

1 GULF OF MEXICO FISHERY MANAGEMENT COUNCIL

2  
3 MACKEREL MANAGEMENT COMMITTEE

4  
5 Embassy Suites Panama City Beach, Florida

6  
7 October 25, 2023

8  
9 **VOTING MEMBERS**

- 10 Dakus Geeslin (designee for Robin Riechers).....Texas
- 11 Kesley Banks.....Texas
- 12 Susan Boggs.....Alabama
- 13 Billy Broussard.....Louisiana
- 14 Dale Diaz.....Mississippi
- 15 Tom Frazer.....Florida
- 16 Bob Gill.....Florida
- 17 Michael McDermott.....Mississippi
- 18 Chris Schieble (designee for Patrick Banks).....Louisiana
- 19 Andy Strelcheck.....NMFS
- 20 C.J. Sweetman (designee for Jessica McCawley).....Florida
- 21 Ed Walker.....Alabama

22  
23 **NON-VOTING MEMBERS**

- 24 Kevin Anson (designee for Scott Bannon).....Alabama
- 25 Dave Donaldson.....GSMFC
- 26 Jonathan Dugas.....Louisiana
- 27 LCDR Lisa Motoi.....USCG
- 28 Anthony Overton.....Alabama
- 29 Joe Spraggins.....Mississippi
- 30 Troy Williamson.....Texas

31  
32 **STAFF**

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

46  
47 **OTHER PARTICIPANTS**

- 48 Peter Hood.....NMFS
- 49 Tim Griner.....SAFMC

TABLE OF CONTENTS

1  
2  
3 Table of Contents.....2  
4  
5 Adoption of Agenda and Approval of Minutes and Action Guide and  
6 Next Steps.....3  
7  
8 Coastal Migratory Pelagic Landings.....4  
9  
10 Draft Framework Amendment 14: Modifications to Gulf Spanish  
11 Mackerel Catch Limits.....7  
12  
13 Adjournment.....21  
14  
15 - - -  
16  
17

1 The Mackerel Management Committee of the Gulf of Mexico Fishery  
2 Management Council convened at The Embassy Suites in Panama City  
3 Beach, Florida on Wednesday morning, October 25, 2023, and was  
4 called to order by Chairman Dakus Geeslin.

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

10 **CHAIRMAN DAKUS GEESLIN:** I would like to call the Mackerel  
11 Management Committee to order. The members include myself,  
12 Captain Walker, Dr. Banks, Mr. Schieble, Ms. Boggs, Mr.  
13 Broussard, Mr. Diaz, Dr. Frazer, Mr. Gill, Dr. Sweetman, Mr.  
14 McDermott, and Mr. Strelcheck.

15  
16 The first item on the agenda is the Adoption of the Agenda.  
17 Hopefully our committee members had time to look at that, and  
18 we're seeking adoption and any additional items on the agenda.  
19 Not seeing any, I'm looking for approval.

20  
21 **MR. BOB GILL:** Motion to approve, to adopt the agenda as  
22 written.

23  
24 **MS. SUSAN BOGGS:** Second.

25  
26 **CHAIRMAN GEESLIN:** Any in opposition? There we go, and we've  
27 approved the agenda. Next is the approval of our August  
28 committee meetings, there from Austin, Texas, and we're seeking  
29 approval of the minutes.

30  
31 **MR. GILL:** Move approval of the April 2023 minutes.

32  
33 **CHAIRMAN GEESLIN:** Thank you, Mr. Gill. We have a second by Mr.  
34 Broussard. Any opposition? Ms. Boggs.

35  
36 **MS. BOGGS:** I do have a question. On page 8, line 13, it said  
37 that the 2002 landings were low, and is that correct, or should  
38 it be like 2020? I can't remember, but it says "2002".

39  
40 **CHAIRMAN GEESLIN:** I will look to council staff for that answer.

41  
42 **DR. NATASHA MENDEZ-FERRER:** I will have to get back to you on  
43 that, and I will double-check.

44  
45 **CHAIRMAN GEESLIN:** Thank you for pointing that out, Ms. Boggs.  
46 All right. The next step, we've got an action guide and next  
47 steps by Dr. Mendez-Ferrer. I will turn it over to you,  
48 Natasha.

1  
2 **DR. MENDEZ-FERRER:** Okay, and so, for the action guide, next on  
3 the agenda, we're going to have the Coastal Migratory Pelagics  
4 Landings, and so we'll have Mr. Peter Hood providing an update  
5 on the status of CMP landings relative to the annual catch  
6 limits for the Gulf of Mexico, and so this is for information  
7 only, and no action is required by the committee.

8  
9 The next agenda item is Draft Framework Amendment 14,  
10 Modifications to Gulf Spanish Mackerel Catch Limits, and so  
11 council staff will review the document that considers modifying  
12 the catch limits for the Gulf migratory group Spanish mackerel,  
13 based on the recent SEDAR 81 stock assessment and the council's  
14 SSC's recommendation.

15  
16 I will remind that SEDAR 81 transitioned the recreational catch  
17 and effort data to MRIP-FES and determined that the stock was  
18 not overfished or undergoing overfishing as of 2021. The  
19 committee should review Chapters 1 and 2 and provide feedback on  
20 the purpose and need and the range of actions and alternatives  
21 included in the document, and, if we have additional time, we  
22 can address other business, Mr. Chair.

23  
24 **CHAIRMAN GEESLIN:** Thank you, Dr. Mendez-Ferrer. Any discussion  
25 on that action plan? Seeing none, we will move on to the  
26 Coastal Migratory Pelagic Landings from Mr. Hood.

#### 27 28 **COASTAL MIGRATORY PELAGIC LANDINGS**

29  
30 **MR. PETER HOOD:** Okay. Thank you. You know, the typical  
31 caveats on the landings data. The 2022 landings are  
32 preliminary, and recreational landings include the MRIP, LA  
33 Creel, the Headboat Survey, and then Texas through the high-use  
34 season.

35  
36 Commercial landings are available through August 31, and, for  
37 commercial king mackerel, monthly landings from all four zones  
38 were combined, with the exception of the Northern Zone, and they  
39 have a July 1 through June 30 fishing year. Then recreational  
40 portions of the ACLs for cobia and king mackerel are based on  
41 the recommended catch limits in FES units, and then Spanish  
42 mackerel are in CHTS units.

43  
44 I will start out looking at cobia. Again, you know, cobia, as  
45 you can see here, the blue are recreational landings, and the  
46 recreational sector, you know, dominates this fishery, in part  
47 because the bag limit and trip limits for the commercial and  
48 recreational sectors are the same.

1  
2 This -- Remember, with cobia, it's divided up into two zones.  
3 There is the Gulf zone, which is Texas over to the  
4 jurisdictional boundary between the Gulf and South Atlantic, and  
5 so down around the Tortugas. Then there is the Florida east  
6 coast zone, and that goes from that boundary on up to the  
7 Florida/Georgia border, and then it's the South Atlantic Council  
8 that manages the Florida east coast zone, and will put in, you  
9 know, seasons and trip limits and gear restrictions. Anyway,  
10 this is for the Gulf zone, and you can see that landings, in  
11 2023, which are in black, are lower than what we saw in 2002 --  
12 Now you've got me saying 2002. 2022 and 2021.

13  
14 We would expect that landings would be lower, because, last  
15 November -- That's when we put in place the one-fish-per-person  
16 bag limit, and a trip limit of two fish per vessel. We see sort  
17 of the same thing here, through Wave 3. You know, the  
18 recreational landings are a little bit lower, as we would  
19 expect, for this year, compared to previous years.

20  
21 This is commercial landings for the Florida east coast zone, and  
22 they have the same sort of restrictions put on them through  
23 Amendment 32, and so, again, we would expect that landings would  
24 be lower this year than in previous years.

25  
26 Here we have recreational landings, and, again, it's sort of the  
27 same story, where landings are down this year compared to  
28 previous years, as a result of those regulations. Here we have  
29 king mackerel commercial landings, and you can see that the  
30 black line, which is this year, is fairly similar to what we saw  
31 for the 2021-2022 fishing year, but was lower than the 2021  
32 fishing year.

33  
34 Here we have recreational landings, and recreational landings,  
35 for the 2022-2023 fishing year, are well below what we saw in  
36 previous years, and I'm not sure what's going on there, and I  
37 have been talking with at least fishermen in my area, on the  
38 recreational side, that they just haven't been seeing king  
39 mackerel, and I think that's been noted by a lot of people  
40 throughout the Gulf, and so I don't know what's going on, but  
41 there is a signal that there is something happening there.

42  
43 This is Spanish mackerel stock landings, and, again, it's mostly  
44 a recreational fishery, and here we have Spanish mackerel  
45 commercial landings, and you can see that landings, in at least  
46 for the 2022-2023 fishing year, were comparable to other years.  
47 I don't know why it didn't get included, but, for the 2023-2024  
48 fishing year, and we don't have the landings here, and I think

1 it was just an oversight in making the figure, but I did look at  
2 the landings, and, as of October 23, about 166,000 pounds had  
3 been landed, or recorded landed, and so I think that's a little  
4 bit lower than what we saw in other years, but it's still fairly  
5 close.

6  
7 Here we have the Spanish mackerel recreational landings, and,  
8 again, because it starts in April, that season is -- That's sort  
9 of halfway through Wave 2, and so we only have Wave 2 and Wave 3  
10 for the 2023-2024 fishing year, but you can see that, you know,  
11 at least for that short time period, what we're seeing that has  
12 been harvested is comparable to what's been harvested by that  
13 time for other years, and I think that's it.

14  
15 **CHAIRMAN GEESLIN:** Thank you, Mr. Hood. Are there questions, or  
16 comments, for Mr. Hood? Mr. Gill.

17  
18 **MR. GILL:** Thank you, Mr. Chairman. My question isn't for Mr.  
19 Hood, and I think it's for Clay. Spanish mackerel landings are  
20 done in landed weight, which is equivalent to, or identical to,  
21 in terminology, to whole weight, but the SSC provides us  
22 recommendations based on whole weight, and why could we not have  
23 the monitoring in whole weight, similar as we get from the SSC,  
24 and how we deal with it, and avoid the confusion of landed  
25 weight, which is not a commonly-used terminology?

26  
27 **DR. CLAY PORCH:** That makes complete sense. I mean, we  
28 certainly could monitor in consistent units.

29  
30 **CHAIRMAN GEESLIN:** Captain Walker.

31  
32 **MR. ED WALKER:** I'm not sure this applies exactly to what you  
33 guys are talking about, but, when we sell Spanish mackerel, if  
34 we're talking about commercial, they buy in whole, and they  
35 don't buy in gutted, and they buy the whole fish as it is.

36  
37 **CHAIRMAN GEESLIN:** Mr. Gill.

38  
39 **MR. GILL:** Well, let's be honest. Spanish mackerel have no  
40 guts, right, and, effectively, gutted or whole, it's roughly the  
41 same.

42  
43 **CHAIRMAN GEESLIN:** Any other comments or questions related to  
44 Mr. Hood's presentation? Mr. Hood, thank you for ending with  
45 Spanish mackerel, and that will be a perfect segue to Dr.  
46 Mendez-Ferrer's presentation. Our next agenda item is the Draft  
47 Framework Amendment: Modifications to Gulf Spanish Mackerel  
48 Catch Limits. Natasha.

1  
2 **DRAFT FRAMEWORK AMENDMENT 14: MODIFICATIONS TO GULF SPANISH**  
3 **MACKEREL CATCH LIMITS**  
4

5 **DR. MENDEZ-FERRER:** Thank you, Mr. Chair. This is a very short  
6 document, with a single action, and so if we can open the  
7 document, on the first page, the first figure, and I will just  
8 give you a quick background on Spanish mackerel.  
9

10 Also, Spanish mackerel is managed jointly by the Gulf and South  
11 Atlantic Council, and there are two migratory groups of Spanish  
12 mackerel, and, once the picture pops up, you will see that the  
13 Gulf group of migratory Spanish mackerel includes the Gulf  
14 Council's jurisdictional boundary as well as the southern  
15 portion of the Florida Keys, and so it's from Texas all the way  
16 to the Miami-Dade/Monroe County line, and so that's the region  
17 for the Gulf Spanish mackerel.  
18

19 Spanish mackerel, like Peter said, has a fishing year from April  
20 1 through March 31, and it is managed without allocations  
21 between the commercial and recreational sector. It does not  
22 have a seasonal closure, and it has a minimum size limit of  
23 twelve inches fork length for both sectors and a recreational  
24 bag limit of fifteen fish per person.  
25

26 If we scroll down to Table 1.1.1, here you can see the last two  
27 decades of Spanish mackerel landings, and, as you can see, for  
28 the majority of the years, landings have been below the ACL, and  
29 I think except for the years 2012 and 2013, which you also see  
30 that there is a lower ACL for those years, and you will see that  
31 the majority of landings have -- The majority of the ACL has not  
32 been caught.  
33

34 At its July 2023 meeting, the SSC reviewed the results and the  
35 projections from the SEDAR 81 stock assessment report, which  
36 incorporates MRIP-FES data, and determined that the Gulf Spanish  
37 mackerel stock was not overfished and not undergoing  
38 overfishing, and so the council reviewed this and directed staff  
39 to begin a document that would incorporate the SSC's  
40 recommendations for modifying catch limits for Spanish mackerel.  
41

42 If we jump to the purpose and need, I will leave that there for  
43 a little bit, for you guys to see, and the purpose is to modify  
44 Gulf Spanish mackerel catch limits, based on the results of the  
45 SEDAR 81 stock assessment, and the need is to use the best  
46 scientific information available for managing Gulf Spanish  
47 mackerel and to continue to achieve optimum yield, in accordance  
48 with the Magnuson-Stevens Fishery Conservation and Management

1 Act. I will stop here and see if the committee has any  
2 comments, or edits, to the purpose and need.

3  
4 All right. Seeing none, we will go to Chapter 2 on page 12.  
5 All right, and so the action that we are looking at in this  
6 document is to modify the Gulf of Mexico migratory group Spanish  
7 mackerel overfishing limit, acceptable biological catch, and  
8 annual catch limit. Alternative 1, no action, retains the  
9 current OFL, ABC, and ACL, which was established in Framework  
10 Amendment 1, and it also retains the definition of the ACL being  
11 set equal to the ABC.

12  
13 Here we have a table of the current OFL, ABC, and ACL, which are  
14 currently monitored in CHTS, and we're also providing, for  
15 reference, what these numbers would be in MRIP-FES, and, to give  
16 you a ballpark idea on what the difference is, and so these FES  
17 catch limits are about 32 percent larger than the current catch  
18 limits in CHTS.

19  
20 If we scroll down to Alternative 2, Alternative 2 modifies the  
21 OFL, ABC, and ACL, as recommended by the council's SSC, for the  
22 fishing years 2025 through 2027, and subsequent fishing years,  
23 and it retains the stock ACL being set equal to the ABC. A  
24 reminder that, in Alternative 2, we would be monitoring in MRIP-  
25 FES units, and I do want to point out that the ACL of 9.6 is  
26 about a 35 percent reduction from the FES units in Alternative  
27 1.

28  
29 Then Alternative 3 is a more conservative alternative, and it  
30 would modify the OFL and ABC for Spanish mackerel, as  
31 recommended by the council's SSC, but it would set the ACL using  
32 the council's ACL and ACT Control Rule, which then would result  
33 in about a 10 percent buffer between the ABC and the stock ACL,  
34 and so that translates to roughly a million pounds less than the  
35 ACL in Alternative 2.

36  
37 If we go back to one of the things that I kind of like want to  
38 bring up, and if we go back to Table 1, and we are also  
39 including, for reference, the landings in FES, and so, you know,  
40 how does this translate, if we were to look at the historical  
41 landings in FES, and so that would be the third column from the  
42 left, and, as you can see, the landings are pretty close.

43  
44 As you can see, the landings are pretty close, and so, even  
45 though, you know, we're probably not expecting the ACL to be  
46 exceeded, it's not completely out of the, you know, the question  
47 that we might be approaching it, and so that is something that I  
48 kind of wanted the committee to see when evaluating the



1 alternatives. I will stop here and ask -- You know, see if  
2 anyone has any questions, or discussion, related to the action  
3 that is included here and the alternatives.

4  
5 **CHAIRMAN GEESLIN:** Mr. Gill.

6  
7 **MR. GILL:** Thank you, Mr. Chairman, and so a couple of points.  
8 Number one, I note that, and just take the last ten years, but  
9 the swings on landings are pretty high, if you exclude the 2013  
10 outlier, on the order of five-million pounds. Year-to-year,  
11 it's a million-and-a-half, something on that order, but we have  
12 significant deviation on the annual landings.

13  
14 The current ABC of 9.6 is not exceeded in the last ten years,  
15 with the exception of the 2019 season, when it was exceeded by a  
16 million-plus pounds, in FES units, and so what concerns me is  
17 that the -- If we set the ACL very close to the ABC, we have a  
18 good chance of going over the ABC, based on the variability in  
19 the landings, and I don't like what I'm going to suggest, but,  
20 from the standpoint of looking at the alternatives that we ought  
21 to consider relative to this stock, I would like to throw out  
22 the idea, and make a motion, and I don't particularly want to,  
23 that we have an alternative that looks at an ACL that is 20  
24 percent below the ABC, with the intent that, even though the  
25 current landings are low, but they're not that low, off of the  
26 ABC, and the variability suggests that they might well exceed it  
27 and that whatever our target is, ACL target, if I can call it  
28 that, might be lower than what we currently have in the  
29 document, and so I would like to throw that out there for  
30 discussion and consideration.

31  
32 **CHAIRMAN GEESLIN:** Captain Walker.

33  
34 **MR. WALKER:** I would speak against. To be fair, mostly because  
35 of my distrust of these FES numbers, and so, you know, I really  
36 don't see that being necessary in the Spanish mackerel fishery,  
37 and I'm just putting that out there.

38  
39 **CHAIRMAN GEESLIN:** Mr. Strelcheck.

40  
41 **MR. ANDY STRELCHECK:** Well, setting aside distrust of the FES  
42 numbers, I am not overly concerned, simply because, if you look  
43 at the historical landings relative to the new ABC, or the ACLs,  
44 you have essentially one year that went over, in about an eight  
45 or nine-year period, and none of those went over the overfishing  
46 limit. I think, you know, from the standpoint of how our ACLs,  
47 and accountability measures, are set up, there's a low risk  
48 here, in terms of exceeding the overfishing limit.

1  
2 **CHAIRMAN GEESLIN:** Let me go -- I'm going to go to Ms. Boggs,  
3 then Natasha, and then I'm going to ask Dr. Froeschke to explain  
4 some of the exposure analysis that he did and presented  
5 yesterday.

6  
7 **MS. BOGGS:** Thank you, and so a couple of things. If I look at  
8 the last ten years, I see two years that we would have gone  
9 over, and one that we would have bumped close up, because in --  
10 Not the OFL, but the ABC, but, in 2019 and 2020, it was 10.8  
11 million pounds, and so unless I'm reading that wrong, and, in  
12 the very first year, we were at 9.2, and so very close to that  
13 ABC.

14  
15 I know that the sensitivity run that Luiz Barbieri did with  
16 Spanish mackerel was not for management advice, but, if you look  
17 at that, that said it was 25 percent higher than probably what  
18 it should be, and, of course, this is the management advice we  
19 have now, but I can't help but think that what he is telling us,  
20 based on FES, what we may be running up against, and so, you  
21 know, I don't know what to do with this fishery.

22  
23 The interesting part about it is you've got these high limits,  
24 that we're not hardly catching the fish, based on historical,  
25 where we are, and so this is one of those complicated ones, kind  
26 of like king and cobia and amberjack.

27  
28 **CHAIRMAN GEESLIN:** Natasha.

29  
30 **DR. MENDEZ-FERRER:** Since there is a discussion going on on the  
31 OFL, I also wanted to highlight that, in Alternative 1, you can  
32 see there is only a 200,000-pound difference between the OFL and  
33 the ABC, and Alternative 2, accounting for scientific certainty,  
34 there is a much larger buffer between the OFL and ABC of about  
35 three-million pounds, and I just kind of wanted to highlight  
36 that increase in the buffer.

37  
38 **CHAIRMAN GEESLIN:** Captain Walker, I believe that I missed your  
39 hand.

40  
41 **MR. WALKER:** Just to be clear, is Action 1 a viable alternative  
42 here? I know that sometimes it isn't, but it doesn't say that.

43  
44 **CHAIRMAN GEESLIN:** I will now ask Dr. Froeschke to kind of walk  
45 through and remind the council of what he provided yesterday, in  
46 terms of the exposure analysis and where Spanish mackerel rank  
47 on that.

1 **DR. JOHN FROESCHKE:** Can you bring up the flow chart? If you  
2 just kind of walk through the flow chart, this is my  
3 interpretation, but, if look at action affects ACLs and requires  
4 recreational fisheries data, it's obviously yes. Is MRIP data  
5 required for use? In this case, yes, and it's a Gulf-wide  
6 species, and there is no available alternative currency. Do we  
7 need to consider allocations? No, and so that would lead you to  
8 a Tier 3, which I have labeled as a medium exposure.

9  
10 When I put this together, you know, I was pretty intentional in  
11 that, you know, there's no Tier 3 that you shall or you must do  
12 this, and I didn't do any of that, and so I don't have any  
13 recommendations about what a particular tier would lead to, and  
14 it's only that it doesn't seem as problematic as the Tier 4, but  
15 it -- I mean, there is definitely some FES exposure there, for  
16 whatever that's worth. Does that answer your question?

17  
18 **CHAIRMAN GEESLIN:** I am going to go to Susan.

19  
20 **MS. BOGGS:** Okay, and so, Natasha, I'm going to put you on the  
21 spot, because I don't have time to do calculations, and so, on  
22 the Table 1.1.1, where you say the percentage of ACL, is that  
23 based on the old data collection, the CHTS, I guess is what  
24 we're in, and then I have a follow-up to that.

25  
26 **DR. MENDEZ-FERRER:** Yes, and so, from the fishing year 2000 to  
27 2013, that percentage is based on -- The ACL for that definitely  
28 was monitored in MRFSS, and so that is in relation to MRFSS, and  
29 then, following that, then it's CHTS.

30  
31 **MS. BOGGS:** Okay. Bernie, can you scroll up for me, please? My  
32 concern is that those percentages are related to the CHTS, but,  
33 if you come back down and apply the 9.63 ACL against those  
34 catches, your ACL percentage is going to be much greater, I  
35 think, and am I right?

36  
37 **DR. FROESCHKE:** Yes, and there's not just that, and so you're  
38 switching the currency, and so those recreational landings,  
39 which is most of the Spanish mackerel fishery, are going to  
40 accumulate twice as fast, approximately.

41  
42 **MS. BOGGS:** So that's my point, is FES has inflated these  
43 numbers so greatly, and it may be that -- But it's hard for me  
44 to believe that, when the fishermen are telling us that those  
45 fish aren't there, and I know we're not catching them off of the  
46 coast of Alabama, and I've talked to several others today that  
47 don't see them either, and so that's why I pause when we start  
48 doing these things. Thank you.

1  
2 **CHAIRMAN GEESLIN:** A follow-up, Dr. Froeschke?  
3  
4 **DR. FROESCHKE:** Yes, and, well, if you followed the assessment  
5 through, what my interpretation of this is is that the  
6 recommendations from this assessment are a substantial reduction  
7 from what was on the books, which would fall in line with what  
8 you're seeing.  
9  
10 I think the way that, in practice, this would work is that we  
11 would go from a very large ACL, and relatively small landings  
12 relative to that, to a smaller ACL, which I would expect that  
13 we're going to be pretty close to fully catching it.  
14  
15 **CHAIRMAN GEESLIN:** Ms. Levy, you had a hand up a moment ago.  
16  
17 **MS. MARA LEVY:** Right. Well, just to -- I mean, kind of in line  
18 with that, but to remember that you're going to monitor in the  
19 same way in which the catch limit is set, and so, even if it's  
20 25 percent inflated, you're monitoring using the data that's 25  
21 percent inflated, and so that is not really an issue, right, and  
22 you're setting the catch limit and monitoring using that same  
23 system, and so those are equal. It's not like you're allowing  
24 extra, because you're raising it, but not monitoring it in the  
25 same way in which you've raised the catch limit or -- Does that  
26 make sense?  
27  
28 **CHAIRMAN GEESLIN:** Mr. Diaz and then Dr. Frazer.  
29  
30 **MR. DALE DIAZ:** I did not hear the answer to Ed's question, and  
31 he asked if Number 1 was a viable alternative, and then I have a  
32 follow-up.  
33  
34 **DR. MENDEZ-FERRER:** No, Alternative 1 would not be in compliance  
35 with BSIA.  
36  
37 **MR. DIAZ:** Okay, and so, the way I'm thinking about this, as we  
38 sit here, are we intending to pick preferreds at this meeting?  
39 We're not intending to pick preferreds? Then I'm comfortable  
40 with the two alternatives that are there, is where I stand.  
41 Thank you.  
42  
43 **CHAIRMAN GEESLIN:** Dr. Frazer.  
44  
45 **DR. TOM FRAZER:** Thank you, Mr. Chair, and so I'm trying to  
46 capture Susan's comments, and Mara's comments, right, and so  
47 we've got new catch advice that's essentially, you know, based  
48 on the FES kind of currency, and, even if the FES changes over

1 time, right, and because this is essentially a recreational  
2 fishery, it's just a scaling issue, right, and I'm okay with  
3 that.

4  
5 My question is if -- Well, I don't even really know how to ask  
6 the question, and, I mean, it's -- Do we want to insert, you  
7 know, any buffer, just because we don't really know, right, and  
8 so there's two ways to do this right now. I mean, we've got  
9 essentially the ACL and ACT Control Rule that inserts the 10  
10 percent buffer, right, and the question I have, I guess, for  
11 folks around the table, is is that enough?

12  
13 You know, that's Bob's question, you know, and what makes sense,  
14 and is there -- Should we insert an Alternative 4 that, you  
15 know, imposes a 20 percent buffer, or 30 percent, and I don't  
16 know the answer to that, but I am a little concerned about that.

17  
18 **CHAIRMAN GEESLIN:** Ms. Boggs.

19  
20 **MS. BOGGS:** Thank you for the comments, Tom, but I do have a  
21 question, and I didn't -- I read, but I didn't understand, but,  
22 because we manage with the South Atlantic, do they have to look  
23 at this document as well? Okay. I just didn't want to add that  
24 complexity to it.

25  
26 I understand what Bob and Tom are saying, and, I mean, I think  
27 there needs to be a buffer, because I feel like we're kind of in  
28 uncharted territory, unfamiliar with where we're going to go  
29 with this, and I do understand what Mara and John are saying,  
30 and, I mean, I get it, and it's just very confusing, and it's  
31 very -- So, you know, 20 percent -- I mean, that's a lot, and I  
32 think we would exceed it, and Spanish does not have a payback,  
33 correct?

34  
35 **DR. MENDEZ-FERRER:** No, and so the accountability measures for  
36 Spanish mackerel is, you know, once the ACL is being determined  
37 that it's going to be met, then we would have an in-season  
38 closure, and we don't have ACTs or any other additional AMs.

39  
40 **CHAIRMAN GEESLIN:** Dr. Frazer and then Mr. Strelcheck.

41  
42 **DR. FRAZER:** So I know I was struggling, right, and so, even if  
43 we monitor in FES units, right, and we recognize, over time,  
44 that there's an adjustment that might be made, how fast will  
45 that adjustment catch up to the actual catch advice, right, and  
46 that's -- I mean, so we can monitor in real-time, and we can  
47 consider the OFL and ABC as best scientific information  
48 available, with all the caveats there, right, but we make some

1 adjustments, and we monitor in real-time, or in waves, or  
2 whatever we do, but, at some point, we still have to go back, in  
3 a formal process, to adjust the OFL and the ABC and the ACL, and  
4 I don't think that those things are going hand-in-hand, time-  
5 wise, and is that right? John, I'm putting you on the spot.

6  
7 **DR. FROESCHKE:** My timing is I think that we would not have new  
8 catch advice, in an alternate currency, before 2026, at the  
9 earliest.

10  
11 **CHAIRMAN GEESLIN:** Mr. Strelcheck.

12  
13 **MR. STRELCHECK:** A couple of comments. I am certainly  
14 supportive of increasing buffers, especially when the OFL and  
15 the ABC are very close to one another, and we're talking about a  
16 20 percent buffer between the OFL and the ABC already, and, if  
17 you want to consider, you know, a larger buffer between the ABC  
18 and the ACL, you know, we can, and that's certainly reasonable,  
19 but I think then it triggers probably proposing some additional  
20 management measures for Spanish mackerel, because, the lower you  
21 set the ACL, the higher the likelihood that you're going to run  
22 over that ACL, and you would then want to impose a management  
23 measure that could slow down harvest, or reduce harvest, to the  
24 levels commensurate with the ACL.

25  
26 **CHAIRMAN GEESLIN:** Ms. Boggs.

27  
28 **MS. BOGGS:** So I guess this is a question for the two doctors  
29 here at the end, Natasha and John, and so, when we kind of  
30 complete this document, will we see trends, kind of like we've  
31 been looking at in gag grouper, that the average catch per trip  
32 is ten fish, versus the fifteen bag limit, and will we see any  
33 of that, or can we see any of that, because, I mean, that helps  
34 kind of put it into perspective, and I understand what you're  
35 saying, Andy, and, I mean, you're right, because, when you lower  
36 that, and you leave it at fifteen fish per person, and everybody  
37 is catching fifteen fish, then, all of a sudden, you're going to  
38 be -- I get it, and, I mean, certainly.

39  
40 **CHAIRMAN GEESLIN:** Dr. Froeschke, do you want to take that one?

41  
42 **DR. FROESCHKE:** So we could do that. Typically, and I recall an  
43 example with the South Atlantic on their mahi, the fifteen bag  
44 limit -- Most people don't catch fifteen, and I don't know what  
45 they catch, but the thing is that, even if you lowered it to say  
46 ten, I suspect that, in practice, you wouldn't see that much of  
47 a reduction in the harvest rate, and you would probably have to  
48 go all the way to like three or four, or something, which really

1 would cut into the meat, but that seems to be the way those  
2 work, in practice.

3  
4 **MS. BOGGS:** Well, so then, if we saw an average that everybody  
5 caught five fish, then I would feel comfortable with only five  
6 fish per person, and it probably wouldn't hurt anybody's  
7 feelings, but I would hate to go from fifteen to two, if  
8 everybody on, average, catches ten, and, I mean, I still  
9 wouldn't keep it at ten, but you see -- I mean, it just kind of  
10 puts it into perspective of what's happening and how people are  
11 prosecuting the fishery. Thank you.

12  
13 **CHAIRMAN GEESLIN:** Captain Walker.

14  
15 **MR. WALKER:** I think bag limits and stuff is putting the cart  
16 before the horse here, and I really don't think there's a crisis  
17 here with the mackerel harvest, and, as Andy was mentioning, and  
18 what I was about to mention, is, the bigger that buffer you put  
19 on there, that's a -- You are pushing it more towards closure,  
20 the bigger the buffer you put on it, and I just think it would  
21 be a tragedy if the Gulf Council had to announce a recreational  
22 Spanish mackerel closure. That's just -- That's not necessary.

23  
24 **CHAIRMAN GEESLIN:** Dr. Frazer.

25  
26 **DR. FRAZER:** Ed, again, just to be clear, I'm not necessarily  
27 proposing a buffer, you know, and I'm just trying to work  
28 through this process, right, because, as John pointed out, we've  
29 got Tiers 1, 2, 3, and 4, and it's going to be a continuing  
30 issue.

31  
32 I mean, I don't want to institute anything, at this point,  
33 that's going to cause an unnecessary workload on the staff, or  
34 an unnecessary regulation that's going to affect the fishery,  
35 and I'm just, in my own mind, working through what this process  
36 looks like, and, like you, I'm totally inclined to leave it  
37 alone, right, and not necessarily put a lot of effort into it,  
38 and so I just wanted to make sure that you knew where I was  
39 coming from, man.

40  
41 **CHAIRMAN GEESLIN:** Dr. Froeschke.

42  
43 **DR. FROESCHKE:** Just so we're clear, on the accountability  
44 measures for this stock, there's in-season monitoring, and so,  
45 if the ACL is met, or projected to be met, there would be an in-  
46 season closure, but no payback if the ACL was exceeded, and I  
47 think that's correct.

48

1 **MR. STRELCHECK:** Well, it's funny that you would ask, because I  
2 had brought them up. The accountability measures are, if the  
3 stock ACL is reached, or projected to be reached, then we file a  
4 notification to close both sectors for the remainder of the  
5 fishing year. There's no payback provision in the  
6 accountability measures.

7

8 **CHAIRMAN GEESLIN:** Dr. Sweetman.

9

10 **DR. C.J. SWEETMAN:** Thank you, Mr. Chair, and so I'm struggling  
11 with this one here. Obviously, you know, we got the  
12 presentation from Dr. Barbieri, highlighting about what that  
13 sensitivity run would show us, relative to the ACL, and then  
14 we're kind of having these discussions, and FES in the  
15 background, as a Tier 3, and I guess my question here is like  
16 this is another example of a stock that is not overfished, and  
17 not undergoing overfishing, and is it necessary to take action  
18 on this right now? I mean, are there statutory deadlines, and I  
19 guess I would broach this to Mara, and are there statutory  
20 deadlines that are associated with this particular action here?

21

22 **CHAIRMAN GEESLIN:** Ms. Levy.

23

24 **MS. LEVY:** Well, I mean, I think you have an ABC recommendation  
25 that's essentially lower than your current catch levels, given  
26 the transition to FES, and so there is a statutory obligation to  
27 not have catch limits that exceed that ABC recommendation, and  
28 what would be the basis for not moving forward? There is no  
29 allocation, you know, and there is nothing, and we just are  
30 setting it based on the stock assessment, and you're monitoring  
31 using the recreational estimates that are consistent with that  
32 stock assessment, and so I haven't heard a basis not to move  
33 forward with this. Whether you want a bigger buffer, that's  
34 clearly a management, you know, discretion issue.

35

36 **CHAIRMAN GEESLIN:** To that point, Dr. Sweetman?

37

38 **DR. SWEETMAN:** Yes, and I understand, and I understand exactly  
39 what the response is going to be here, but the basis is the  
40 uncertainty in the FES estimates, with the ongoing pilot study,  
41 and so, I mean, I understand that you're going to say that it's  
42 best scientific information available still. Okay. Go ahead.

43

44 **CHAIRMAN GEESLIN:** Ms. Levy.

45

46 **MS. LEVY:** What I'm going to say is you have a stock assessment  
47 that included that information that is the best scientific  
48 information available, and you have catch limit recommendations



1 that are based on that stock assessment, and that, regardless of  
2 whether FES is overestimating or underestimating, that's a scale  
3 issue, and you're monitoring in the same way in which those  
4 landings were treated in the stock assessment.

5  
6 It's a non-issue, essentially, for the purposes of this. You're  
7 not using it to set an allocation, and you're not using it in  
8 any other way, other than the fact that it was incorporated into  
9 an assessment that has been determined to be the best scientific  
10 information available for management.

11  
12 **CHAIRMAN GEESLIN:** Dr. Porch.

13  
14 **DR. PORCH:** Just to add to that, if you look at the sensitivity  
15 runs that Dr. Barbieri showed, there is really no impact on the  
16 estimates of stock status, and it just changes the scale, but  
17 the stock status, relative to the reference points, doesn't  
18 change much, and the percentage change in the OFL is about the  
19 same, with regard to the currency, and so that supports Mara's  
20 contention that it's just a scale issue. As long as you're  
21 monitoring in a consistent scale with the ABC, it's a non-issue.

22  
23 **CHAIRMAN GEESLIN:** Ms. Boggs and then Captain Walker.

24  
25 **MS. BOGGS:** Okay. I am no scientist, and we all know this, and  
26 so, if it's a scaling issue, and Dr. Barbieri's numbers are  
27 saying it's 25 percent less, than, in my mind, with the math, we  
28 would now be overfishing, based on these numbers, and am I  
29 incorrect? I guess I would have to see it, and I don't --

30  
31 **DR. PORCH:** Again, because -- You know, if we had concrete  
32 information that it was going to be reduced by a certain  
33 percentage, then the OFL would be reduced, and the scale that  
34 you're monitoring would be reduced, and so they cancel out.

35  
36 **CHAIRMAN GEESLIN:** Captain Walker, then Mr. Rindone, Dr. Frazer,  
37 and Andy.

38  
39 **MR. WALKER:** I think it's worth pointing out that any closure is  
40 going to close commercial fishing as well, because they are not  
41 separated, and so the recreational -- Or even an increase in  
42 commercial landings could trigger a recreational closure, right?  
43 I'm just mentioning that.

44  
45 **CHAIRMAN GEESLIN:** Mr. Rindone, I saw your hand up.

46  
47 **MR. RYAN RINDONE:** Thank you, Mr. Chair. Just a point of  
48 clarification, and it's not Dr. Barbieri's numbers, and it's the

1 Science Center's numbers from their simulation that they ran on  
2 Spanish mackerel.

3

4 **CHAIRMAN GEESLIN:** Tom, I had you.

5

6 **MS. BOGGS:** My apologies.

7

8 **DR. FRAZER:** Yes, and so, again, I mean, there are some  
9 subtillies here, right, and it is a scaling issue, when you're  
10 talking about the catch rates in the recreational sector. My  
11 question, and why I'm going back to it, is that doesn't  
12 necessarily mean that the numbers that were used in the  
13 assessment are going to scale, right, and it depends on the  
14 proportion of recreational effort, the proportion of commercial  
15 effort, and so those results, in this case, might be small, and  
16 I think that's what Dr. Porch is saying, but, more generally,  
17 you can't assume that, hey, you know what, if FES is 30 percent  
18 less, or whatever, and you're monitoring that -- It's going to  
19 really depend on the fishery, and that's what I'm trying to  
20 understand here.

21

22 I didn't want people just to take that for granted, right, and  
23 so it's not, if this is reduced by 30 percent, and some improved  
24 monitoring, it doesn't mean that the OFL and the ABC and the ACL  
25 will just be scaled the same, right, and that's not going to  
26 happen, and we don't understand the subtillies of that yet, and  
27 so that's why I'm asking people to be careful.

28

29 **CHAIRMAN GEESLIN:** Mr. Strelcheck.

30

31 **MR. STRELCHECK:** Tom covered a little bit of what I wanted to  
32 say. With the FES pilot, and I know everyone wants to kind of  
33 jump on that, and the concerns around, obviously, the  
34 uncertainty, and I just want to remind people that, yes, it did  
35 indicate a 30 to 40 percent, you know, overestimation of effort,  
36 but that was highly variable by state, and so, right now, we're  
37 operating with a lot of uncertainty, in terms of what that  
38 follow-on pilot might actually tell us, once it's scaled up,  
39 obviously, to more states over an entire year.

40

41 Susan, in terms of your comments, and maybe to provide greater  
42 clarity to the council with regard to this issue of scaling, if  
43 you recall, several years ago, we came in, and it was  
44 recommended that we change the gag assessment from FES units to  
45 SRFS units, right, and SRFS estimates lower landings than FES  
46 does.

47

48 The outcome of that assessment was not dramatically changed,

1 right, and the status determination of overfishing and  
2 overfished remained largely the same, with some minor  
3 deviations, but, ultimately, at the end of the day, all of the  
4 yield levels came down relative to what was presented in the FES  
5 estimates, and then we're now going to monitor next year in  
6 SRFS, which is then going to track that lower yield level, or  
7 ACLs, that we've specified for the fishery.

8  
9 That's where that scaling issue is coming in. If we had run  
10 this assessment with the new pilot study already known, and the  
11 outcomes are 30 to 40 percent lower, those ACLs are going to be  
12 lower than what we're looking at in here, but then we're going  
13 to monitor against them with recreational landings estimates  
14 that are also tracking 30 or 40 percent lower.

15  
16 What I did want to ask was timing of this action, and so, if  
17 we're going to take final action on this, what are we looking  
18 at, and like next April is final action? Okay, and so that  
19 would then be submitted to the agency, and this would be  
20 implemented likely at the tail-end of 2024, and it would affect  
21 the 2024-2025 season, and likely the 2025-2026 season, and it  
22 would be dependent then on any updates to the stock assessment  
23 for us to then modify catch levels thereafter, based on the new  
24 FES pilot, and so I just wanted to kind of mention that as well,  
25 in terms of the risk here of moving forward and kind of the  
26 timing of when this would be in effect.

27  
28 **CHAIRMAN GEESLIN:** Dr. Mendez-Ferrer, did you want to, for the  
29 record, state the timing of this and final action?

30  
31 **DR. MENDEZ-FERRER:** Sure, and so the plan, right now, is to  
32 bring Chapters 3 and 4 at the January meeting, and so like  
33 taking final action in April, if that seems doable, if that  
34 makes sense.

35  
36 **CHAIRMAN GEESLIN:** Ms. Boggs.

37  
38 **MS. BOGGS:** So, whatever we end up doing with this, when would  
39 we get an interim assessment, or an operational, and, I mean,  
40 when would we -- They're conferring.

41  
42 **CHAIRMAN GEESLIN:** Mr. Rindone.

43  
44 **MR. RINDONE:** Thank you, Mr. Chair. Ms. Boggs, it's very  
45 unlikely that an interim analysis would be possible for Spanish  
46 mackerel, and it's just not something that we have a lot of  
47 confident fishery-independent information on. I mean, aside  
48 from the analysis that was done here for SEDAR 81, the next

1 closest thing that could be done would be something using the  
2 NOAA Data-Limited Toolkit, and that would be a step down from  
3 the aggregated analysis that was used for SEDAR 81, and so I  
4 would not encourage the council to expect an interim analysis to  
5 be possible.

6

7 **CHAIRMAN GEESLIN:** Ms. Boggs.

8

9 **MS. BOGGS:** So I'm not ready to make a motion, and I'm trying to  
10 get some help from some more educated people. I mean, if we  
11 went with Alternative 2, without the buffer, to avoid a closure  
12 if at all possible, but it scares me not to have a buffer, and,  
13 I mean, I don't know what to do here. I mean, I want to be  
14 conservative, but, without knowing when we might see some  
15 additional numbers of how this stock is doing, and I just -- I  
16 don't know.

17

18 **CHAIRMAN GEESLIN:** Dr. Froeschke.

19

20 **DR. FROESCHKE:** Well, I mean, just looking at the buffer  
21 holistically on this one, you essentially have a 25 percent  
22 buffer between the OFL and the ABC. What we have on the books  
23 now is, I don't know, 2 percent, and so there is quite a bit  
24 more built-in already.

25

26 **CHAIRMAN GEESLIN:** Captain Walker.

27

28 **MR. WALKER:** Just to clarify though, the stock is not overfished  
29 or undergoing overfishing.

30

31 **DR. MENDEZ-FERRER:** That's correct.

32

33 **CHAIRMAN GEESLIN:** Ms. Levy.

34

35 **MS. LEVY:** Well, so, just to reiterate again, you don't need to  
36 pick a preferred right now, and we just need to decide whether  
37 you want another alternative, so that you have the full suite  
38 when you're looking at it at the next go-round.

39

40 **CHAIRMAN GEESLIN:** Ms. Levy, that's an excellent point, and,  
41 also, to Captain Walker's points, the stock assessment indicates  
42 that we're not overfished and not undergoing overfishing, and we  
43 see the percentage there, in that far column, of, you know,  
44 we're not -- I get a little nervous when I hear the term  
45 "closure", and this seems ripe for keeping it open, and I don't  
46 see that we're approaching closure. Given the timing of what  
47 we've heard today, there's not any sense of urgency to make a  
48 move one way or the other. We've had some -- Dr. Frazer.

1  
2 **DR. FRAZER:** I agree with you, Dakus. I'm not inclined to add  
3 anything to this document, and we'll just kind of move it  
4 forward.

5  
6 **CHAIRMAN GEESLIN:** I'm just doing a head-nod check around the  
7 room. Ms. Boggs.

8  
9 **MS. BOGGS:** I agree.

10  
11 **CHAIRMAN GEESLIN:** Thank you, Ms. Boggs. Okay. Folks, if  
12 there's not any -- Thank you, Andy. If there's no further  
13 discussion, and there's no sense of urgency here, and we've got  
14 a lot of things cooking within this one, and, in an effort to  
15 keep us on time, I will move to the next agenda item, which is  
16 any other business related to the Mackerel Management Committee.  
17 Seeing head shakes, Mr. Chair, I will turn it back to you, with  
18 three minutes to spare.

19  
20 (Whereupon, the meeting adjourned on October 25, 2023.)

21  
22 - - -