Public Hearing Summary
CMP Amendment 32: Modifications to the Gulf of Mexico Migratory Group Cobia Catch Limits, Possession Limits, Size Limits, and Framework Procedure

Destin, Florida
October 4, 2021

Council/Staff:
Martha Guyas
Ryan Rindone
Carly Somerset
Natasha Méndez-Ferrer

11 members of the public attended
8 members of the public commented

Jeff Shoults: For-Hire
Jeff would like to see the minimum size limit increase to 42 inches fork length (FL) to give cobia more time to reproduce (Action 6, Alternative 4a). He realizes that many of the bigger fish are females so an increase in the size limit could potentially lead to capture of more fecund females. He also requested that the Council push the states to change their possession limits to 1-fish per person and a 2-fish daily vessel limit.

Dan Haney
Dan would like the minimum size limit increased to 42 inches FL (Action 6, Alternative 4a) and stated he agreed with many of the other stakeholders in the room that stricter regulations need to be implimented to reduce mortality of cobia. He also asked if there have been any conversations amongst the Councils about shutting down cobia fishing completely to allow the fishery to rebuild.

Edward Morgan
Edward agreed with the consensus in the room of moving to more conservative measures to protect cobia. He said one of his biggest concerns is the size limit: increasing the size limit would allow the larger ones a chance to breed. He also thinks that the fish markets have likely bought and sold more cobia than anyone else. He added that the point of cobia tournaments is to bring an audience to view the weigh-in. In the Destin Area, they currently have a 45 lb minimum weight limit. He would like to see the size limit increase and decrease the vessel limit.

Scott Robson: For-Hire
Scott is in favor of the preferred alternatives as they are more conservative than the current regulations although he would like to see the minimum size limit preferred in Action 6 to be changed to 42 inches, Alternative 4. He would also like to see the states fall in line with the more restrictive measures.

Chris Michaelson: For-Hire
Chris stated he agrees with all of the preferred alternatives.

Kevin Moak: For-Hire
Kevin is in favor of raising the minimum size limit to 42 inches FL (Action 6, Alternative 4a) and more conservative measures than what are currently implemented. He stated cobia are swimming to certain death when they leave Destin and swim west. He's witnessed a dramatic decrease in the number of cobia he's seen in the last couple years. He caught many more fish in previous years. They haven't been holding tournaments because they don't want to contribute to killing the fish. He suggested looking at using a slot size and requiring use of nets instead of gaffs. If he's participating in a tournament, he will catch cobia for that but otherwise, he releases the cobia he catches because they need more time to spawn.

Jim Green: For-Hire
He agrees with all the preferred alternatives except for the preferred in Action 6. He is in favor of Alternative 4a because it would lead to a much greater estimated percent reduction in harvest (approximately 45%). If the minimum size limit increased to 42 inches FL, out of the 6 cobia he caught this year, only 2 were 42 inches or greater. He said the 42-inch size limit is important because if the fish are caught then they aren't in the water and can't spawn. Lowering the vessel limit will also help.

Justin Brantley
He stated he agrees with Jim Green and would like to see the minimum size limit increase to 42 inches FL (Action 6, Alternative 4a).

Gulfport, MS
October 5, 2021

Council/Staff:
Dale Diaz
Ryan Rindone
Carly Somerset

5 members of the public attended
3 members of the public commented

Johnny Marquez: Private recreational
Johnny stated he is a recreational angler and a member of the Reef Fish Advisory Panel. He thinks some actions in the amendment may be too extreme and does not support preferred Action 5.1 Alternative 2a: shifting from 2 fish per person to 1 fish per person or Preferred Action 5.1 alternative 3a: a 2 fish vessel limit. He commends the Gulf Council for taking action in 2018 to increase the minimum size limit to 36" FL; however, he thinks smaller steps in management are more appropriate since the impacts of increasing the minimum size limit to 36 inches FL are still unknown.

Regarding bag limits, he thinks the Council should take a more measured approach to modifying cobia management. Due to differences such as angler behavior and geography by state, a "one size fits all approach" for the Gulf may not be fair. In Mississippi, they can fish for cobia with chum in late spring, and then fish on offshore structures in summer, but that isn't the case in other parts of the Gulf. He believes the proposed regulations will negatively affect MS anglers. It's important to maintain the opportunity to catch and keep fish. He would like to see more information sought about the cobia stock to better understand its population dynamics.

Cole Ganey: For-Hire
Cole stated imposing a recreational vessel limit will hurt business. He also agreed with much of what Johnny Marquez said.

Chance Seymour: For-Hire
Chance has seen a drastic change in cobia fishing. He agrees with a two fish per vessel limit for recreational vessels (Action 5.1, Alternative 3a). In his time fishing and as a for-hire captain, he is not seeing cobia on offshore fishing trips. He doesn't think there has been any benefit to the increase in the minimum size limit yet. He agrees with increasing the minimum size limit in the FLEC zone to 36 inches FL to keep everything equal and match the size limit in the Gulf. When asked about how he catches cobia, he said he will net cobia unless they are over 30 lbs. He doesn't think another increase in the size limit over 36 inches is a good idea due to discards.

Galveston, Texas
October 7, 2021

Council/Staff:
Dakus Geeslin
John Froeschke
Camilla Shireman

4 members of the public attended
3 members of the public commented

Scott Hickman: Commercial
Scott reported that the condition of the stock has declined. He used to catch 150-200 per year and now only catches 15-20 per year despite similar fishing practices. He further stated that cobia don't respond well to hypoxia, red tides etc. and fish are being pushed to the east coast. He suggested that cobia would be a great pilot for ecosystem-based fishery management. In regard to the document, he preferred no minimum size limit (not currently an alternative in Action 6), and supports a 2 fish per vessel limit for commercial and recreational fishing (Action 5.1, Alternatives 3a and 4a). Finally, he suggested that the stock condition is worse than identified in the stock assessment.

Buddy Guindon: Commercial
Buddy supports Preferred option 2b in Action 5.1 (1 fish bag limit in the commercial sector). He preferred no vessel limit and status quo for the Gulf minimum size limit. He did not comment about the management in the FLEC zone as he doesn't fish there.

Shane Cantrell: For hire
Shane noted that cobia are impacted by climate change, loop currents and other ecosystem level factors and supports consideration of ecosystem management for cobia. He stated that, since the terminal year of the stock assessment, the cobia fishery has not improved. For actions 1-4, he supports preferred alternatives and options. For Action 5, he supports 1 fish per vessel for the recreational sector, but eliminating size limit. On the commercial side, he supports 1 cobia per person, per trip.

Madeira Beach, FL
October 13, 2021

Council/Staff:
Tom Frazer
Carrie Simmons
Natasha Méndez-Ferrer
Carly Somerset
Charlotte Schiaffo

3 members of the public attended
1 member of the public commented

Steve Papen: For-Hire and Commercial
Mr. Papen commented that increasing the size limit does not seem to help and suggested the Council consider closing the season during the spawning season. Additionally, he commented on taking similar measures on other reef fish species. Mr. Papen is in support of one fish per person (Action 5.1 alternatives 2a and 2b) and keeping the size limit at 36 inches FL.

Baton Rouge, Louisiana
October 14, 2021

Council/Staff:
Patrick Banks
Ryan Rindone

3 Members of the public attended
1 Members of the public commented

Richard Fisher: Louisiana Charter Boat Association
Supports 1 fish/person/day (Action 5.1, alternative 2a). Captains won't support a vessel limit, because they are still finding cobia off Louisiana. A regional or state management approach may be better for cobia, especially given how the stock is distributed. We have confidence in LA Creel to accurately measure our landings. We don't think the one-size-fits-all approach to management is best for Louisiana anglers. We support good science, but it's hard to support large reductions when we are still seeing fish. Stock may be depleted, but if it is, it doesn't seem to be the fault of fishermen if we haven't been landing the catch limits.

Fort Myers, Florida
October 18, 2021

Council/Staff:
Bob Gill
Carly Somerset
Jessica Matos
Natasha Méndez-Ferrer

12 Members of the public attended
9 members of the public commented

Bucky Kauffman: Spearfisherman and Commercial
Bucky said that he has seen an even healthier migration of cobia this year in southwest Florida than he did the previous year. He is a commercial spearfisher and only has a limited time to shoot cobia as they migrate through so he has to get as many as he can during that short amount of time. It doesn't make sense to limit each trip to two fish in Action 5.1, especially when he hasn't seen any reduction in the amount of cobia. The population is very healthy. As a diver, he can attest to the health of the population because he can count the number of fish and observe their size. He also commented on red grouper, stating that since he can only lease a small amount of red grouper and the price has increased, he needs fish like cobia to continue to make a living as a commercial fisherman. He's not sure the Council still wants commercial fishermen in business. He also inquired about recreational fisheries landings estimations. In the Ft. Myers area, there are many private boat docks. It's likely the recreational landings aren't seeing many cobia because most of them are landed at private marinas.

Jacob Synder: Commercial spearfisherman and charter for-hire
Jacob is a newly permitted commercial vessel operator. He has spent 4 years fishing commercially and 4 years as a for-hire mate. He said they have to target cobia when they migrate through during their fall run so now is the time for them to catch the fish. He has observed that there are more cobia now than previously and the fishery is doing very well. The fishermen care for the fishery; if it was doing poorly they would speak up.

Chris Kreis: Full-time offshore for-hire:
Mr. Kreis has chartered offshore for 8 years. He sees cobia near Ft. Myers in winter. He hasn't targeted them specifically but since lane snapper and red grouper have closed, he has very little to fish for now. He has seen more big fish recently than in 2018. Cobia follow the bait and since he has noticed a lot of bait this year, this will probably be a good year for cobia. He is in favor of Alternative 1, no action across the board and would like to keep regulations as they are currently. He also stated that the recreational estimates are not accounting for all of the fish being landed at private docks.

Bill D'Antuono: Charter and Commercial
Mr. D'Antuono has been dual-permitted since 2010. Commercial fishermen should not be punished by limiting the number of cobia they can harvest (Action 5.1) when they only harvest 15% of the fishery each year. He suggested the Council should consider giving the commercial sector its own allocation because the recreational sector harvests a majority of the cobia and the recreational harvest estimates are not accurate. There is no shortage of cobia in his area around Ft. Myers. He sees 10 to 12 cobia 5 miles out every day. With all other fisheries getting closed and so many restrictions, he would like to see 6-fish per commercial vessel and supports Action 5.1, Alternative 4c . He is discouraged because it seems like anglers in southwest Florida are punished because they can't get to the Council meetings. They are busy working and most meetings are held too far away.

Tim Dillingham: Dealer, Commercial Fisherman
Mr. Dillingham operates as a dealer and represents the commercial spearfishing group in the Ft. Myers/Naples area. He has been in the commercial industry for 8 years. The cobia fishery is crucial to them. The population is so healthy, they could dive for and catch as many as they want but they only take what they are allowed. They would start to target other species but the other fisheries they usually target have been closed. He believes this is due to inaccurate landings estimates; the only accurate estimates are those provided by the commercial sector. The Recreational data are incomplete and inaccurate and he dislikes that hasty management decisions are being made based off these data. With compounding closures and other fish being so difficult and expensive to lease, he and the fishermen he represents need cobia. The commercial fishermen are struggling to make a living and they want to provide fresh fish to the American public. He also stated he would like to see fisheries managers listen to fishermen and involve them more in making management decisions as they have on-the-water knowledge of these fisheries. It isn't fair to the commercial fishermen to limit them and punish them when they provide accurate landings data. He mentioned he is the sole dealer for multiple country clubs in his area and asked if it would be helpful to get a petition signed by chefs and members of those clubs to show how important commercial dealers are for providing fresh fish to the American consumer. He said the Gulf Council is extremely biased toward the recreational sector and asked what would it take to get the Council's attention. He is in favor of Alternative 1 in Action 5.5, but since that is not a legally viable alternative, he would be in favor of allowing 6 fish per vessel and supports Alternative 4c.

Tom Katz: For-Hire
Mr. Katz has captained a charter boat for 3 years. He has taken numerous rod-and-reel charter trips. He is in favor of a 2-fish vessel limit for the recreational sector (Action 5.1, Alternative 3a) and allowing the commercial sector more fish. He also noted that the recreational anglers are killing too many fish because they gaff fish that aren't big enough. He would like to see the commercial sector allowed 36-inch fish and the recreational sector minimum size limit decreased to 33 inches FL to match FL state waters.

Richard Warren: Federally permitted for-hire in Boca Grande
Mr. Warren has been a charter operator for 10 years but he also has commercial and spearfishing experience. He commented that it seems too soon to use the FES survey for landings estimates because it's too new and fisheries managers make hasty decisions based on these data. He also stated there is not a cobia fishing problem in his area and there hasn't been for the last decade. He would prefer Alternative 1 across the board even though it isn't a legally viable option. He mentioned he offered a free ride to the public hearing since he lives an hour north of Ft. Myers but no one else wanted to come. They don't think it would do any good to make comments.

Eric Schmidt: Commercial and For-Hire, Ft. Myers
Mr. Schmidt has over 30 years of commercial and for-hire fishing experience. He has served on several Gulf Council Advisory Panels (AP) and is currently Vice Chair of the Data Collection AP. He said it can be very easy to get burned out being involved in the Council and management process. He didn't go to any meetings for 4 years but he noticed that when he returned, members had changed but the arguments were still the same. He also agreed with previous comments stating that managers have no idea what the recreational sector is catching. Cobia is one of the fastest growing fish; within 1 to 2 years, a cobia has potential to be harvested in the fishery. He stated that there is no problem with the cobia population in his area. He isn't seeing the larger size fish that he saw 30 years ago but he is seeing many 20 to 40 lb fish that are legal size. In the charter and headboat fishery, catching cobia isn't the problem, retention is the problem. He noted several people have cancelled fishing trips with him because so many species have been closed. One of the other issues that needs to be addressed is the economic impact, which is within the Magnuson-Stevens Act. Mr. Schmidt is in favor of preferred Alternative 2 for Action 5.1: one cobia per person per vessel. He does not support a vessel limit because headboat trips with multiple people need more than 2-fish per vessel.

Ethan Liebetreu: Recreational Angler
Mr. Liebetreu has been a recreational fisherman his entire life, but he recently started diving with Bucky Kauffman and the rest of Mr. Dillingham's group. He greatly enjoys the diving and thought about doing it commercially but noticed that it's a dying industry because of so many restrictive regulations. He sees no point in becoming a commercial spearfisher if he can't make enough money to make a living. He's very discouraged by this and isn't sure how it's going to recover.

Virtual Hearing
October 19, 2021

Council/Staff:
Billy Broussard
Carly Somerset
Emily Muehlstein
Natasha Méndez-Ferrer

4 Members of the public attended
4 Members of the public commented

Bill D'Antuono: Charter and Commercial
Mr. D'Antuono says that cobia are healthy around Naples. In Action 5.1 he does not support creating a commercial trip limit. He urges the Council to reconsider the current preferred alternative especially because the Council's own analysis shows that limiting commercial harvest does not reduce overall harvest or improve the stock by a meaningful amount. However, creating a trip or possession limit would cause his small business great economic harm. Especially on top of the recent recreational red grouper closure; the commercial and recreational lane and mid-water snapper closures; and soaring cost of red grouper IFQ, both his charter and commercial businesses are struggling as is. The economic impact of this decision should be weighted carefully against the small benefit it has to the fishery. Bill does support the preferred alternative in Action 6. Anything larger than 36 inches fork length is a big fish and he sees a real stock benefit to increasing the FLEC zone size limit to match the Gulf. Bill also mentioned that unpermitted vessels operating as charters in federal waters are coming up from the Florida Keys and targeting cobia illegally from a spring between Big Pine Key and Marco Island. Additionally, he suspects they're selling their catch as well and thinks the sale of cobia should be better regulated.

Caleb Joiner: Private Recreational
Mr. Joiner agrees that the commercial vessel limit should remain as is in Action 5.1. Creating a commercial limit doesn't benefit the species but hurts the industry. In action 5.1 he does support Alternative 3a which would create a 2 fish recreational vessel limit in the Gulf of Mexico. Finally, Mr. Joiner notes that he regularly sees anglers gaff undersize or borderline cobia and suggests that the Council's consider creating a regulation that prohibits the gaffing of cobia.

Noah Nelson: Private Recreational
Mr. Nelson has noticed a huge increase in recreational targeting of cobia over the past few years. He does not support creation of a commercial trip limit and believes the commercial sector should not be impacted because this is a recreational fishing issue. There is no reason for recreational vessels to keep a large amount of cobia. He watched boats with 8 people bring home 16-cobia and believes it's totally unnecessary. Fishing on the east coast of Florida, he personally watched a cobia spawning aggregation be destroyed off Hetzel Shoal in just a few years. The area use to hold

100s of cobia and now only has a few every once and a while. In the FLEC zone, he prefers a 1-fish per person bag limit and a 4-fish vessel limit (Action 5.2, Alternatives 2a and 3b). Caleb also supports the preferred alternative in Action 6. Both zones should have a 36-inch minimum size limit, anything bigger than that is too big. Mr. Nelson noted that gaffing of undersize fish is a problem. The issue is so prevalent that he believes is contributes greatly to the mortality of the species and supports the consideration of a net only regulation for cobia.

Skip Schexnayter: Private Recreational
He is not seeing undersized fish being gaffed off Louisiana and does not support a net only fishery. The few cobia they do keep are big, between 40-50 pounds, and he doesn't think it's feasible to net those big fish. They don't see as many cobia as they use to see but he still sees a few on each trip. He supports the 1-per person recreational limit (Action 5.1, Alternative 2a). However, he thinks that charter boats off the panhandle should be limited with a vessel limit specifically. The private recreational fishermen don't need to keep a ton of fish, he could support either a 2 or 4 fish vessel limit for the recreational sector (Action 5.1 Alternative 3a or 3b).

Summary of Written Public Comment Received

Full text comments can be found here:
https://docs.google.com/spreadsheets/d/1Il6HC4QQmnC2htY17IrNn5vSIlzfoUedTmBU2AtRLLQ/edit#gid=1394250316

10 Comments Received

- Support for preferred Action 5.1 Alternatives 2a and 2b. The bag limit should be set at one fish per person per day.
- Support for preferred Action 5.1, Alternative 3a. There should be a 2 fish per vessel limit.
- Support for preferred Action 6, Alternative 2. The current size limit should be preserved.
- Support for Action 5.1, Alternatives 4b or 4c. Commercial fishermen only harvest a12-15% of the cobia annually and limiting cobia to 2-per vessel for the commercial sector will improve the fishery by less than 1%.
- Cobia should be a gamefish and no commercial sale should be allowed
- Commercial limits need to be reduced on all species that have been depleted.
- Create a 3-year moratorium on cobia
- Create 1-fish per vessel per day limit.
- Create a 2-fish per person per year limit.
- There has been a drastic reduction in the population over the past 20-years.