

1 GULF OF MEXICO FISHERY MANAGEMENT COUNCIL

2
3 MACKEREL MANAGEMENT COMMITTEE

4
5 Renaissance Battle House Mobile, Alabama

6
7 October 22, 2018

8
9 **VOTING MEMBERS**

10 Kevin Anson (designee for Scott Bannon).....Alabama
11 Susan Boggs.....Alabama
12 Leann Bosarge.....Mississippi
13 Roy Crabtree.....NMFS
14 Dale Diaz.....Mississippi
15 Jonathan Dugas.....Louisiana
16 Robin Riechers.....Texas
17 John Sanchez.....Florida

18
19 **NON-VOTING MEMBERS**

20 Patrick Banks.....Louisiana
21 Doug Boyd.....Texas
22 Dave Donaldson.....GSMFC
23 Tom Frazer.....Florida
24 Martha Guyas (designee for Jessica McCawley).....Florida
25 Paul Mickle (designee for Joe Spraggins).....Mississippi
26 Greg Stunz.....Texas
27 Ed Swindell.....Louisiana
28 Lt Mark Zanowicz.....USCG

29
30 **STAFF**

31 Assane Diagne.....Economist
32 Matt Freeman.....Economist
33 John Froeschke.....Deputy Director
34 Beth Hager.....Administrative Officer
35 Karen Hoak.....Administrative & Financial Assistant
36 Morgan Kilgour.....Fishery Biologist
37 Mara Levy.....NOAA General Counsel
38 Emily Muehlstein.....Public Information Officer
39 Ryan Rindone.....Fishery Biologist & SEDAR Liaison
40 Bernadine Roy.....Office Manager
41 Carrie Simmons.....Executive Director

42
43 **OTHER PARTICIPANTS**

44 Luiz Barbieri.....SSC
45 Avery Bates.....Organized Seafood Association of Alabama, AL
46 Eric Brazer.....Shareholders Alliance
47 Shannon Calay.....SEFSC
48 Michael Drexler.....St. Petersburg, FL

1 Joel Fightmaster.....USCG
2 Traci Floyd.....MDMR, MS
3 Susan Gerhart.....NMFS
4 Tim Griner.....SAFMC
5 Ken Haddad.....Lloyd, FL
6 Joe Jewell.....MDMR, MS
7 Rich Malinowski.....NMFS
8 Lawrence Marino.....LA
9 Clay Porch.....SEFSC
10 Ashford Rosenberg.....Shareholders Alliance
11 Chris Schieble.....LA
12 Jim Zurbrick.....Steinhatchee, FL

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[PAGE 10](#): Motion in Action 2 to change the language in Alternative 3 and its options to reflect a vessel trip limit as opposed to a daily vessel limit. [The motion carried on page 13](#).

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1 The Mackerel Management Committee of the Gulf of Mexico Fishery
2 Management Council convened at the Renaissance Battle House,
3 Mobile, Alabama, Monday morning, October 22, 2018, and was
4 called to order by Chairman Kevin Anson.

5
6 **ADOPTION OF AGENDA**
7 **APPROVAL OF MINUTES**
8 **ACTION GUIDE AND NEXT STEPS**
9

10 **CHAIRMAN KEVIN ANSON:** We are going to adopt the agenda as the
11 first order of business. However, before we do that, I just
12 want to review the committee members that were just approved a
13 little bit ago. That would be myself, of course, and Susan
14 Boggs, and these are people that are here at the table right
15 now, Ms. Bosarge, Dr. Crabtree, Mr. Diaz, Mr. Dugas, Mr.
16 Riechers, and Mr. Sanchez.

17
18 First, we will go to the Adoption of the Agenda. Do I have a
19 motion to adopt the agenda? It's moved by Mr. Diaz. Do I have
20 a second for that? Ms. Bosarge, thank you. Any opposition to
21 the motion? Seeing none, the agenda is adopted.

22
23 Approval of the Minutes, does anyone have any changes, or
24 suggested changes, for the minutes for the previous committee
25 meeting held in August? Can I get a motion to accept the
26 minutes? Mr. Diaz, thank you. It's seconded by Ms. Bosarge.
27 Thank you. Is there any opposition to the motion? Seeing none,
28 the motion passes. Item Number III on the agenda is the Action
29 Guide and Next Steps. Mr. Rindone.

30
31 **MR. RYAN RINDONE:** Thank you, sir. All right, folks. We have
32 an update on the coastal migratory pelagics species landings for
33 kingfish, Spanish, and cobia, and SERO staff will cover that one
34 for us, and then we have final action on Framework Amendment 7
35 for Gulf cobia management, and so you folks will be taking a
36 look at your current preferred alternatives, and you will hear
37 what the AP's comments were.

38
39 They met via webinar a couple of weeks back, and also we reached
40 out to the folks that were unable to participate in the webinar,
41 due to the hurricane, and got some feedback from some of them,
42 but not all of them. Then, if you guys like the way that
43 everything sits, you can recommend it to the council for final
44 action and implementation.

45
46 **CHAIRMAN ANSON:** Thank you. All right. That will take us to
47 Item Number IV, CMP Landings Update, and I guess, Ms. Gerhart,
48 you would like to take care of that?

1
2 **CMP LANDINGS UPDATE**
3

4 **MS. SUSAN GERHART:** I think so, and I apologize that this isn't
5 in the briefing book. I was waiting for some late incoming
6 landings, and so I wanted to get the most up-to-date for you.
7 Unfortunately, those didn't come in yet, but what you see before
8 you is first the king mackerel landings.
9

10 These are by the zones. First is the commercial. I've got
11 first this year's landings and then last year's landings below
12 that. The Western Zone we closed on October 5. At the time, we
13 had a higher landings projection, and there is 91 percent right
14 now. I have not gotten in a report for last week yet, and so we
15 may have higher landings. There do tend to be later landings
16 that come in for these zones for king mackerel, and so we'll be
17 looking at what those are and how much of the quota is left.
18

19 The Northern Zone just opened on October 1, and so that's very
20 low landings, and the Southern Zone, although it's been open
21 since July 1, we don't have the mackerel down in that area yet.
22 They're just heading down to that area, and so there's not many
23 landings there either, and then the gillnet, of course, doesn't
24 open until the Tuesday after the Martin Luther King holiday, and
25 so that's -- If we page down then to recreational landings and
26 stock landings, the king mackerel recreational landings, these
27 are for the 2017/2018 fishing year, which ended June 30, and so
28 that is complete.
29

30 We do not have Wave 3 landings yet, which is the May/June
31 landings, and so we do not have complete for last year yet, but
32 you can see we have quite a low percentage of the ACL that was
33 landed during the last fishing year.
34

35 The stock ACLs are for Spanish mackerel and cobia, and, again,
36 we've got the 2018 landings there and the 2017 landings below.
37 The Spanish mackerel fishing year ended March 31, and the cobia
38 is on the calendar year, and so that's ongoing still. We had
39 very low landings so far, at least, of both of those as well for
40 this year, and, as you can see, cobia is down a little bit this
41 year versus a full year of last year, where there was still less
42 than 50 percent of the quota taken. That is my report. Thank
43 you.
44

45 **CHAIRMAN ANSON:** All right. Any questions? I have a question,
46 Sue. 2017/2018 recreational, that was the first full year that
47 the three fish was put into place?
48

1 **MS. GERHART:** Yes, it was.

2
3 **CHAIRMAN ANSON:** All right. Thank you. All right. The next
4 item on the agenda is Final Action for CMP Framework Amendment
5 Number 7, Modifications to Gulf Cobia Size and Possession
6 Limits. Mr. Rindone.

7
8 **FINAL ACTION: CMP FRAMEWORK AMENDMENT 7: MODIFICATIONS TO GULF**
9 **COBIA SIZE AND POSSESSION LIMITS**

10
11 **MR. RINDONE:** Thank you, sir. I would like to start, I think,
12 by just reviewing the purpose and need and what your preferred
13 alternatives are, and then we will go to the AP summary. The
14 purpose of this action is to modify the minimum size limit and
15 possession limit of Gulf cobia in order to reduce harvest. The
16 need is to respond to concerns of potential overfishing of Gulf
17 cobia until more information on the stock status becomes
18 available.

19
20 We have two actions in the document. Action 1 is on page 8, and
21 Action 1 would modify the minimum size limit for Gulf cobia. No
22 action would leave it where it is, at thirty-three inches fork
23 length, which dates back to about 1990. Preferred Alternative 2
24 would increase the minimum size limit to thirty-six inches fork
25 length. Alternative 3 is thirty-nine inches, and Alternative 4
26 is forty-two, and you guys currently prefer Alternative 2.

27
28 The other action is Action 2, which talks about the possession
29 limits, which are currently two fish per person daily
30 recreational and commercial possession limit, and so the same
31 regs for both sectors, regardless of the number or duration of
32 trips, and you guys currently prefer Alternative 2, which would
33 drop that possession limit to one fish per person, and also
34 Alternative 3, which creates a commercial and recreational daily
35 vessel limit, with anglers not being able to exceed the per-
36 person possession limit, and you guys preferred two fish per
37 vessel for a daily limit.

38
39 If we bounce to the AP summary, which is Tab C, Number 5(b), the
40 AP talked at length about these different things, and, generally
41 speaking, the commercial representatives on the AP were happy to
42 defer to whatever it was that the recreational members on the AP
43 thought was best on this, since Gulf cobia -- Even though it's a
44 stock ACL, the vast majority of the landings, better than 90
45 percent, come from the recreational sector, be it from private
46 boats or for-hire. Most of it, I think about 78 percent, is
47 private boats.

1 They talked about the merits of increasing the minimum size
2 limit versus a possession limit, and we talked about how
3 increasing the minimum size limit results in a larger decrease
4 in fishing mortality than changes to the possession limit,
5 because, for the most part, the average angler is catching less
6 than one cobia per person, and the average vessel, regardless of
7 fleet, is catching two or fewer cobia per vessel per day,
8 regardless of the number of trips. Decreases in the possession
9 limit have less of an overall effect on reducing fishing
10 mortality than increases in the size limit.

11
12 Ultimately, the AP agreed with the council's current preferred
13 alternative for the size limit, which is Alternative 2, which
14 would increase the minimum size limit to thirty-six inches fork
15 length.

16
17 Moving on to Action 2, the AP talked about the difference
18 between having a daily vessel limit and a vessel trip limit,
19 with the main concern being that, if you are say a for-hire
20 operator and you run two-a-day trips, if it's a daily vessel
21 limit, and you land two cobia on that vessel on the first trip
22 of the day, then, on the afternoon trip, you wouldn't be able to
23 land any, and so your customers would have to throw those fish
24 back.

25
26 Instead of a per-day vessel limit, they recommended a per-trip
27 vessel limit, because they thought that not every charter
28 vessel, or every recreational vessel, for that matter, is going
29 to be going out more than once per day. Most of them, in fact,
30 only go out once per day, and the average length for a
31 commercial trip that lands cobia is about four days, and so,
32 from the commercial side of it, it has no effect.

33
34 They ultimately recommended that the council decrease the per-
35 person possession limit for Gulf cobia to one fish per day,
36 which is commensurate with Preferred Alternative 2 of Action 2,
37 and that the council create a recreational and commercial vessel
38 limit for Gulf cobia of two fish per trip, as opposed to per
39 vessel per day, and that anglers would still have to abide by
40 the stricter of the regulations. Are there any questions on the
41 AP recommendations?

42
43 **CHAIRMAN ANSON:** Any questions? Mr. Sanchez.

44
45 **MR. JOHN SANCHEZ:** I guess, if we were to -- How does everybody
46 feel about dropping the word "daily" from these options and the
47 preferred alternative, just to address the dual trips per day?
48

1 **CHAIRMAN ANSON:** Any committee discussion? Ms. Boggs.

2
3 **MS. SUSAN BOGGS:** I kind of agree with what Ryan said about most
4 of your charter/for-hire are only going to take one trip per
5 day, and so I think dropping the "daily" is not going to make
6 that much difference.

7
8 **CHAIRMAN ANSON:** Dr. Frazer.

9
10 **DR. TOM FRAZER:** Thank you, Kevin. I'm not on the committee,
11 but I did attend this meeting, and I think the intent of the AP
12 was to modify the language in way to where they left "daily" in
13 there, but they inserted the word "trip". Is that right, Ryan?

14
15 **MR. RINDONE:** That's correct, and so, instead of it saying --
16 Preferred Alternative 3 would be changed to say create a
17 recreational and commercial daily trip limit, or create a
18 recreational and commercial trip limit for Gulf cobia. Anglers
19 may not exceed the per-person possession limit, and Preferred
20 Option 3a would say something to the effect of the recreational
21 and commercial trip limit per vessel for cobia is two fish.

22
23 As far as how that difference shakes out, like per day versus
24 per trip, a two cobia per vessel per trip limit still reduces
25 the commercial landings by 5 percent and the recreational
26 landings by 2.3 percent, as opposed to -- It doesn't have any
27 effect on the commercial whether it's per trip or per day, like
28 I said, because their average trip length is like four days, but
29 the change in the reduction for Preferred Alternative 3a -- I am
30 looking at Table 2.2.1 right now, and the reduction goes from
31 9.1 percent for recreational to 2.3, but, again, still the bulk
32 of where your reduction in fishing mortality comes from is from
33 the size limit increase and not from changes in the possession
34 limit.

35
36 I have asked for an examination of the cumulative effect of
37 thirty-six inches fork length, one per person, and two cobia per
38 vessel per day and also per trip from the SERO staff, and we'll
39 see if we can get that for you guys by Full Council, but we
40 don't have that yet.

41
42 **CHAIRMAN ANSON:** Dr. Crabtree.

43
44 **DR. ROY CRABTREE:** Yes, and I agree that we need to change this
45 to trip limit in Alternative 3. To fix this, Ryan, we would
46 just change the phrase "daily vessel limit" to "vessel trip
47 limit"? **I would make a motion that, in Action 2, Alternative 3,**
48 **we change the phrase "daily vessel limit" to "vessel trip**

1 limit", throughout that alternative.

2
3 **CHAIRMAN ANSON:** We have a motion on the board, and it's
4 seconded by Mr. Sanchez. I will give staff a moment to catch up
5 with that.

6
7 **DR. CRABTREE:** I think, the way the regs are set up, that that's
8 regardless of the length of the trip, and so, when you're out
9 there on the water, that's all you can have on the boat, if
10 you're out for three days or two hours.

11
12 **MR. RINDONE:** You could just say, in Action 2, change the
13 language of Alternative 3 to "vessel trip limit", and we will
14 know what to do.

15
16 **CHAIRMAN ANSON:** You might want to add in there "daily vessel
17 limit" to "vessel trip limit". Roy, is that your motion?

18
19 **DR. CRABTREE:** From "daily vessel limit" to "vessel trip limit".
20 Yes, I think that captures it.

21
22 **CHAIRMAN ANSON:** All right, and so the motion has been seconded.
23 Any discussion on the motion? Mr. Diaz.

24
25 **MR. DALE DIAZ:** I just want to kind of say what I am thinking.
26 I feel pretty strongly about the size limit. I think that's
27 where we get that pretty good percentage, and I believe the
28 reduction is about 26 percent. Here, even with doing this, it's
29 probably going to be something under 10 percent, and is that
30 about correct, Ryan, for change in the possession limit?

31
32 **MR. RINDONE:** Cumulatively? I would be guessing.

33
34 **MR. DIAZ:** You would stack them though, wouldn't you? If you
35 had 26 percent reduction for possession, and then you added a
36 size limit reduction, those two would be -- That would be a
37 cumulative reduction?

38
39 **MR. RINDONE:** There would be a cumulative effect, yes. I can't
40 say for certain that you could just add them all together,
41 because the combination of the one fish per person and the
42 vessel trip limit, in this case, as you guys are changing it to,
43 wouldn't necessarily just be stacked, arithmetically. There
44 might be some adjustment that happens because of the reduction
45 in the per-person possession limit, but, like I said, we've
46 asked for the cumulative effects of the size limit and the
47 possession limit, and hopefully we'll have that by Full Council.

48

1 **MR. DIAZ:** Whenever I read through the public comments on this,
2 the public comments were kind of all over the place, but there
3 were several people, it seemed like mostly in the western Gulf,
4 that was not in favor of really probably any action, and there
5 were a few spear fishermen that made some notes that they think
6 that the population is still in good shape.

7
8 I am just trying to take in those public comments as I dwell on
9 this, but I don't know that I am necessarily opposed to this,
10 but I do think the big thing for us to do is the size limit,
11 more than the possession limit. Thank you.

12
13 **CHAIRMAN ANSON:** All right. I have Dr. Froeschke, followed by
14 Ryan, unless it's to that point, Ryan.

15
16 **MR. RINDONE:** I was just going to say that it might be a good
17 time to have Emily talk about the public comments.

18
19 **CHAIRMAN ANSON:** Yes, and I want to, I guess, dispense with the
20 motion first, and I want to get through that, and then we'll go
21 into public comment and maybe talk about it a little bit more in
22 detail. Dr. Froeschke.

23
24 **DR. JOHN FROESCHKE:** If I recall, Dr. Porch has commented on
25 these two in the past, and what he has said is that, over time,
26 for the size limit, the fish tend to grow into this, and so the
27 effect of rate on fishing mortality reduction would be expected
28 to decrease over time, because, again, they grow up to the size
29 limit.

30
31 However, for the vessel limit, that change would be expected to
32 increase over time, because the stock size is expected to
33 increase, and so more fishermen would be bumping up, again, into
34 those limits, and so you would expect sort of some complementary
35 things through time if you kept both.

36
37 **CHAIRMAN ANSON:** Mr. Sanchez.

38
39 **MR. SANCHEZ:** Thank you, Kevin. I speak in favor of this,
40 because we have an assessment coming up in the near future, and,
41 rather than doing stuff based solely on anecdotal concerns and
42 everything, which we take seriously, I would just as soon do
43 this and wait for the results of the assessment, and then we can
44 do some science-based management.

45
46 **CHAIRMAN ANSON:** Robin.

47
48 **MR. ROBIN RIECHERS:** I want to go back to what Ryan said. You

1 said you were waiting on information from the Center. Is that
2 to tease out these daily versus trip limit question, because
3 I've got to believe there is not going to be much information to
4 base that on.

5
6 **MR. RINDONE:** I have the daily versus trip. What I don't have
7 is the cumulative predicted reduction in fishing mortality or in
8 landings from the combination of the increase in the minimum
9 size limit to thirty-six inches fork length and the one-fish per
10 person possession limit and the two-fish per vessel or per trip,
11 whatever the ultimate result is, and so that three-way reduction
12 that you guys are proposing, with the combination of the
13 alternatives presented, to give you that final number for the
14 recreational and the commercial side of what the predicted
15 reduction in landings would be.

16
17 **MR. RIECHERS:** But we do have relative ranges of those things
18 combined in Table 2.2.2. What we don't have is the last
19 stacking mechanism regarding the bag limits, but knowing that
20 the bag limits are basically not giving us much here, and that's
21 not going to -- I mean, we may not know the exacts, but we know
22 relative contribution is going to be quite low.

23
24 **MR. RINDONE:** If you threw a dart, you would be close.

25
26 **CHAIRMAN ANSON:** Ms. Gerhart.

27
28 **MS. GERHART:** I just want to clarify a little bit about the
29 analysis that we have for the per trip that Ryan mentioned so
30 far when he talked about that. We don't have any data on how
31 many trips vessels take at this point, the charter vessels, and
32 so what we did to get that number was assume that every charter
33 vessel takes two trips per day.

34
35 This is clearly an overestimate, and so it was just to get an
36 outer bound of what could be the maximum, and the change was
37 from a 9 percent reduction to a 2.3 percent reduction, and so
38 the reality would be something in between those things, if you
39 went with this per trip.

40
41 **CHAIRMAN ANSON:** Ryan.

42
43 **MR. RINDONE:** Mike Larkin is awesome, and let's make note. He
44 just sent me what I asked for. He says the combined reduction
45 in landings from the current combination of the thirty-six-inch
46 fork length, one fish per person, two fish per vessel, for the
47 recreational side, broken up is -- It comes to a 32 percent
48 reduction for the for-hire component and a 35 percent reduction

1 for the private angling portion.

2
3 If you do it per trip, again assuming that every charter vessel
4 makes two trips and keeps two cobia, which we know from the
5 other data in the document is not happening, it results in a 3
6 percent increase for the charter trips, because that's assuming
7 that every charter trip is keeping two cobia, and, again, the
8 data don't reflect that, or a 35 percent reduction for the
9 private boats. Again, the commercial side of this isn't nearly
10 as affected, because the trip length for the commercial sector
11 is, on average, about four days, and so --

12
13 **CHAIRMAN ANSON:** Robin.

14
15 **MR. RIECHERS:** Could either you adjust, with footnotes, Table
16 2.2.2 at some point before the Full Council, just so that we can
17 see that? I mean, you just read it off real quickly, and I was
18 trying to jot notes, Ryan, and I don't know that I got them all
19 correct, but so that we can see what those add up to.

20
21 **MR. RINDONE:** I can put a table in the summary. How about that,
22 in the committee summary report?

23
24 **CHAIRMAN ANSON:** All right. We have a motion on the board. Is
25 there any other discussion on the motion? I will just follow-up
26 to Dale's comment. Reading the minutes from the last meeting,
27 John, you made a comment that, hey, people came and said there's
28 a problem with cobia, and this ought to be easy, and wham, bam,
29 thank you ma'am, we'll be done, and nothing is ever easy, I
30 guess, particularly at the council, and so I am a little bit
31 contrary, I guess, to your statement about taking some action
32 without the science and without the assessment.

33
34 Although I am kind of Dale, and I might not vote, or I might in
35 favor of this, but, when we get to Full Council, I don't know
36 about supporting this particular action, but, nonetheless, we'll
37 probably hear some more public testimony and maybe get some more
38 folks over the line, so to speak, that might come out and say
39 what they have to say.

40
41 All right. Based on that then, we'll go ahead and vote up on
42 the current motion. **The motion is, in Action 2, to change the**
43 **language from "daily vessel limit" to "vessel trip limit". All**
44 **those in favor of the motion, signify by raising your hand,**
45 **eight; all those opposed, same sign. The motion passes eight to**
46 **zero.**

47
48 All right. Is there any other discussion on the action items

1 that are contained within -- We need to go through -- Go ahead,
2 Ms. Muehlstein.

3
4 **MS. EMILY MUEHLSTEIN:** Okay. Thank you. Because this is a
5 framework, we didn't go out to any in-person public hearings.
6 We did, however, create a video presentation on this for the
7 proposed changes, and that video did receive 530 views, and we
8 also received forty-two written comments from anglers about this
9 action.

10
11 I am going to go ahead and sort of go through a summary of what
12 we heard from our anglers, and we will start by action-specific
13 comments, and then I will go into the more general cobia
14 comments.

15
16 Regarding Action 1, which takes a look at the cobia minimum size
17 limit, we heard support for no action, which would retain the
18 current thirty-three fork length minimum size limit. The
19 rationale that was provided was that increasing the minimum size
20 limit will result in higher total mortality. Also, we heard the
21 rationale that anglers will still gaff fish, to avoid injury or
22 boat damage. If the fish are too small, they will be discarded
23 dead.

24
25 We also heard support for Preferred Alternative 2, which would
26 be to increase the minimum size limit to thirty-six inches. We
27 heard support for Alternative 3, which would increase the
28 minimum size limit to thirty-nine inches fork length. We also
29 heard support for a forty-inch minimum size limit and a forty-
30 five-inch minimum size limit. We heard support for a size limit
31 increase with no change in the possession limit, and we also
32 heard that minimum size limits should only increase for charter
33 and headboats.

34
35 Moving to Action 2, which discusses the cobia possession limits,
36 we heard support for no action, which would retain the current
37 two fish per person daily possession limit, and the rationale
38 provided was that commercial fishermen depend on cobia in the
39 winter and that fishing is an expensive hobby and that there is
40 no reason to cut the cobia limit in half, especially since all
41 of our other species are being taken away.

42
43 We heard support for Alternative 2, which would create a one
44 fish per person per day limit, and the rationale we heard was
45 that, during the week, charter and private vessels harvest
46 multiple fish, and there is nothing left to catch on the
47 weekends.

48

1 We heard support for Preferred Alternative 3, Option 3a, which
2 would create a two-fish vessel limit, because it would take some
3 pressure off of the fish and allow the stock to recover. We
4 heard support for Preferred Alternative 3, Option 3b, which
5 would create a four-fish per vessel limit, and we also heard
6 support for a three-fish vessel limit. The rationale provided
7 for that was that dropping it to three for now, in the absence
8 of science, would allow room to drop it further if the science
9 corroborates the need for a reduction.

10
11 Then we heard that there is no need to keep sixteen cobia on a
12 single boat. Even partyboats can have a successful trip with
13 two or three large cobia onboard, and, finally, we heard support
14 for a possession limit change, but for no size change.

15
16 We also received numerous comments that were sort of general
17 about cobia. We heard from a lot of anglers that there has been
18 a decline in the number of cobia, which is why we're here, I
19 believe, and we heard that the removal of rig structures has
20 contributed to that decline and that the shrimp opening was
21 moved, and is now later than the migratory run of cobia, and so
22 they're harder to target.

23
24 We heard that cobia have been nonexistent off of Mississippi for
25 this year and also last year, and we also heard that the annual
26 spring migration along the north central coast has seen a
27 dramatic decline.

28
29 Then, of course, we heard the opposite, and we heard that there
30 were plenty of cobia. We heard that, while Florida fishermen
31 may be seeing a decline, there is no such issue off the
32 Louisiana coast. We heard that divers are seeing plenty of
33 large schools of cobia. We also heard that there is no need to
34 manage cobia with lower limits if the population hasn't
35 declined.

36
37 Next, we heard that cobia fishing is cyclical and that there are
38 good years and that there are bad years, and we heard that there
39 are more small fish around than there have been in previous
40 years. We heard a suggestion to close the fishery entirely in
41 2019, to allow the stock to recover.

42
43 We heard that management changes should not be made without
44 science to prove the stock is in decline. We heard that the
45 decline in landings for 2017 may be due to reduced effort,
46 because of overregulation of other species, and that the
47 recreational sector needs accountability, through mandatory
48 call-in reporting prior to landings, before regulation changes

1 are made.

2
3 We also heard that cobia is one of the few fish that isn't
4 overregulated, and so it should be left alone, and we heard that
5 changing regulations through the commercial sector will yield
6 results and that commercial harvest should be stopped entirely.
7 We heard that the council should require a large net for boating
8 cobia, to discourage gaffing and allow for less mortality of
9 undersized fish.

10
11 We heard that the council should consider a season limit of five
12 fish per person per year, and we heard that there should not be
13 tournament fishing for cobia, and that concludes my report of
14 the public comment we heard on this document.

15
16 **CHAIRMAN ANSON:** Thank you, Emily. Any questions about the
17 public comment report? Dr. Mickle.

18
19 **DR. PAUL MICKLE:** Thank you, Kevin, for recognizing me. I'm not
20 on the committee, but I just wanted to give some kudos to Emily.
21 I pulled the video up on the website, and it was right on the
22 front of the website, and it was very clear, and I would love to
23 see that pushed further with other types of management decisions
24 we make.

25
26 It looks like -- I want to ask, when was it posted, and it
27 sounds like you had a lot of input, from the comments and the
28 number that you posted of comments that you received, and so
29 what is that timeframe that they had to comment?

30
31 **MS. MUEHLSTEIN:** Well, I'm going to have to open it up, so I can
32 tell you. It was posted a number of weeks ago, three weeks ago,
33 and so it was up for three weeks, and it had 528 views in that
34 time. It was a very popular posting on our Facebook page as
35 well, and it definitely garnered a lot of discussion, and so
36 that is actually a result of our new office space. We were
37 allowed to build a new studio, and so we're trying to up our
38 game, and thank you for recognizing the effort.

39
40 **DR. MICKLE:** Just real quick, thank you, and, if you pull up the
41 page, her expression of her face on the first frame -- I had to
42 click on and watch it, because that was some intense passion
43 right there.

44
45 **MS. MUEHLSTEIN:** So I can't choose it, and I think Ryan called
46 me and was crying laughing so hard when he saw what expression
47 it chose, but, when iFrames in there, I don't get to select the
48 moment that it freezes me. That one is actually pretty

1 flattering, if you have ever edited video of yourself.

2

3 **CHAIRMAN ANSON:** Thank you. Mara.

4

5 **MS. MARA LEVY:** Just a comment. You changed the wording of the
6 alternative, right, and so it's not like we added a new
7 alternative. To the extent that that passes at Full Council, I
8 would just ask that there be some discussion in the document
9 about what the prior alternative said and why it got changed to
10 what it is, because then we have no -- We're just going to have
11 a document that has a different preferred alternative with
12 different wording without really a discussion about how that
13 happened.

14

15 **CHAIRMAN ANSON:** Roy.

16

17 **DR. CRABTREE:** The rationale, from my perspective, is, one, I
18 think trying to enforce the vessel limit on a daily basis is not
19 practicable, because it's very difficult to know if the vessel
20 has already been out in the day.

21

22 With for-hire vessels, if they're going to do two trips, they're
23 going to take a different group of people out on the two trips,
24 and we let individuals have a bag limit, and so it seems to me
25 that they should be able to have the same trip limit.

26

27 In terms of the analysis, our ability to analyze that thing is
28 not very good, based on what I have seen with all of the
29 variables involved, and I don't think there's much difference
30 between the two, and so it just seems, from a practical
31 standpoint, to be much more enforceable and make sense to do it
32 that way, and then there's a fairness issue about having a
33 different individual go out on the second trip of the day, but
34 not be able to catch fish, because somebody on an earlier trip
35 caught a fish, and that's my reasons for why I think it's an
36 appropriate change.

37

38 **CHAIRMAN ANSON:** Thank you for the comments, Roy. Before we
39 wrap up Amendment 7, I want to go back to, Emily, your summary
40 from the public comments. You mentioned there were forty-two
41 folks, as I recall, that commented on the Amendment 7 and then
42 the general comments.

43

44 There were a lot of comments and a lot of opinions, at least for
45 the two action items, and were all of the general comments --
46 Did they come strictly from those that commented on the
47 amendment, or did they come in through -- I don't know if you've
48 got the comment page open for YouTube or not, but did those

1 forty-two folks come up with all of those different ideas and
2 such in the general comments section?

3
4 **MS. MUEHLSTEIN:** Yes, they did, and so those forty-two comments
5 were the comments that I collected through our Google Docs
6 comment form on cobia specifically. That all came from that one
7 very direct area.

8
9 **CHAIRMAN ANSON:** Okay. Thank you. Yes, sir.

10
11 **MR. CHRIS SCHIEBLE:** Thanks for recognizing me. I know we're
12 not on this committee also, but I would like to just take a
13 second to make a comment. Louisiana conducted a survey of 387
14 individuals with Louisiana charter boat or headboat licenses who
15 hold a valid ROLP, which is our recreational offshore landing
16 permit.

17
18 That was right prior to this meeting, and our results came in
19 just before this meeting, and I would like to just kind of run
20 down the list. All the questions were not pertaining to cobia,
21 but some of them were, and I would like to give you the kind of
22 results that we had for this.

23
24 Our sample size was 382. Of those 382 that we proposed the
25 questions to, we had 143 responses. One of the most surprising
26 answers to one of the questions, for me, was, out of those 143
27 responses, 56 percent answered yes to the question of do you
28 specifically target cobia when operating charter fishing trips.
29 I was not aware that targeting cobia was that big in Louisiana.
30 42 percent said no.

31
32 When it came to the changes here, it said which of the following
33 options for the minimum size limit for cobia do you prefer, and
34 thirty-six preferred no change, to keep the thirty-three-inch
35 fork length size limit. However, 32 percent, very close, said
36 increase the size limit to thirty-six. Only 16 percent
37 preferred the increase to thirty-nine, and 2 percent to 42, and
38 it went down very quickly.

39
40 Would you prefer keeping the current possession limit or
41 lowering it to one cobia per day, 56 percent said no change, to
42 keep the current possession limit. 36 percent said lower the
43 possession limit to one per person per day.

44
45 If you had the following options for a vessel permit, which
46 would you prefer, no change, no vessel limit, 34 percent. Set a
47 vessel limit of two cobia per vessel per day, that was only 12
48 percent. Set a vessel limit of four per day per vessel, that

1 was 20 percent. Vessel limit of six per vessel per day, that
2 was 24 percent.

3
4 If the Gulf Council opts to establish a vessel limit, which of
5 the following would you prefer, both a vessel limit and a
6 possession limit, 42 percent. A vessel limit, but no possession
7 limit, 24 percent. Then 32 percent were undecided on that
8 question. That's all I have, and I just wanted to let everybody
9 know what Louisiana charter/for-hire and federally-permitted
10 boats' opinion was. Thank you.

11
12 **CHAIRMAN ANSON:** All right. Thank you. We have discussed both
13 action items in Amendment 7. Ryan, do we need to still talk
14 about the codified text? I know Mara just mentioned something
15 about it, and do we need to bring it up now?

16
17 **MR. RINDONE:** With this change in Action 2's alternatives, we
18 will need to update the proposed changes in the codified text,
19 but, generally speaking, this is probably among the easier bits
20 of codified text that you guys have had to review in recent
21 history, because we just haven't done that much historically
22 with cobia, and so it's a short bit of text. If you have any
23 questions about that, it's Tab C, Number 5(d), and we can answer
24 those questions now, if you have any.

25
26 **CHAIRMAN ANSON:** Mara, did you want to cover anything about the
27 codified text?

28
29 **MS. LEVY:** No, and I guess it depends whether, as a committee,
30 are you going to recommend final action now, or are you just
31 going to wait until Full Council, when you have the updated
32 codified, or when you've had more of a chance to consider the
33 change? I mean, I guess it's up to you, but it is what it is,
34 and you know that the one related to this action is going to
35 change, and hopefully you will have that for Full Council.

36
37 **CHAIRMAN ANSON:** My preference would be that we wait until the
38 final edits are made and do that at Full Council. Ryan.

39
40 **MR. RINDONE:** Just one last thing. I told you guys that I had
41 reached out to some of the AP members that weren't able to make
42 it, and there were seven of them. I was able to talk with four
43 of them, and three of them agreed with what the AP had
44 recommended, and one of them only agreed with the one-fish per
45 person possession limit, but opposed the other two measures.
46 That was just the final bit of info that I had.

47
48 Then I guess, at this point, if you guys want to wait for the

1 summary, for me to put that table in there, so you can look at
2 that, that's fine, or, if you feel comfortable recommending
3 final action to the Full Council, you could do that now as well.

4
5 **CHAIRMAN ANSON:** Leann.

6
7 **MS. LEANN BOSARGE:** Well, if somebody wants to recommend final
8 action, I will defer, because that was not what my comment was
9 about. All right. I just had an observation, and I was
10 thinking about the upcoming assessment and thinking about what I
11 saw at the SSC meeting when they reviewed some of the data that
12 we had on cobia, to try and give us some sort of interim
13 recommendations, and we really couldn't get much out of it.

14
15 If staff could scroll to PDF page 21, paper copy page 11, in the
16 document, I was looking at this Figure 2.1.3, and, Ryan, you
17 said that this, on average, is somewhere northward of 90 percent
18 recreational, as far as the landings for cobia, and the
19 commercial landings are very minimal.

20
21 If you scroll up just a little more, I was looking at the N, the
22 number of fish, up there in your legend, and so this is a
23 recreationally-dominated fishery, and yet we have sampled 384
24 commercial fish, and it's mainly a private boat fishery, if you
25 look at the percentages, and we have less private boat fish than
26 we have commercial, and it's less than 10 percent commercial,
27 probably less than 5 percent commercial, and I'm just thinking
28 about things we can do to make sure that -- Maybe not for this
29 assessment, but I would venture to guess that the subject is not
30 going away.

31
32 My crystal ball would say there will probably be a decent amount
33 of unknowns in that assessment, or at least uncertainty, and we
34 have cobia shootouts, which you have lots of private anglers in
35 those cobia shootouts, and maybe we can just try and sample a
36 few more of those fish, the biological aspects of it, and get
37 some better catch-at-age, get that N number up a little bit on
38 the recreational side, so that, the next time we have a stock
39 assessment, maybe we'll have a little more data at our
40 fingertips, and that's just my observation.

41
42 **CHAIRMAN ANSON:** Ryan.

43
44 **MR. RINDONE:** We can certainly make that recommendation, and
45 just a point of clarification on the sample sizes provided by
46 fleet for Figure 2.1.3. That's not representative of the total
47 landings. It's just that's representative of the number of
48 samples of trips that were used in the analysis that targeted

1 cobia and breaking down the percent of fish across all of those
2 samples by fork length.

3
4 Please don't take that to be an indication of what the landings
5 actually are. The table with the landings is -- It's in the
6 background, I believe. Commercial landings for 2001 to 2017 are
7 in Table 1.1.1, and, just to snapshot it for you, for the Gulf
8 portion of it for the last few years, it has ranged between
9 68,000 and 82,000 pounds. Then the recreational landings are
10 Table 1.12, and that is all recreational landings, and they have
11 ranged from about 1.1 million in 2013 down to last year, which
12 was 678,000. The take-away is that the recreational sector
13 lands better than 90 percent of the fish.

14
15 **CHAIRMAN ANSON:** Mr. Schieble.

16
17 **MR. SCHIEBLE:** Thank you. Again, I'm not on the committee, but
18 I just have a question, I guess, and I'm kind of new at this,
19 but can anyone explain to me why the South Atlantic Council is
20 not considering taking action on changes to size and possession
21 limits on the same stock of fish?

22
23 **CHAIRMAN ANSON:** Martha.

24
25 **MS. GUYAS:** Tim, you might want to speak to this, and you
26 probably can better than me, but my understanding is, at their
27 last meeting, they discussed that, and they may do something, I
28 think.

29
30 **CHAIRMAN ANSON:** I mean, the assessment -- They're having an
31 assessment done as well, are they not, the South Atlantic, and
32 so, I mean, they're kind of in the same boat we are. I think
33 they have heard some folks, and they may have done some more
34 management, as far as the Georgia/Florida line type of thing,
35 but they're kind of in the same boat we are.

36
37 **MS. GUYAS:** Correct, yes, and so remember the east coast of
38 Florida is considered the Gulf stock, and that's what I am
39 specifically talking about, but, yes, they have just made a
40 bunch of changes for north of there, the Atlantic stock, as
41 well.

42
43 **CHAIRMAN ANSON:** Dr. Crabtree.

44
45 **DR. CRABTREE:** Well, remember that we're doing this in response
46 to the public comment that we've gotten, and we haven't heard
47 that same sort of public comment off the east coast of Florida,
48 and so I know it's, in theory, all one stock, but I don't recall

1 hearing a concerted group of fishermen come in and tell us that
2 they're seeing declines.

3

4 **CHAIRMAN ANSON:** Ryan.

5

6 **MR. RINDONE:** Not to pile on, but if the South Atlantic decided
7 that they wanted to just take this document and change some of
8 the language in it to make it suit the Florida east coast
9 portion of the Gulf stock, and if you're curious as to the
10 actual boundary of that, that is in Figure 1.1.1, and they very
11 well could do so, and we would be happy to help with that.

12

13 **CHAIRMAN ANSON:** Dr. Frazer.

14

15 **DR. FRAZER:** This may be a question for Tim, but, the last time
16 that we had a discussion about this, I thought that the South
17 Atlantic had adopted a thirty-six-inch limit for cobia already.

18

19 **MR. TIM GRINER:** Yes, we do have it for the recreational sector.
20 For our commercial sector, we're still at thirty-three.

21

22 **DR. FRAZER:** Okay. I got it, and so it's not off of Florida.
23 That is what Martha is saying. I've got it. Thank you.

24

25 **CHAIRMAN ANSON:** Leann.

26

27 **MS. BOSARGE:** Will we have that discussion one day, about
28 sending this to the -- If we make changes that are not -- That
29 don't match what is currently being done by the South Atlantic
30 Council for our fish, Gulf cobia, that they manage on that side,
31 can we send this to them and have them take a look at it?

32

33 I am just wondering how much feedback they're getting from their
34 anglers at this point, because they don't manage cobia, Atlantic
35 cobia, anymore in the South Atlantic Council. They handed that
36 over to the commission, but they're still managing our cobia
37 over there.

38

39 **CHAIRMAN ANSON:** Ryan.

40

41 **MR. RINDONE:** We can send it to them, but we're not required to,
42 per our framework procedures, because this is affecting the Gulf
43 jurisdictional area. If you look at the inset there that looks
44 at the Gulf group, which is the green part, and the inset is
45 below that, what we're codifying as the Gulf zone is the Gulf
46 Council's jurisdictional area within which it manages the Gulf
47 migratory group of cobia.

48

1 The Florida East Coast Zone is the South Atlantic Council's
2 jurisdictional area, within which they manage Gulf migratory
3 group cobia, and so this just applies to the Gulf zone, and,
4 because of that, and it's only affecting the Gulf area, we don't
5 have to send it to the South Atlantic Council for approval, but
6 that doesn't mean that we wouldn't share anything with them.

7

8 **CHAIRMAN ANSON:** Leann.

9

10 **MS. BOSARGE:** Just for clarification, I don't want to hold this
11 up. I want to hopefully take final action on this at Full
12 Council, and, once it's had its final action and its blessing,
13 then maybe we could send them a letter and say, hey, by the way,
14 this is what we've done over here, and would you all kind of
15 consider taking a look at this and seeing if you want to do the
16 same thing on your side with our fish.

17

18 **CHAIRMAN ANSON:** Maybe we can do that as a council, and maybe
19 both councils can wait on the assessments and make a decision at
20 that point, or one council could maybe offer something, based on
21 the assessment, to help kind of push them over the edge, so to
22 speak, but, if they're not committal to do anything, but I think
23 we will maybe cross that bridge -- In my opinion, we'll cross
24 that bridge when we get a little further down the road. All
25 right. Anybody else? Mr. Boyd.

26

27 **MR. DOUG BOYD:** Thank you, Mr. Chairman. I'm not on the
28 committee, but a question on the SEDAR schedule. I was looking
29 at it, and I know that's coming up later on, but I don't see
30 cobia on the SEDAR schedule, and my understanding was that it
31 was set for 2019. Is it on there?

32

33 **DR. FRAZER:** Yes, Doug, it's on the schedule.

34

35 **MR. BOYD:** Is it going to start in 2019 or be completed in 2019?

36

37 **MR. RINDONE:** It starts in Q3 of 2019, and it ends in Q1 of
38 2020, and we've tried to just use quarters, as opposed to exact
39 months, to provide a little flexibility.

40

41 The reason why it's just an update is because we don't have any
42 new life history information or any new contributory surveys or
43 any new data or anything like that for the Gulf migratory group,
44 and we made that data discovery, if you will, during the stock
45 ID process that we just did for cobia for the South Atlantic's
46 assessment.

47

48 **CHAIRMAN ANSON:** Tim, did you have a comment?

1
2 **MR. GRINER:** We have been really focused on our northern cobia
3 and getting that off of our plate, but, going back to the Gulf
4 stock, during our discussions with the northern stock, it became
5 very apparent that a lot of our six-pack charters are a makeup
6 charter of different groups of individuals, and so, for us, it
7 was very important that we stayed to a six per vessel limit.
8 It's one per person and six per vessel, and I think you would
9 have a lot of blowback from our recreational guys if you were to
10 try to drop that down for our side.

11
12 **CHAIRMAN ANSON:** All right. Any other discussion on Amendment
13 7? All right. There was no other business brought up. Dr.
14 Frazer.

15
16 **DR. FRAZER:** If I could, I would just like to make a general
17 comment. I realize that when this AP was convened that it was
18 just prior to a hurricane, and hurricanes obviously affect
19 almost every state, or all of the states in the Gulf, and it's a
20 tricky thing, right, to make sure that people are represented in
21 these discussions, and I would like to really thank Ryan for
22 making the effort to reach out to those folks that weren't able
23 to attend, as a consequence of trying to prepare for that storm,
24 and it's something that I think that we should always try to do,
25 is make sure that we prioritize where people put their efforts
26 and not exclude them from the process and make every effort to
27 get their input and opinions, when we can, and so I just wanted
28 to thank Ryan for making the extra effort to do that.

29
30 **CHAIRMAN ANSON:** Good point. There being no other business for
31 the committee, the Mackerel Committee is done.

32
33 (Whereupon, the meeting adjourned on October 22, 2018.)

34
35 - - -
36