47 last twenty years, and this is based on the CHTS landings and  
48 catch limits, which is important to remember here, and so using

1 a table like this, with the data calibrated to FES, against  
2 perhaps our proposed catch limits in Action 1, might provide you  
3 guys with some idea of how you can move forward, but we can put  
4 something like that together for the AP to chew on first, if you  
5 like, and then that can be something that's used to help inform  
6 the recommendations to you guys, since it kind of sounds like  
7 that's what Ms. Bosarge is talking about anyway.

8  
9 **VICE CHAIRMAN ANSON:** That sounds like a good plan. All right.  
10 I have gone through the names of folks that I saw had their hand  
11 raised, and we are getting near the last thirty or so minutes in  
12 the committee, and we have one more agenda item. I don't want  
13 to necessarily stop the discussion that we have here, but, if  
14 anybody has any other ideas or thoughts that they could offer  
15 for council discussion now, or certainly, for council  
16 discussion, be thinking of it and bring it up then, so that  
17 staff can go forward and bring back a more fleshed-out document  
18 next time around. All right. Ryan, anything else?

19  
20 **MR. RINDONE:** No, sir, not for Amendment 33.

21  
22 **VICE CHAIRMAN ANSON:** All right. That would take us then to  
23 Agenda Item Number VII, Draft Amendment 34, Tab C, Number 7.  
24 Dr. Mendez-Ferrer, are you still on the line? Do you want to --

25  
26 **DRAFT AMENDMENT 34: ATLANTIC KING MACKEREL CATCH LEVELS AND**  
27 **MANAGEMENT MEASURES**

28  
29 **DR. MENDEZ-FERRER:** I am still here. Thank you, Mr. Chair.  
30 Agenda Item Number VII, the committee will see Draft CMP  
31 Amendment 34: Atlantic King Mackerel Catch Levels and Management  
32 Measures, and this document will be presented by Ms. Christina  
33 Wiegand from the South Atlantic Council. She will go through  
34 the actions and alternatives being considered in this amendment.

35  
36 The amendment includes changes to catch levels for Atlantic  
37 migratory group king mackerel, modifications to sector  
38 allocations, and management measures that include recreational  
39 bag limits, size limits, and provisions requiring fish to be  
40 landed with heads and fins intact. This is a full plan  
41 amendment, and the committee may be able to provide feedback and  
42 recommendations, and I will leave it to Christina to point out  
43 which actions or alternatives may require additional voting by  
44 the committee at this point.

45  
46 **VICE CHAIRMAN ANSON:** All right. Thank you.

47  
48 **MS. WIEGAND:** Good morning, everyone. It's nice to finally be

1 able to present to you. I've been working for the South  
2 Atlantic Council on CMP issues for about four years now, and I  
3 don't believe that I have ever had the pleasure of presenting  
4 something to you guys, and so I'm looking forward to chatting  
5 with you this morning.

6  
7 Like Natasha said, I'm going to be going over Coastal Migratory  
8 Pelagics Amendment 34. This is a joint amendment, like the  
9 other two that you have discussed today, and so we are looking  
10 for your council to discuss the actions and alternatives and  
11 perhaps select preferreds.

12  
13 Our council discussed this last week, on Thursday, and so there  
14 are some changes and preferred selections that our council has  
15 made that aren't outlined in this document, and so this was  
16 submitted prior to our meeting, but I will be going over those  
17 as we talk about each individual action.

18  
19 Much like your CMP Amendment 33, this amendment is addressing  
20 the update to SEDAR 38 that was completed in April of 2020, and,  
21 luckily, it indicated that Atlantic king mackerel was not  
22 overfished or undergoing overfishing. In fact, recreational and  
23 commercial landings and catch per unit effort, as well as  
24 recruitment, have all shown an increasing trend, which resulted  
25 in some pretty substantial increases to the OFL and ABC  
26 recommendations we received from the SSC.

27  
28 The first part of this amendment is looking to address those new  
29 catch level recommendations, and the second is looking to  
30 address sector allocations. Of course, like you all just talked  
31 about, due to the revised recreational landings that are based  
32 on the new MRIP-FES methodology, the South Atlantic Council is  
33 revising sector allocations. Additionally, our allocation  
34 trigger policy has the South Atlantic Council reviewing sector  
35 allocations every time they receive an updated stock assessment.

36  
37 Then, last, but not least, there are some actions in here that  
38 would address management measures for king mackerel, as well as  
39 Spanish mackerel. The commercial and recreational landings have  
40 been well below the ABC and ACL recommendations recently, even  
41 considering the switch to FES numbers, and so one of the things  
42 the council did was talk to our advisory panel, to see if there  
43 were any management measures that could be modified that may  
44 help improve utilization of this resource.

45  
46 They are primarily focused on the recreational sector, and  
47 that's because the council has already undergone actions looking  
48 at raising trip limits for the commercial sector, via CMP

1 Framework Amendments 6 and 8, and so those are sort of the three  
2 sets of actions you're going to see in this amendment.

3  
4 Here is the purpose and need statement. The purpose of this  
5 amendment is to revise the annual catch limits and annual  
6 optimum yield for Atlantic migratory group king mackerel, to  
7 revise the recreational and commercial allocations for Atlantic  
8 migratory group king mackerel, and to revise or establish  
9 management measures for Atlantic migratory group king and  
10 Spanish mackerel.

11  
12 The need for this amendment is to ensure that annual catch  
13 limits are based on the best scientific information available  
14 and to ensure that overfishing does not occur in the Atlantic  
15 migratory group king and Spanish mackerel fisheries, while  
16 increasing social and economic benefits, through sustainable and  
17 profitable harvest of Atlantic migratory group king and Spanish  
18 mackerel.

19  
20 Here we go right into the meat of the amendment, and Action 1  
21 looks at revising the stock annual catch limit and annual  
22 optimum yield for Atlantic king mackerel to reflect the updated  
23 ABC catch level that we received from the SSC.

24  
25 Alternative 1 is, obviously, the no action alternative.  
26 Alternative 2 would set the ACL equal to the updated ABC level.  
27 Alternative 3 would set the ACL equal to 95 percent of the  
28 updated ABC level, and Alternative 4 would set the ACL equal to  
29 90 percent of the updated ABC level.

30  
31 At their meeting last week, the South Atlantic Council selected  
32 Alternative 3 as their preferred, putting that 5 percent buffer  
33 in between the ACL and the updated ABC level, and this was based  
34 on recommendations from the council's Mackerel Cobia Advisory  
35 Committee.

36  
37 The advisory panel noticed the very large increase in the ABC  
38 recommendation, and they felt that, given this large increase,  
39 there was room to be a little bit conservative, and they had  
40 recommended that the council put a buffer between the ABC and  
41 ACL level, which is why the council picked Alternative 3 as  
42 their preferred, and I will go ahead and pause here, to see if  
43 there's any questions or if there's a desire from the Gulf's  
44 Mackerel Committee to also select Alternative 3 as their  
45 preferred.

46  
47 **VICE CHAIRMAN ANSON:** All right, committee. Any discussion?  
48 Ms. Wiegand, what is the timeline? Have you all discussed kind

1 of when you would like to get this document finished, completed?  
2

3 **MS. WIEGAND:** Absolutely. Our goal is to have this amendment  
4 approved for public hearings in September, have you guys review  
5 the document again in October, and then we would be looking for  
6 taking formal action to approve this amendment in December of  
7 this year or March of next year, at the latest.  
8

9 **VICE CHAIRMAN ANSON:** All right. Thank you. Ryan.  
10

11 **MR. RINDONE:** Thank you, and just a reminder to the committee  
12 that, like Amendments 32 and 33, Amendment 34 is a plan  
13 amendment, which will require the councils to agree on preferred  
14 alternatives before final action can be taken.  
15

16 **MS. WIEGAND:** If you scroll to the next slide, you can see the  
17 annual catch limit numbers that are associated with each of the  
18 alternatives proposed, and, again, Alternative 3 is now the  
19 South Atlantic Council's preferred alternative.  
20

21 **VICE CHAIRMAN ANSON:** Again, anyone from the committee? Leann.  
22

23 **MS. BOSARGE:** Well, two questions. It's kind of strange that  
24 there aren't any numbers under that Alternative 1, at least for  
25 the 2021/2022 season, or year, so you could see, within the  
26 table, what your catch limits are changing from to, and that  
27 seems like it would be helpful. We put that in there, even  
28 though it is based on the old CHTS numbers. To us, that's  
29 helpful anyway.  
30

31 Do you have a preferred, because it wasn't listed on the last  
32 slide, but I thought I heard you say that your council did just  
33 pick a preferred.  
34

35 **MS. WIEGAND:** Correct. This presentation was put together prior  
36 to our meeting last week, and so, last Thursday, when the South  
37 Atlantic Council discussed this amendment, they did select  
38 Alternative 3 as preferred, and, to your previous comment, the  
39 current ABC is at 12.7 million pounds, if that's helpful. The  
40 reason we didn't include it in the table is just to note that  
41 the ABC and ACLs that were in place and the proposed ABCs aren't  
42 directly comparable, because of the updated assessment including  
43 the MRIP-FES numbers, but the current ABC is 12.7 million  
44 pounds.  
45

46 **VICE CHAIRMAN ANSON:** Leann.  
47

48 **MS. BOSARGE:** Thanks. So, they're not directly comparable, but

1 it's still -- I mean, essentially, what we're saying is you're  
2 going to pretty much, in most of these cases, just about double  
3 your harvest, overall, what you're going to take out of the  
4 water. It's a big increase. Those are big numbers. Thirty-  
5 three million, twenty-eight million, twenty-four million. Those  
6 are big numbers, compared to where you're at now, the 12.7.

7  
8 That's just an observation, but I don't know, Mr. Chair, if  
9 you're really wanting to pick preferreds today. I mean, it's  
10 kind of the first time we've seen this, and I don't know. It's  
11 up to you.

12  
13 **VICE CHAIRMAN ANSON:** Well, I don't have a desire, necessarily.  
14 I was a little surprised at the timeline, as to how quickly this  
15 -- Since it is a joint amendment, how quickly the time schedule  
16 is, currently, and, if we're going to adhere to that time  
17 schedule, if we agree to it, then I think we ought to start  
18 going down the road of offering preferreds at this meeting. Dr.  
19 Frazer.

20  
21 **DR. FRAZER:** Go ahead and let Martha respond to Leann, and then  
22 I will get back to you.

23  
24 **VICE CHAIRMAN ANSON:** Martha.

25  
26 **MS. GUYAS:** I mean, I guess we can pick preferreds at this  
27 meeting, so that we're not holding them up. Christina, what was  
28 the preferred on this one again? Sorry. Not having this on the  
29 slide is killing me.

30  
31 **MS. WIEGAND:** I'm sorry. It's Preferred Alternative 3, and I  
32 will note that, if you would like me to bring this back to you  
33 all again, with some updated analyses that we're planning on  
34 doing for our council between now and September anyway, we could  
35 -- I'm comfortable bringing it back to your August meeting  
36 again, but I'm going to defer to Gulf Council staff, as to  
37 whether or not you have room on your agenda to discuss this  
38 again in August, but Alternative 3 is currently the preferred.

39  
40 **MS. GUYAS:** So I don't know if this coming back in August is  
41 necessarily all that helpful. It might be helpful to see more  
42 analysis, if there's concern on this committee about picking  
43 preferreds, but it's going to go back to the South Atlantic, and  
44 so that would mean that it would come back to us maybe in  
45 October? Okay. I don't know. I think I'm fine with that,  
46 waiting to pick preferreds until October. If we pick something  
47 now, and then they end up changing it, we're just having this  
48 conversation all over again anyway, and so --

1  
2 **VICE CHAIRMAN ANSON:** Dr. Frazer.

3  
4 **DR. FRAZER:** I just have a question for Christina, and maybe  
5 Chester could weigh-in, and it's related to this issue of  
6 optimum yield, and Leann alluded to it in our discussion of  
7 Amendment 33, and what I find interesting in the presentation  
8 here is that the OY, or the optimal yield, is equal to the ABC  
9 and equal to the ACL, but there's a number of allocation issues.

10  
11 That suggests that, to me, that the value of a fish is the same,  
12 regardless of the allocation, and I wanted to know if there any  
13 economic analyses coming out of the South Atlantic Council that  
14 would suggest that's true.

15  
16 **VICE CHAIRMAN ANSON:** Chester.

17  
18 **MR. BREWER:** Christina may have something. I don't.

19  
20 **MS. WIEGAND:** I was going to say go ahead, Chester, but our  
21 council has not discussed OY in that respect for this particular  
22 amendment, and it has been discussed for other amendments. This  
23 is normally a question I would defer to our economist who  
24 conducts those type analyses, and so I will say that, at this  
25 time, no, there isn't any economic analysis in that respect in  
26 the amendment, but I can talk to our economist and see to what  
27 extent he would be able to put something together and provide  
28 that kind of information.

29  
30 **DR. FRAZER:** Thank you. That would be helpful, and, again, I  
31 didn't mean to put you on the spot, but I just think it gets to  
32 the crux of the issue here.

33  
34 **VICE CHAIRMAN ANSON:** All right, and so it sounds like we want  
35 to wait to get some further analysis and have more time to chew  
36 on this, but, certainly, we would like to hear some of the  
37 details related to the action items in this document, and so,  
38 Ms. Wiegand, if you can continue.

39  
40 **MS. WIEGAND:** Absolutely. Moving on to Action 2, Action 2 looks  
41 sat revising sector allocations for Atlantic migratory group  
42 king mackerel. We've got Alternative 1, which is the original  
43 sector allocations of 37.1 to the commercial sector and 62.2 to  
44 the recreational sector, and these were set in Amendment 1 to  
45 the CMP FMP, and they were allocated based on the largest number  
46 of years, beginning in 1979, that there were consistent catch  
47 data for.

1 Alternative 2 is based on, and this one is a little complicated  
2 to explain, and so stay with me here for a minute, but  
3 Alternative 2 aims to maintain the current commercial ACL,  
4 beginning in the 2026/2027 season and then allocate the  
5 remainder to the recreational sector.

6  
7 This is based on the idea that the council did not want the  
8 commercial sector to experience a poundage allocation any less  
9 than what they currently were experiencing now. Because the ABC  
10 yield streams from the SSC decrease over time, we made sure that  
11 the poundage the commercial sector is experiencing now was the  
12 poundage that would be experienced during the 2026/2027 fishing,  
13 or the lowest ABC that was recommended, and set the percentages  
14 there. Obviously, those percentages change based on which  
15 alternative is chosen as preferred in Action 2, and so I know  
16 that was a little confusing, and I can go back to it, if I need  
17 to.

18  
19 Alternative 3 is a little bit more simple, based on average  
20 landings from 2004 to 2019, and Alternative 4 is based on a  
21 shorter and more recent time series of 2014 to 2019, and  
22 Alternative 5 is based on balancing long-term and short-term  
23 time series with 50 percent being to 2000 to 2008 and another 50  
24 percent being a more recent time period, 2017 to 2019.

25  
26 Now, at their meeting last Thursday, the council made a number  
27 of modifications to this action. They requested an additional  
28 alternative be added that would allocate 37.1 percent to the  
29 commercial sector and 62.2 percent to the recreational sector,  
30 and they selected that alternative as preferred. The reason  
31 they did this is because is based on their informed judgement  
32 and their desire to keep the makeup of the fishery the same.

33  
34 King mackerel has been sort of a success story for the South  
35 Atlantic Council, in terms of management, and they wanted to  
36 keep the historical breakup of the fishery in place. This is  
37 also a recommendation from the Mackerel Cobia AP that requested  
38 the 37.1 percent and the 62.2 percent allocations remain in  
39 place, and so that is currently selected as the council's  
40 preferred alternative.

41  
42 I know it's a little bit hard, when the presentation was put  
43 together before those decisions, but I am happy to explain  
44 again, if need be.

45  
46 **VICE CHAIRMAN ANSON:** All right. Thank you. Any questions?  
47 Leann.

48

1 **MS. BOSARGE:** I was looking through the document, but I didn't  
2 see it right off. What has it looked like in your fishery over  
3 there, generally? Has the commercial sector been bumping up  
4 against their quota? Has the recreational sector been bumping  
5 up against their quota, because I thought you said you all were  
6 -- That there was fish on the table, that there was underfishing  
7 occurring, and I'm just wondering, and is it being underfished  
8 on both sides or one?

9  
10 **MS. WIEGAND:** It's being underfished on both sides, and so there  
11 has not been a closure -- Well, if you will remember, looking at  
12 past landings streams for king mackerel can be a little  
13 complicated, because it wasn't until 2017 when we set a firm  
14 boundary between the two migratory groups at the Miami-  
15 Dade/Monroe line, and it used to move quite a bit, depending on  
16 the season, but, in general, no. Atlantic migratory group king  
17 mackerel, both the commercial and recreational sectors haven't  
18 been experiencing closures over the last few years, and they  
19 have been underharvesting.

20  
21 **VICE CHAIRMAN ANSON:** Martha.

22  
23 **MS. GUYAS:** I guess the same as the other action, and, I mean, I  
24 would like to see at least an updated document that has all the  
25 alternatives in it before we select preferreds just off the  
26 board here.

27  
28 **VICE CHAIRMAN ANSON:** That sounds like a good plan. Any other  
29 questions from the committee? Seeing none, please continue.

30  
31 **MS. WIEGAND:** All right. Just as a note on those prior actions,  
32 there are no combinations of the ABC and ACL under Action 1, or  
33 any of the allocation alternatives, that are going to result in  
34 a closure for either sector, based on landings over the last  
35 five years, and so this sort of gets at Leann's question.

36  
37 The maximum landings over the last five years from the  
38 recreational sector were right around seven million pounds, and  
39 the lowest proposed ACL of any combination of Action 1 and  
40 Action 2 alternatives is close to thirteen million pounds.  
41 Similarly, with the commercial sector, the maximum landings from  
42 the last five years were right around 2.9 million, and the  
43 lowest proposed commercial ACL is 4.7 million.

44  
45 Moving on, this is looking at revising the recreational annual  
46 catch target for Atlantic migratory group king mackerel. Like  
47 you saw previously with cobia, our current recreational ACT  
48 equation is based on the PSE.

1  
2 Alternative 2 would update to reflect the updated ABC level, and  
3 Alternative 3 would revise the recreational ACT to be equal to  
4 90 percent of the sector ACL, and Alternative 4 would be equal  
5 to 85 percent of the sector ACL.

6  
7 The South Atlantic Council intends to revisit this action at  
8 their September meeting. Now that they've selected preferreds  
9 under Action 1 and Action 2, we'll be able to bring them updated  
10 numbers and analysis for this action.

11  
12 **VICE CHAIRMAN ANSON:** Hold on one minute, please, Ms. Wiegand.  
13 Leann.

14  
15 **MS. BOSARGE:** Just like in our cobia document, tell me about  
16 those PSEs. What were they under CHTS, and what are they now  
17 under FES, the percent standard errors? Generally, it went up,  
18 or it went down?

19  
20 **MS. WIEGAND:** I don't have those numbers on me. That's  
21 something we intend to bring to the council in September.

22  
23 **MS. BOSARGE:** All right. Thanks.

24  
25 **VICE CHAIRMAN ANSON:** All right. Go ahead. Continue, Ms.  
26 Wiegand.

27  
28 **MS. WIEGAND:** All right. Moving on to Action 4, this looks at  
29 increasing the recreational bag and possession limit for  
30 Atlantic migratory group king mackerel in the EEZ off Florida.  
31 Currently, in the EEZ off the east coast of Florida, the bag  
32 limit is two fish per person, and Alternative 2 looks at  
33 increasing the bag limit to three fish per person.

34  
35 This is based on recommendations from the Mackerel Cobia  
36 Advisory Panel. They would like to create consistency in the  
37 recreational bag limit throughout the management jurisdiction.  
38 North of Florida is three fish per person, as well as throughout  
39 the Gulf, and so they're asking that the east coast of Florida  
40 be brought into alignment with those areas and have a three-  
41 fish-per-person bag limit.

42  
43 We did do a preliminary analysis, to look at how that would  
44 increase recreational landings. Method 1 assumes that any trip  
45 off the east coast of Florida that met the two-fish bag limit  
46 would now meet that three-fish bag limit, and it resulted in an  
47 increase of 14 percent. Method 2 assumed that any trip that met  
48 a two-fish bag limit and then subsequently discarded a king

1 mackerel would now meet the three-fish bag limit, which results  
2 in a 3 percent increase, and neither of these methods would lead  
3 to a recreational closure. I will pause here, to see if there  
4 are any questions.

5  
6 **VICE CHAIRMAN ANSON:** Any questions from the committee? Seeing  
7 none, please continue.

8  
9 **MS. WIEGAND:** All right. Moving on to Action 5, this looks at  
10 reducing the minimum size limit for the recreational and  
11 commercial harvest of Atlantic migratory group king mackerel.  
12 The current minimum size limit is twenty-four inches, and there  
13 are alternatives for twenty-two inches, twenty inches, and  
14 removing the minimum size limit entirely.

15  
16 This was, again, included in the amendment based on a  
17 recommendation from the Mackerel Cobia Advisory Panel, as a way  
18 to increase recreational harvest and reduce discards. The AP  
19 reports that small king mackerel are often caught when  
20 individuals are fishing for other species, particularly Spanish  
21 mackerel, and they almost always are discarded dead, and so they  
22 wanted to see the minimum size limit lowered.

23  
24 At the council meeting, our council asked that we split this  
25 action to address the recreational sector and the commercial  
26 sector separately, because commercial sector representatives on  
27 the AP have indicated that dealers are concerned about a  
28 reduction in the minimum size limit, because they feel those  
29 smaller fish are likely to fetch a lower value on the market,  
30 and so we'll be splitting this action so that it addresses each  
31 sector separately, and the council has selected a preferred  
32 alternative of twenty-two inches fork length for the  
33 recreational sector.

34  
35 **VICE CHAIRMAN ANSON:** All right. Ms. Wiegand, where did the  
36 data come from for the recreational discard information?

37  
38 **MS. WIEGAND:** I believe that came from the FWC for-hire survey,  
39 but I am scrolling down in the document. Yes, it was the FWC  
40 charter and headboat data, is where that information was pulled  
41 from.

42  
43 **VICE CHAIRMAN ANSON:** All right. Thank you. Martha.

44  
45 **MS. GUYAS:** Not to that, but I was going to ask, because I don't  
46 know off the top of my head, but what's the size of maturity for  
47 these fish?

48

1 **MS. WIEGAND:** There is 50 percent maturity at twenty-two inches.  
2

3 **VICE CHAIRMAN ANSON:** Any additional discussion from the  
4 committee? Seeing none, please continue.  
5

6 **MS. WIEGAND:** All right. Moving on to the last action in this  
7 amendment, this is Action 6, which looks at modifying the  
8 recreational requirement for king mackerel and Spanish mackerel  
9 to be landed with heads and fins intact.

10  
11 Currently, if you're fishing under the recreational bag limit,  
12 you cannot possess any cutoff or damaged fish. Alternative 2  
13 would allow cutoff or damaged fish that are caught under the  
14 recreational bag limit that comply with the minimum size limit  
15 to be possessed and offloaded offshore, and there are sub-  
16 alternatives under there to allow that for king mackerel and  
17 Spanish mackerel.

18  
19 This was included in the amendment based on, again, a  
20 recommendation from the Mackerel Cobia AP as a way to increase  
21 recreational harvest and address the increase in shark and  
22 barracuda depredation that our council has heard a lot about,  
23 and I'm sure that your council has as well.

24  
25 It's important to note that the provision to keep cutoff fish is  
26 already allowed for the commercial sector, and so it's in the  
27 regulations that the commercial sector can keep damaged fish  
28 that comply with the minimum size limit.

29  
30 Our council hasn't selected a preferred alternative here yet.  
31 They have asked all of the state representatives on the council  
32 to look at how this regulation would interact with regulations  
33 in state waters and what process they may need to go through to  
34 modify state regulations to comply with any changes the council  
35 may make here. With that, I will see if there are any questions  
36 or comments.

37

38 **VICE CHAIRMAN ANSON:** All right, committee. Any questions?  
39 Martha.

40

41 **MS. GUYAS:** Christina, I assume this is going to go through you  
42 all's Law Enforcement AP also, this action in particular.

43

44 **MS. WIEGAND:** We did talk to our Law Enforcement AP about it,  
45 back in April, and it wasn't explicitly on their agenda, but we  
46 did cover it during sort of the overview we give them of all  
47 amendments that are on the table, and we asked them specifically  
48 about this issue, and they didn't provide any comment at the

1 time. There didn't seem to be concern from NOAA OLE that this  
2 was going to cause negative enforcement problems for them, but  
3 there are still some concerns from our state representatives  
4 about how it would interact in state waters.

5  
6 **VICE CHAIRMAN ANSON:** Any other questions? All right, Ms.  
7 Wiegand. Please continue.

8  
9 **MS. WIEGAND:** All right. Moving forward one more slide, I will  
10 be brief, since we already went over this, but our council is  
11 looking to have public hearings now pushed to the fall of 2021,  
12 after our September meeting, and so we'll be considering  
13 approval for public hearings in September, which would put final  
14 approval in December of 2021 or March of 2022, most likely.

15  
16 That's all I have for you. If there are any other questions  
17 about this amendment, or any other information you would like  
18 from staff or from our council, I can make sure we provide it  
19 the next time around.

20  
21 **VICE CHAIRMAN ANSON:** Thank you for the presentation. Is there  
22 any other requests from the council or the committee? I don't  
23 see any hands being raised, and so I think we are good for now.  
24 We look forward to the new information, and we'll have some good  
25 discussion at the next council meeting. Thank you.

26  
27 **MS. WIEGAND:** Thank you.

28  
29 **VICE CHAIRMAN ANSON:** That takes us to the last item on the  
30 agenda, and that's Other Business. I did not see anybody ask  
31 for any other business items to be included, but I will provide  
32 an opportunity, for anybody who wishes to bring up an item, to  
33 do so now. I am not seeing any hands, and so this concludes the  
34 Mackerel Committee.

35  
36 (Whereupon, the meeting adjourned on June 22, 2021.)

37  
38 - - -