

GULF OF MEXICO FISHERY MANAGEMENT COUNCIL

MACKEREL MANAGEMENT COMMITTEE

Webinar

January 25, 2021

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TABLE OF MOTIONS

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1 The Mackerel Management Committee of the Gulf of Mexico Fishery
2 Management Council convened via webinar on Monday afternoon,
3 January 25, 2021, and was called to order by Chairman Robin
4 Riechers.

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

10 **CHAIRMAN ROBIN RIECHERS:** I will call to order the Mackerel
11 Management Committee at 1:36, 2:36 Eastern Time, I guess. As
12 John just mentioned, we were about to go into Adoption of the
13 Agenda, but John has noted that he would like to add something
14 to Other Business. John, would you like to explain what that
15 is, just a little bit?
16

17 **MR. JOHN SANCHEZ:** Thank you, Mr. Chair, and hello, everybody,
18 and a belated happy New Year. On behalf of the Florida Keys
19 Commercial Fishermen's Association and the gillnetters, I would
20 like to bring up a gillnet topic for discussion during other
21 business.
22

23 **CHAIRMAN RIECHERS:** Okay. So, given that we will add that to
24 Other Business, is there any -- Is there a motion to approve the
25 agenda as written, with that change?
26

27 **MR. KEVIN ANSON:** So moved, Mr. Chair.
28

29 **MR. SANCHEZ:** Second.
30

31 **CHAIRMAN RIECHERS:** Okay. It's been moved and seconded. Are
32 there any objections to the agenda as written? Hearing none and
33 seeing no hands up, and I will have to give a moment for hands
34 to get up, but, hearing none and seeing no hands, the agenda is
35 adopted as written.
36

37 Next on our agenda then is the Approval of the October 2020
38 Minutes. Are there any changes, additions, or corrections to
39 the minutes? Hearing no objections and seeing no hands come up,
40 if there are no objections to the minutes, and I will pause for
41 a moment, we will adopt them as written. With no objections
42 then, the approval of the October 2020 minutes are adopted as
43 written. Next, we will move on to the Action Guide and Next
44 Steps, and that would be Dr. Mendez-Ferrer.
45

46 **DR. NATASHA MENDEZ-FERRER:** Thank you, Mr. Chair, and apologies
47 that my camera does not want to participate this afternoon, but,
48 if it's okay with you, I would like to go over the action guide

1 one item at a time, before we go into further discussion.

2
3 **CHAIRMAN RIECHERS:** Before you take on the item? Okay. That's
4 great.

5
6 **DR. MENDEZ-FERRER:** Thank you. So Agenda Number IV, we'll have
7 the coastal migratory pelagics landings update, and this will be
8 presented by Mr. Peter Hood from the Southeast Regional Office,
9 and so he will provide an update on the status of the CMP
10 landings relative to the ACLs, and, as usual, this is for
11 information only, and no action is required by the committee.

12
13 **CHAIRMAN RIECHERS:** Okay. So next then, we're turning to Mr.
14 Hood for that update. Peter.

15
16 **COASTAL MIGRATORY PELAGICS LANDINGS UPDATE**

17
18 **MR. PETER HOOD:** While they are pulling up the tables, I will
19 just mention that we'll only be looking at commercial landings,
20 and certainly recreational landings estimates are kind of hard
21 to get, just because of the issues that we've had this past
22 year.

23
24 Then the landings that I will be presenting are still
25 preliminary, and then I had said that I was going to be showing
26 these as figures, and you will see those when I do reef fish
27 tomorrow, but the first species that we have to look at is king
28 mackerel, when, when I tried to develop a figure, it's kind of
29 challenging, because you have the four different ACLs.

30
31 We have the Western Zone and the Southern Zone that have a July
32 1 through June 30 fishing year, and then the Northern Zone
33 begins on October 1 and then goes through September, and so
34 those provided some challenges.

35
36 I can, for the king mackerel Southern Zone, let you know that,
37 as of yesterday, the estimate of harvest was about 476,000
38 pounds, and this is the gillnet fishery that starts on the
39 Tuesday after the Martin Luther King holiday, and so they have
40 about a 100,000 pounds still to harvest. The fishermen who are
41 part of that group got together to see who could go out and
42 catch the remaining ACL, and those folks will probably be going
43 out tomorrow to catch those fish.

44
45 With regard to the hook-and-line fishery, basically the Western
46 Zone, Northern Zone, and Southern Zone, the commercial harvest
47 is still below those respective quotas, and those zones are
48 currently open.

1
2 If you scroll down and go to the next page, which has the cobia
3 and Spanish mackerel harvest estimates, for Spanish mackerel,
4 it's still open for the commercial sector, and remember, for
5 this species, the fishing year goes from -- It's from April 1 to
6 March 31, and so we're still -- We're getting near the end of
7 the year, but you can see that the total reported is -- This is
8 a stock ACL, and so it's kind of tough, and it's kind of like
9 apples and oranges, because of the rec sector and not having
10 those landings estimates, but, anyways, it's still open, and, at
11 least until we get that recreational information, we're doing
12 okay.

13
14 If you compare where we were with Spanish to the previous year,
15 which is in the next table, but you don't have to scroll down
16 there, we're getting close to what was harvested last year for
17 the commercial sector.

18
19 For cobia, also, about 31,000 pounds was landed last year, and
20 this species is a January 1 through December 31 fishing year,
21 and so this would be an estimate of what they caught this past
22 year, and it's a little bit below, but it's fairly close to what
23 was landed in the previous year, which I can't see the table,
24 but I think it was about 35,000 pounds, and that's about all I
25 have, Mr. Chairman.

26
27 **CHAIRMAN RIECHERS:** Thank you, Peter. Any questions of Peter
28 regarding the landings estimations? All right. Well, hearing
29 none, and, again, I'm looking for hands going up, and I don't
30 see any, and we will go on then to the next agenda item, which
31 will be Tab C, Number 5, and, Dr. Mendez-Ferrer, you will want
32 to go over the action guide and then go into that document as
33 well.

34
35 **DRAFT DOCUMENT: COASTAL MIGRATORY PELAGICS AMENDMENT 32**

36
37 **DR. MENDEZ-FERRER:** Yes, sir. For this portion of the committee
38 meeting, I will be presenting the draft document to modify catch
39 limits, size limits, possession limits, and the language to the
40 CMP framework procedure, and this is based on the council's
41 direction to initiate a plan amendment to end overfishing of
42 Gulf cobia, as it was determined by the update SEDAR 28 stock
43 assessment.

44
45 What I am looking for from the committee here, once I go over
46 the actions and the alternatives, is to provide feedback on the
47 range of the actions and alternatives proposed. If you have any
48 questions or suggestions, this would be the moment to raise your

1 questions and provide us some more feedback that we can then
2 bring to the IPT and keep working on the document.

3
4 **CHAIRMAN RIECHERS:** Thank you, Dr. Mendez-Ferrer. Can we hold
5 for just a second before we go to that document? John, I see
6 your hand was up, and I apologize. By the time it got up, we
7 were on into the next section there, and so, John.

8
9 **MR. SANCHEZ:** If that's me, no, and mine was for Other Business.

10
11 **CHAIRMAN RIECHERS:** Okay, and so it was just up from that time.
12 All right. Sorry about that, Dr. Mendez-Ferrer, and we keep --
13 This is the issues with virtual meetings, but let's go ahead
14 now. Thank you.

15
16 **DR. MENDEZ-FERRER:** No problem. To bring you up to speed,
17 during the September 2020 meeting, the council reviewed the
18 SEDAR 28 update stock assessment, which had a terminal year of
19 2018, and it incorporated MRIP-FES for the recreational data.
20 The results from the stock assessment determined that cobia is
21 not overfished, but it's undergoing overfishing.

22
23 Today, I will be going over several actions, based on the
24 council's direction to adopt the catch limit recommendations
25 from the SSC and then look at other possible alternatives to
26 reduce fishing mortality.

27
28 If we go to Figure 1.1 in the document, for Gulf cobia
29 management, as we know, it's managed jointly between the South
30 Atlantic and the Gulf Council, and so the boundary of the Gulf
31 migratory group extends from the Gulf of Mexico all the way up
32 to the Florida/Georgia state line, and so the stock ACL is
33 divided between two zones. The Gulf zone, which is managed by
34 the Gulf Council, is apportioned 64 percent of the stock ACL,
35 and we manage this as a single stock, and we don't have sector
36 allocations.

37
38 Now, the Florida east coast zone is managed by the South
39 Atlantic Council, and the boundary for this zone extends from
40 the Atlantic portion of the Florida Keys all the way north to
41 the Florida/Georgia state line, and so the Florida east coast
42 zone is apportioned 36 percent of the stock ACL, and this is
43 further divided by being allocated 92 percent to the
44 recreational sector and 8 percent to the commercial sector.

45
46 As we know, we need to end overfishing, and so this document is
47 going to be kind of a priority moving forward, but, before we
48 move onto the actions, we have been receiving concerns from

1 fishermen regarding the status of the stock, and so, while the
2 council was waiting for the results of the stock assessment,
3 they decided to pass the framework amendment to begin reducing
4 fishing mortality, and so Framework Amendment 7 increased the
5 minimum size limit from a thirty-three-inch fork length to a
6 thirty-six-inch fork length for Gulf zone cobia, and this was
7 implemented in March of 2020, and so the results from these
8 management changes were not accounted for in the stock
9 assessment.

10
11 I think we should jump over to the actions, and, as I'm going
12 through each one of them, I will give you a little bit of
13 background on them. I do want to mention that they can be a
14 little bit confusing, in terms of once we start talking about
15 the way that the ACL gets apportioned, and so I will stop at the
16 end of each one of the actions and allow the committee to
17 provide feedback on the alternatives that we're including here.

18
19 You already saw a draft of this during the October 2020 council
20 meeting, but, today, we have included some additional
21 alternatives in some of the actions, as well as the analysis.

22
23 Moving on to Action 1, which is to modify the Gulf of Mexico
24 migratory group cobia overfishing limit, acceptable biological
25 catch, and annual catch limits, Alternative 1, no action, would
26 retain the Gulf cobia OFL, ABC, and ACL, as implemented in 2015
27 by CMP Amendment 20B, and that table that we see is the current
28 OFL and ABC and ACL, in which we're monitoring the cobia stock
29 ACL, and they are monitored in CHTS.

30
31 As we transition to MRIP-FES, which is now considered the best
32 scientific information available, Alternative 2 would modify the
33 Gulf cobia OFL, ABC, and ACL based on the recommendations from
34 the Gulf SSC, as it was reviewed in July of 2020, for an
35 increasing yield stream for 2021 through 2023 and then maintain
36 the 2023 level for subsequent fishing years, or until changed by
37 a management action. These catch limits that are being
38 presented here then would be monitored in MRIP-FES.

39
40 Now, given the current overfishing status of the stock, the IPT
41 recommended looking into another possible alternative, which is
42 listed here as Alternative 3, and this was not a recommendation
43 provided by the SSC, and so Alternative 3 would modify the OFL,
44 ABC, and ACL as a constant catch for the values recommended for
45 2021 and subsequent fishing years, or until changed by a
46 management action.

47
48 When we looked at the historical landings for Gulf cobia and

1 converted them to MRIP-FES and compared to the catch limits
2 being proposed in this action -- Well, first, we had to account,
3 that for the change to FES, that the catch is going to be higher
4 than what we normally would be monitoring. Because of that, and
5 we can go to Table 2.1.1 --

6
7 **CHAIRMAN RIECHERS:** Before we get off of this table, we've got a
8 hand up from Ms. Boggs.

9
10 **MS. SUSAN BOGGS:** Thank you, Mr. Chair. Something I have never
11 thought to ask before is, when Peter reports his landings, what
12 currency are those in compared to what we're talking to in this
13 document?

14
15 **DR. MENDEZ-FERRER:** The ACL is currently monitored in MRIP-CHTS.

16
17 **MS. BOGGS:** So I guess -- How do we get that converted, because,
18 if you look at what we're trying to do in this document,
19 increase the ABC across-the-board, to look at OFL for 2021 to
20 three million pounds, but we're only catching -- I mean, this
21 math is not adding up, because, if you look at all these
22 numbers, and they're not in the same currency, we're in a real
23 mess with cobia.

24
25 **DR. MENDEZ-FERRER:** If we go back to Alternative 1 in Action 1,
26 that little table, the current ACL for the Gulf stock for cobia
27 is 2.6 million pounds. This is in CHTS. From the stock
28 assessment, when we use -- When you move over to using MRIP-FES
29 for the recreational data, the numbers then look much higher,
30 and those are represented here as an MRIP-FES equivalent, more
31 like as a comparison value.

32
33 The current catch limits recommended in Alternative 2 would
34 represent almost like a third -- Like a 33 percent reduction
35 from what the ACL would be if we were using FES right now. I
36 don't know if that answers your question.

37
38 **MS. BOGGS:** If I may follow-up, Mr. Chair?

39
40 **CHAIRMAN RIECHERS:** Yes, go ahead.

41
42 **MS. BOGGS:** Let's look at apples-and-apples. If we look at the
43 first alternative, and we're looking at the MRIP-CHTS numbers,
44 and you have an ACL of 2.6 million pounds, and I look over here
45 at Peter Hood's report, and the ACL is 1.6 million, and we're
46 only catching -- Let's look at 2019, and it was 631,000 pounds.
47 We're leaving a million pounds of fish in the water, and we're
48 wanting to increase the quota?

1
2 **DR. MENDEZ-FERRER:** Let's take a step back. This 2.6 is for the
3 whole stock, and so this includes the Gulf Sone and the Florida
4 East Coast Zone, and that's why the numbers don't match. The
5 ACL for the Gulf Zone is 1.66 million pounds, and so those
6 numbers will show up in Action 2, which explores the
7 apportionment, and that's why we're mentioning that, but this
8 2.6 is the 100 percent of the ACL. Then this ACL is divided,
9 with 36 percent of that number apportioned to the Florida East
10 Coast Zone and then the 64 percent to the Gulf Zone, and so the
11 numbers that Peter is showing are related to the Gulf Zone
12 apportionment.

13
14 **MS. BOGGS:** Okay, and so we're still basically leaving a million
15 pounds of fish in the water, and so I don't understand. Anyway,
16 we'll finish going through the document. Thank you.

17
18 **DR. TOM FRAZER:** Dr. Froeschke, if you want to interject real
19 quick.

20
21 **DR. JOHN FROESCHKE:** I will just try, real quick. So the Gulf
22 is essentially catching their 1.6. That other million pounds,
23 that's caught in the Florida East Coast Zone, but that still
24 counts towards this 2.6-million-pound ACL, because it's the same
25 stock.

26
27 **MS. BOGGS:** So, in Peter Hood's reports, the ACL numbers are 100
28 percent of the stock and not --

29
30 **DR. FROESCHKE:** His report didn't include the Florida East Coast
31 Zone.

32
33 **MS. BOGGS:** So if the ACL for the Gulf is 1.6 million pounds,
34 and the total reported in 2019, as landed, is 631,000, am I not
35 doing my math right? There's still a million pounds of fish
36 plus in the water?

37
38 **CHAIRMAN RIECHERS:** Peter, do you have any help here in talking
39 about what your landings are reporting?

40
41 **MR. HOOD:** I mean, I'm just -- I am reporting what is up on the
42 ACL page. Let me look into it, and I'm trying to get with one
43 of our staff members, to see if we can come up with an answer.

44
45 **DR. MENDEZ-FERRER:** If we jump to Table 2.2.4, Alternative 1
46 over here on this table, Susan, lists the ACL, and so, when you
47 add up the 70,000, the 860,000, and the 1,660,000, those three
48 numbers would represent -- When you combine them, it would

1 represent that 2.6 million pounds, that 100 percent of the
2 stock. As I was saying, it's divided between the two zones.

3
4 **MS. BOGGS:** Thank you.

5
6 **CHAIRMAN RIECHERS:** Okay. Ryan has his hand up. Ryan, part of
7 this is just by us wanting to see all of the conversions, or the
8 two currencies in tables, and I think that's also part of what
9 is just -- Besides the Florida issue, the east coast and west
10 coast zones, I think just also looking at the two currencies has
11 some of us with our heads spinning with columns of numbers.
12 Ryan, any help here?

13
14 **MR. RYAN RINDONE:** I will do my best, Mr. Chair. Ms. Boggs, you
15 are correct that the Gulf is not harvesting all of the cobia
16 that is being allocated to it, and that lends to what the
17 fishermen have been telling us about the stock for a couple of
18 years now, that they have thought that they were seeing fewer of
19 them, and they weren't catching as many, et cetera, and that has
20 been evidenced in the landings.

21
22 When you consider that against what Mr. Riechers just alluded to
23 about the change in the currency, when you're looking at
24 Alternatives 2 and beyond here in this table, Alternatives 2
25 through 5 are using the FES-calibrated catch and effort to get
26 to those catch limits, and so each of these, in Alternatives 2
27 through 5, is in FES. What's in Alternative 1 is still in the
28 CHTS currency.

29
30 If you were to think about that 600,000 pounds that is being
31 caught now as being measured in CHTS, it would be scaled up to
32 some degree if it were converted to its equivalent in FES, and
33 so it would be more than six-hundred-and-some-odd thousand
34 pounds, and I dare say double, if you wanted to use that as an
35 approximation, and so that tells you about how much of the Gulf
36 ACL would be landed if we were to move over to the FES method of
37 monitoring catch for cobia, and is that what you were asking
38 about?

39
40 **MS. BOGGS:** Yes, and that's -- Before today, I don't remember us
41 talking about the FLEC Zone, and so I really had to wrap my head
42 around that the last few days, but, yes, I mean, you were
43 answering my question, and what I am seeing is correct, and so
44 thank you.

45
46 **MR. RINDONE:** You're welcome. We had split the Gulf cobia stock
47 at the council jurisdictional boundary as part of SEDAR 28, and
48 there's a mixing zone that occurs off of the St. Augustine area,

1 Volusia County, but we don't have a way to directly delineate
2 where that mixing zone is, and so, for enforcement ease, and for
3 ease of interpretation for anglers, it's demarcated at the
4 Florida/Georgia state line, and so the Gulf apportions
5 management of Gulf cobia to the South Atlantic from the council
6 jurisdictional boundary east and south of US1 and then north up
7 the Florida east coast to the South Atlantic Council boundary,
8 and then Natasha will dive deeper into the intricacies of that
9 as she moves through this. Mr. Chair.

10
11 **CHAIRMAN RIECHERS:** Thank you, Ryan. We've got a couple of
12 hands up, as I see here, and then we'll probably turn back to
13 Natasha to go on through this presentation, but next we've got
14 J.D.

15
16 **MR. J.D. DUGAS:** Thank you, Mr. Chair. I am looking at
17 Alternative 1, and, for 2016, I guess to current, from the OFL
18 to the ABC to the ACL, there's about a 60,000-pound difference,
19 but my question is, in Alternative 2, just the year 2021 for
20 instance, there's up to a 700,000-pound difference from the OFL
21 to the ABC. I am wondering why is that, and what determines
22 that?

23
24 **CHAIRMAN RIECHERS:** Can we scroll to where we get Alternative 2
25 in there as well? Natasha, correct me if I'm wrong, but the
26 2016 number is showing 2016 through 2020, and then the table for
27 Alternative 2 is showing a projective of what it could be, and
28 is that correct for J.D.?

29
30 **DR. MENDEZ-FERRER:** So J.D. is asking about the difference
31 between the OFL and the ABC for the projections in Alternative
32 2, and they are larger because the SSC -- It's a larger buffer
33 to address uncertainty in the model, or uncertainty in the
34 projections, and so it gives it a larger buffer to prevent
35 exceeding the OFL.

36
37 **MR. DUGAS:** Okay. Thank you.

38
39 **CHAIRMAN RIECHERS:** All right. Next up is Andy.

40
41 **MR. ANDY STRELCHECK:** Thanks, Robin. Going back to Susan's
42 comment, I think Table 2.1.1 might be helpful, just to share,
43 and it gets to some of the confusion when we start talking about
44 what units we're monitoring or using for landings, as well as,
45 obviously, setting the catch limit, but, in that table, you can
46 see that, for the overall cobia ACL, and this is both East Coast
47 as well as Gulf Zone, landings have been above and below the
48 proposed 2021 ACL, if you look at it in terms of the FES units,

1 and so I'm hoping that helps with Susan's question.

2
3 **CHAIRMAN RIECHERS:** Natasha, can you pick up where you left off
4 now? Sorry, and we're trying to --

5
6 **DR. MENDEZ-FERRER:** It seems like we have another question from
7 Susan.

8
9 **CHAIRMAN RIECHERS:** Okay. Yes, I see the hand up now. Susan.

10
11 **MS. BOGGS:** Thank you, and I do apologize, and I'm really not
12 trying to be difficult. Table 2.1.1 does or does not include
13 the FLEC Zone? I interpret it as it does not.

14
15 **DR. MENDEZ-FERRER:** Table 2.1.1 does include the Florida East
16 Coast Zone. If we go back to Table 1.1.1, that would be only
17 for the Gulf Zone landings, in comparison to what percentage of
18 the ACL the Gulf Zone has landed, but this is in CHTS, and so
19 this is more similar to what Peter presented, and so is this
20 kind of what you wanted to look at, Susan?

21
22 **MS. BOGGS:** Natasha, I don't know what I want to look at, and
23 I'm just trying to get the numbers straight in my head, because
24 this is really confusing, and then I'm just going to go ahead
25 and muddy the waters even more, because I am sure the FLEC Zone
26 -- Are they looking at numbers in FES as well, or is that just
27 something we're doing in the Gulf?

28
29 **DR. MENDEZ-FERRER:** The Florida East Coast Zone is also
30 currently being monitored in CHTS, and so that ACL -- Those
31 landings and percent ACL landed are in the Table 1.1.2, which is
32 the following table after this one, but, going forward, we need
33 to transition the recreational landings to FES, since it's
34 deemed the best scientific information available.

35
36 **CHAIRMAN RIECHERS:** I have another hand up from Mr. Swindell.
37 It was just taken down.

38
39 **MR. ED SWINDELL:** No thank you.

40
41 **CHAIRMAN RIECHERS:** Okay. So, Natasha, if you want to go ahead
42 and go now, go back to the alternatives where we left off.

43
44 **DR. MENDEZ-FERRER:** Okay, and so we're still in Action 1. Would
45 the committee like to explore another alternative? So far, we
46 have no action, which is -- You know, we can't really go with
47 that one, given that it's being monitored in CHTS and we need to
48 move forward with FES, and so Alternative 2 is the

1 recommendation from the SSC, and then Alternative 3 would be
2 kind of a more conservative approach, by keeping a constant
3 catch, based on the FES catch limits for 2021 and subsequent
4 years.

5
6 **CHAIRMAN RIECHERS:** Natasha, let me ask about Alternative 1,
7 because you're suggesting that we have to -- I see Alternatives
8 2 and 3 as the management actions moving forward, and
9 Alternative 1, at this point -- Now, you can suggest that we
10 need to pick one, and that's a debate that, obviously, is
11 ongoing, not only in this species, but all that the alternative
12 now does, in my mind, is just cross-walks the currency.

13
14 **DR. MENDEZ-FERRER:** And it reduces the catch limits, and so, if
15 we look at the MRIP-FES equivalent, if we were monitoring the
16 recreational landings right now in FES, the ACL for the stock --
17 The estimation of the ACL from the Gulf Zone and the Florida
18 East Coast Zone in FES would be 4.5 million pounds, and this is
19 a hypothetical statement.

20
21 **CHAIRMAN RIECHERS:** But you've got to cross-walk the past
22 catches, or the current catches, to FES, to measure against that
23 ACL.

24
25 **DR. MENDEZ-FERRER:** Yes, but the recommendations that are being
26 included in Alternative 2 are, in addition, reducing the catch
27 limits to address the overfishing status of the stock.

28
29 **CHAIRMAN RIECHERS:** Correct, and you've got to measure it either
30 in, and I will use the term that is easiest for me, either in
31 pesos or dollars, but you've got to -- I mean, you've got to
32 measure it in the same framework, or in the same currency, but
33 the --

34
35 **DR. MENDEZ-FERRER:** The Gulf Zone and the Florida East Coast
36 Zone ACLs will have to be measured in the same currency.

37
38 **CHAIRMAN RIECHERS:** Then the ACLs are set in that currency, is
39 really all the distinction we're making here. I mean, it's not
40 like we're really changing things, in and of itself, here in
41 Alternative 1, but you're just pointing out that, when we cross-
42 walk the currency, that's the difference.

43
44 Now, I understand that what you're also asking, subsequently, is
45 do we want to make a statement here and call it a preferred, and
46 pick one or the other, and that's really a science question and
47 not necessarily a management question, a management alternative
48 question, in some respects, and, like I said, it goes to more

1 species than just this.

2
3 **DR. MENDEZ-FERRER:** I don't think, at this point, we would need
4 to select a preferred alternative. We still have another round
5 to continue looking at this.

6
7 **CHAIRMAN RIECHERS:** Okay, and so Alternative 2, and if we can
8 move the screen a little bit, so we get more of Alternative 2,
9 Alternative 2 and Alternative 3 really start to lay out, in my
10 mind, the reductions in ACLs and ABCs that you're discussing, in
11 really two approaches.

12
13 One is a -- Alternative 3 is a constant catch value approach,
14 and Alternative 2, I guess based on the SSC recommendations,
15 created a larger buffer, but then still allowed for increases in
16 subsequent years 2022 and 2023, and is that a fair statement?

17
18 **DR. FROESCHKE:** I will try. Alternative 2 reflects the SSC's
19 recommendation and their yield stream, and so, given the stock
20 is projected to increase in biomass, you get an increase in OFL
21 every year, and they gave us recommendations for the three
22 years, 2021 through 2023, and so that's what you see in
23 Alternative 2.

24
25 Alternative 3 is more conservative, in that, if the council
26 chose to be more conservative, it would hold the OFL, ABC, and
27 ACL at the 2021 levels that were recommended by the SSC until
28 the council changes it.

29
30 **CHAIRMAN RIECHERS:** Okay. All right. I see a couple more hands
31 up. Mara.

32
33 **MS. MARA LEVY:** Thanks. I just wanted to mention, and I don't
34 want there to be any confusion about Alternative 1. Nobody is
35 asking the council to choose between monitoring in FES or CHTS,
36 and all the monitoring going forward is going to be in FES, and
37 the assessment results are in FES, and the only reason the FES-
38 equivalent numbers are in Alternative 1 is so that you can
39 compare them to what's in Alternative 2 and 3. Thanks.

40
41 **CHAIRMAN RIECHERS:** Susan.

42
43 **MS. BOGGS:** Okay. One more time, and then I will leave this
44 alone. So, in Alternative 2, the options there -- Question one,
45 because it says to modify the Gulf cobia, and so this is just
46 from Gulf cobia, correct, their apportionment, or is this the
47 total apportionment, of which 64 percent will go to the Gulf
48 Zone? Thank you.

1
2 **DR. MENDEZ-FERRER:** I can answer that question. This will be
3 for the total Gulf cobia, and this would not be for the Gulf
4 Zone. Those would be evaluated in Action 2, but this is a great
5 discussion, because, that way, I can make notes in how to make
6 these comparisons clearer in the document, moving forward.

7
8 In the document, when you read "Gulf cobia", it represents the
9 whole Gulf migratory group cobia, when we're talking about the
10 specific zones, and that will be the Gulf Zone, which is within
11 the Gulf jurisdictional boundary, and then the Florida East
12 Coast Zone, which is that subset that includes part of the Keys
13 and the east coast of Florida. I will try to make it clearer
14 when we're talking about this in the further actions.

15
16 **CHAIRMAN RIECHERS:** Mr. Diaz, I have your hand up?

17
18 **MR. DALE DIAZ:** Yes, sir, and I think this is to Natasha's
19 point. The tables in Alternatives 1, 2, and 3 are not
20 comparable, because Table 1 deals with both the Gulf and the
21 FLEC Zone. For Alternatives 2 and 3, those only deal with the
22 Gulf Zone, and so, if there's some way, Natasha, if we're going
23 to try to compare these tables, if there was a way to where you
24 can look at it to where it was apples-to-apples across these
25 three alternatives, where you just can't do that now. Thank
26 you.

27
28 **DR. MENDEZ-FERRER:** Alternatives 2 and 3 also look at both
29 zones, but I will re-label this, so that, the next time that the
30 council sees this action, it will clearer, and I am making notes
31 to make sure that we're making things clearer, like either
32 adding parentheses explaining that it includes both zones or
33 something along those lines.

34
35 **MR. DIAZ:** Right. Well, when you read them, it says modify Gulf
36 cobia, and it doesn't mention the FLEC Zone in Alternative 2 and
37 Alternative 3, which makes it confusing, and it is a substantial
38 cut, if that includes all three. It's a significant reduction.
39 Thank you.

40
41 **DR. MENDEZ-FERRER:** I get the confusion between the Gulf stock
42 and the Gulf Zone, and so I will make sure to add those changes
43 to the document. Are there any more questions on Action 1?

44
45 **CHAIRMAN RIECHERS:** I see a hand coming up from Andy.

46
47 **MR. STRELCHECK:** Thanks. I guess, in general, any time we
48 rebuild a stock and rebuilding is successful, you're going to

1 see catch levels go up, like what is presented in Alternative 2.
2 I wanted to just throw this out to the council with regard to
3 Alternative 3.

4
5 Because there is a buffer between the overfishing limit and the
6 catch limit that is pretty substantial, rather than taking the
7 first-year catch of the three-year projections, you could look
8 at an average catch, something different than what's proposed in
9 Alternative 3, and you could still essentially successfully end
10 overfishing, by keeping catch levels below the overfishing
11 limit, but take into account that average catches over the
12 course of this at least three-year timeframe would be a little
13 bit higher than if you just took simply the first year, as
14 proposed.

15
16 **CHAIRMAN RIECHERS:** John Froeschke.

17
18 **DR. FROESCHKE:** Just to follow-up on that point, if we were to
19 do that in its current form, I think we would need to go back to
20 the SSC and ask for an OFL and ABC recommendation based on the
21 average catch, because, right now, that would exceed the OFL in
22 2021, if we took that average of the three million, the 3.2, and
23 the 3.3. Our current OFL in 2021 is just a lower value, and
24 that's why it's like that.

25
26 **CHAIRMAN RIECHERS:** Ms. Bosarge.

27
28 **MS. LEANN BOSARGE:** Thank you, Mr. Chair. I would suggest that
29 we do that. We usually do get a constant catch out of the SSC,
30 and that constant catch would not be only the lowest value for
31 that period that they had there, and it would be more of an
32 average of all the years, and so I think that would be a wise
33 move, and I think we do that quite often, and so I would send it
34 back to them and get that number.

35
36 **CHAIRMAN RIECHERS:** Andy, it appears your hand is back up again?

37
38 **MR. STRELCHECK:** Just to be clear, and I'm not sure -- Maybe I
39 am not understanding why it needs to go back to the SSC. If you
40 took the average of the ABCs or the ACLs, it's still going to
41 remain below the overfishing limit for all three years that are
42 listed there.

43
44 **CHAIRMAN RIECHERS:** I mean, doing the straight math, I agree
45 with you. I think John had -- Well, I think what John was
46 saying, and now I get his point, Andy. I think what he was
47 saying is, if we just take the straight average of the three
48 years, that it's going to be higher than the -- Well, your catch

1 won't be higher though.

2
3 Your ACL will not be higher than your OFL, but certainly your
4 ABC in 2021 would be higher than the one that's showing up
5 there, and so I don't know that it matters, but we just need to
6 decide whether we need to go back to them or not. That's
7 probably an IPT question, in some respects. Mara.

8
9 **MS. LEVY:** You're right, and so the problem is that you would be
10 averaging the ABC, and then we would have an ABC in 2021 that is
11 greater than the catch level recommendation ABC by the SSC, and
12 we can't do that, and so the reason we put just the lowest in
13 there was because the council can do that without going back to
14 the SSC, and I know that the SSC does provide averages many
15 times, but I think, in those cases, it's when you have a
16 declining ACL or ABC, right, and so, in those cases, rather than
17 declining over a number of years, they have given you an average
18 to consider as well, so that you can just stay steady.

19
20 You can go back and get an average here, but this is increasing,
21 and so the other alternative is, if you think it's appropriate
22 to just go with the increasing, go with that, and the reason
23 that we put in the lowest was just because of the status of the
24 stock and the things that people have been saying about the
25 stock, and that it seems appropriate to at least consider
26 keeping it at the lower catch level.

27
28 **CHAIRMAN RIECHERS:** All right. Leann.

29
30 **MS. BOSARGE:** I think Mara addressed most of it, and it was the
31 issue that your ACL would be above your ABC if you did an
32 average, but, Mara, I seem to remember -- I want to say that it
33 was not this last king mackerel assessment, but the one before
34 that, and we were in a situation where we were going to have a
35 lower quota, and then it would come up gradually, and we looked
36 at a constant catch on that one, and I don't think it was just
37 the lowest number. I want to say it was an average, which would
38 have been above the first-year ABC, more than likely. Anyway, I
39 think it would be worthwhile to have the SSC look at it and see
40 if we can't get more of an average.

41
42 **CHAIRMAN RIECHERS:** Ryan.

43
44 **MR. RINDONE:** Mr. Chair, to that point, the SSC specifically did
45 not recommend an average, or constant-catch scenario, for cobia,
46 because cobia is undergoing overfishing, and, because of that,
47 and the condition of the stock, they thought it wise to set the
48 catch limits on an annual basis, allowing for fishing mortality

1 to be decreased to the necessary degree as soon as possible, to
2 end overfishing as quickly as possible, and with the thinking
3 being that, if that's done, then that reduces the probability of
4 further and longer-term harm to the stock. They did discuss a
5 three-year constant catch, and they specifically did not
6 recommend it, because of the fact that the stock is undergoing
7 overfishing. Mr. Chair.

8
9 **CHAIRMAN RIECHERS:** So I am assuming then that the IPT team
10 chose to add Alternative 3 so that we would have more than just
11 one alternative, and is that a fair assessment?

12
13 **MR. RINDONE:** Yes, and, like Ms. Levy said, given the fact that
14 the stock is undergoing overfishing, setting it at the 2021
15 level and leaving it there for a little while is not an
16 unreasonable alternative, and you guys may not find it
17 preferable to Alternative 2, but it was not unreasonable to
18 present that to you as an option, given what we could do, given
19 the SSC's recommendations.

20
21 **CHAIRMAN RIECHERS:** It's more conservative for the stock in that
22 case, where Alternative 2 is more liberal for the fishery, if
23 you want to use those two terms.

24
25 **MR. RINDONE:** Sure.

26
27 **CHAIRMAN RIECHERS:** So, next, I believe I have Susan.

28
29 **MS. BOGGS:** Ryan made my point, and I was just going to point
30 out the comment about the constant catch was in the document,
31 but Ryan took care of it. Thank you.

32
33 **CHAIRMAN RIECHERS:** Okay. Any other questions or comments on
34 Action 1? If not, then I will turn it back over to Natasha.

35
36 **DR. MENDEZ-FERRER:** All right. No more questions. Thank you,
37 Mr. Chair. If we move to Action 2, then we will be moving away
38 from talking about the total Gulf stock ACL. That ACL will be
39 selected in Action 1, and so Action 2 will be looking at the
40 apportionment between the Gulf Zone and the Florida East Coast
41 Zone.

42
43 When this apportionment was created in CMP Amendment 20B, it was
44 calculated based on the average landings, in CHTS, for the years
45 of 1998 through 2012, and the resulting apportionment was 64
46 percent to the Gulf Zone and 36 percent to the Florida East
47 Coast Zone, and so this is Alternative 1.

1 Alternative 2 would retain these apportionments, the 64 percent
2 to the Gulf Zone and the 36 percent to the Florida East Coast
3 Zone, but it would be based on the ACL that was selected in
4 Action 1, and so we wouldn't be calculating average landings for
5 the time series, and it will be monitored in FES, and so if you
6 wanted to say -- If you wanted to go with the constant catch,
7 and this is a hypothetical example, if you wanted to go with an
8 ACL of 2.3 million pounds, then, of those 2.3 million pounds, we
9 would select 64 percent to the Gulf Zone and 36 percent to the
10 Florida East Coast Zone.

11
12 Now, Alternatives 3, 4, and 5 look at the apportionment by
13 recalculating -- By looking at different time series, the
14 average landings for different time series, and so Alternative 3
15 uses the same time series that was used when the apportionment
16 was initially calculated, that 1998 to 2012, but we would look
17 at those landings in MRIP-FES, and so, when we do those
18 calculations, the apportionment of the stock, the total Gulf
19 stock ACL, would be divided as 63 percent to the Gulf Zone and
20 37 percent to the Florida East Coast Zone. As you can see,
21 there is a slight increase of 1 percent of the apportionment to
22 the Florida East Coast Zone just by changing the currency and
23 looking at the same time series.

24
25 Now, if we want to consider a more recent time series, and so
26 Alternative 4 looks at the time series of average landings
27 between 2001 to 2015, and that results in 62 percent of the Gulf
28 stock, total Gulf stock cobia ACL, and 62 percent would go to
29 the Gulf Zone and 38 percent would be apportioned to the Florida
30 East Coast Zone.

31
32 Alternative 5 then looks at a more recent timeframe, from 2003
33 to 2019, and then the calculations result in 59 percent
34 apportioned to the Gulf Zone and 41 percent to the Florida East
35 Coast Zone, but one thing to keep in mind with Alternative 5 is
36 that that time series may be biased by the management changes
37 that happened in 2015.

38
39 If we go to Table 2.2.4, if were to choose, in Action 1, the ACL
40 for Alternative 2, then these would be the actual ACL numbers
41 that would be apportioned to the Gulf Zone and the Florida East
42 Coast Zone, and so Alternative 1 here is where we currently
43 stand, and those are in CHTS. Alternatives 2 to 5 are in FES,
44 and so I would like to hear from the committee, to see if there
45 is any alternatives that you would prefer, if you want to look
46 at different time periods, or if you have any other questions
47 regarding how the apportionment is calculated.

1 **CHAIRMAN RIECHERS:** Natasha, the apportionment is somewhat
2 fairly straightforward, in my mind at least, based on those
3 years you have given, and I apologize, because, at least when I
4 downloaded last week, this one wasn't included at the time, and
5 I haven't really dug into the full discussion, but are we seeing
6 a shift, which would lead us to want -- I mean, that would make
7 one of these alternatives more reasonably than possibly just
8 saying, well, we're shifting years, and so basically one zone is
9 going to get less? I mean, is there a shift that's going on by
10 zone that would -- And/or someone leaving some fish on the
11 table, because it doesn't seem that way, when we're talking
12 about a cut that's in the neighborhood of almost a 50 percent
13 cut.

14
15 **DR. MENDEZ-FERRER:** You would have to think of it in two ways.
16 You would have to consider that these new apportionments, from 2
17 to 5, are in MRIP-FES, and so it's a different currency, and so,
18 even though the percentage would be higher, and say, for
19 example, Alternative 3, which would increase the apportionment
20 from 36 to 37 percent to the Florida East Coast Zone, and it
21 doesn't necessarily mean that they would be able to catch more
22 fish, because, if it's based on the total, the overall, that
23 bulk ACL for the Gulf for the cobia stock. I don't know if that
24 answers your question.

25
26 **CHAIRMAN RIECHERS:** I am fine, and I will find that answer
27 myself. Susan.

28
29 **MS. BOGGS:** Okay. Robin, you got me to thinking about something
30 else, and I've got to remember what my question was. It
31 appears, based on Table 2.2.2, and it's kind of confusing,
32 because we've got all the numbers running together, that the
33 FLEC Zone has exceeded their ACL for three of the last five
34 years, and I think I read that somewhere, but I don't remember
35 now, which my main question with all this is, whatever we do,
36 does this not have to go to the South Atlantic Council also?

37
38 **DR. MENDEZ-FERRER:** Because this is an action that would affect
39 both councils, it's my understanding that both councils will
40 have to agree on it.

41
42 **CHAIRMAN RIECHERS:** Do you have a follow-up, Susan?

43
44 **MS. BOGGS:** No, and I'm just trying to get my head wrapped
45 around -- You know, if we say we want to stay at 36 for the
46 South Atlantic, based on this, if I'm correct in what I'm
47 reading in that other table, is that they have overfished, but I
48 don't know if the FLEC total ACL is in FES or CHTS, and so I

1 don't know how to compare what they're doing to what I am trying
2 to make a decision on, and that's why I was asking if I'm
3 correct in what I'm reading. If the ACL is in CHTS, then, no,
4 they have never met their ACL, but I don't know that, because I
5 don't what the ACL is.

6
7 **DR. MENDEZ-FERRER:** You are correct, and so let's take the
8 second column, and let's look at the years from 2015 to 2019.
9 Now, I'm selecting those five years because that's when the
10 Florida East Coast Zone was created, and so that second column
11 are the recreational landings for the Florida East Coast Zone in
12 CHTS.

13
14 We move to the fourth column, and that's the recreational ACL on
15 the Florida East Coast Zone, and so you would be comparing, in
16 2015, 420,000 to 830,000, and so the recreational ACL has not
17 been met for 2015, and then the same applies --

18
19 **MS. BOGGS:** That's very helpful. Thank you.

20
21 **DR. MENDEZ-FERRER:** Okay. Good.

22
23 **MS. BOGGS:** That's why I just -- It didn't clarify what I was
24 looking at for the total ACL. Thank you.

25
26 **DR. MENDEZ-FERRER:** I guess I would like to know -- You know,
27 when looking at these comparisons, we try to include CHTS and
28 FES, so that you can see what the changes are associated with
29 the change in currency, and so I don't know if maybe separating
30 the tables by currency would be easier to understand, rather
31 than keeping the numbers right next to each other, and that's
32 something that we can talk about as you are looking at these
33 numbers, whichever way it's easier to make the comparisons, and
34 just let me know, and we can make the tables clearer.

35
36 **CHAIRMAN RIECHERS:** Okay. I've got three hands up. Dale.

37
38 **MR. DIAZ:** Thank you, Mr. Chair. I do not know that much about
39 disasters in the Florida East Coast Zone, but the range of
40 alternatives here covers from 1998 to 2019, and I do know
41 there's been some substantial disasters in the Gulf, and I would
42 be interested to know how they impacted things.

43
44 We had an oil spill in 2010, and that was a major disrupter, and
45 we had Hurricane Katrina in 2005, and we had two major
46 Mississippi River floods in 2011 and 2018 that affected a large
47 part of the northern Gulf of Mexico, and then a management
48 change that was mentioned in one area that didn't apply to

1 another area and how that affected things, and so I just wanted
2 to throw those out as things to at least think about, and, like
3 I said, there might -- I don't know my history on the Florida
4 East Coast Zone, and they might have as many disasters over
5 there as we've had in the Gulf, but I would be interested to
6 know some of those things if we proceed in the future. Thank
7 you.

8
9 **CHAIRMAN RIECHERS:** Next up is Mara.

10
11 **MS. LEVY:** I just wanted to clarify, or make clear, that, yes,
12 the South Atlantic has to approve everything in this document,
13 including submission to the Secretary. It's a plan amendment,
14 and it's a joint amendment, and so you would need to have the
15 same preferred alternatives in the three actions, and presumably
16 the South Atlantic would defer to the Gulf Council on things
17 like the Gulf possession limit for the Gulf Zone, but it is
18 going to need to be agreed upon by both councils.

19
20 **CHAIRMAN RIECHERS:** Thank you, Mara. Leann.

21
22 **MS. BOSARGE:** Just a general observation about the length of
23 time that this document will probably take to implement, and I
24 know we've only been through the first few actions, but, as
25 we're getting these assessments back that are in a different
26 currency, it is quite confusing, and the first action items you
27 always want to deal with is implementing the new catch levels,
28 right, because we are getting landings in in FES, and so you
29 want to go ahead and implement these catch levels.

30
31 Everything else in these documents though is what's probably
32 going to hold up implementing those catch levels for species
33 that have an allocation, whether it be this one, where it's an
34 allocation between councils, because the South Atlantic manages
35 the Florida East Coast Zone, or in other species, where it's
36 just a commercial/recreational allocation within our Gulf
37 fisheries.

38
39 I really think we need to think, as we move through all of these
40 assessments that we're getting in allocated species, of having a
41 document that simply implements the catch levels, even if that
42 means you can't adjust OFLs for maybe a future allocation shift,
43 but that's the only way that you're going to get that new catch
44 level onto the books in a reasonable time period, and so I'm
45 just throwing that out there as an option, not only for this
46 document, to bust it into two, but for any of the others that
47 we're going to be looking at or are already looking at. Thank
48 you.

1
2 **CHAIRMAN RIECHERS:** Next up is Martha.

3
4 **MS. GUYAS:** Thank you, Mr. Chair. I guess, to speak to Dale's
5 question a little bit, yes, there's definitely been some
6 disasters for the east coast, and I'm just thinking off the top
7 of my head, and 2004 was a pretty busy year over there, and part
8 of 2005, and they had Irma in 2017. How all of those affected
9 cobia, I would have to look into that. I'm not sure off the top
10 of my head.

11
12 I guess what's interesting to me about this range of
13 alternatives is it's striking that they're actually pretty
14 consistent, and so I think, at some point, we might be able to
15 drop one or two of these alternatives, and I'm not sure if the
16 time to do that is right now, and I would maybe leave them all
17 in here for a little while longer, but, I mean, it's just a
18 percentage point here and there that would potentially shift
19 between the two councils, and so, given that -- I think I would
20 rather go through the rest of the document and kind of take in
21 the whole thing before I would maybe start trying to recommend
22 things to cut or change here, and those are just my thoughts on
23 this one. Thanks.

24
25 **CHAIRMAN RIECHERS:** Next up is Mara.

26
27 **MS. LEVY:** Just to Leann's point about trying to separate
28 implementing catch level advice from an assessment that
29 incorporates the new FES data stream and not addressing
30 allocations, you can't easily separate them, because, if you
31 just implement a new catch level without looking at the
32 allocations, you're really shifting the allocation.

33
34 Once you acknowledge that that's really a shift, potentially,
35 then you start having to look at alternatives to that shift, or
36 what's a reasonable alternative, and so I think it's a little
37 more complicated when you have an assessment that's changing the
38 recreational data stream and giving you outputs based on that.

39
40 **CHAIRMAN RIECHERS:** All right. So a lot of good discussion.
41 Kind of like Martha just said, I think probably there is a need
42 for us to think about seeing the document as a whole, and then,
43 as well pointed out in this particular item, there's only a 5
44 percent shift to any of those alternatives, and so there may be
45 some room to make some changes, and then the other question
46 about speed of it moving through both councils is one we're
47 going to have to deal with with the thoughts of options that
48 we're willing to choose, given that we are trying to end

1 overfishing, and so I think that's going to come into play as
2 well.

3
4 Natasha, I will turn it over to you, so that we can maybe try to
5 -- I would hope that we can walk through the other alternatives,
6 and, Natasha, maybe you lead here, as you move to the next
7 alternative, with where this document stands today, where we
8 think it needs to be, let's just say by the next meeting that we
9 take it up, and where is it in the South Atlantic mix as well,
10 so that we all get some feel for that timing.

11
12 **DR. MENDEZ-FERRER:** Sure. Yes, Mr. Chair. So the South
13 Atlantic already saw draft options during their December
14 meeting. There were some changes to the actions that they saw,
15 and I think we might have had five actions, because we were
16 considering the apportionment, and we had Action 2 and Action 3
17 combined, but then, during discussions with the IPT, we thought
18 that it might be better to separate the action about
19 apportionment and the action about setting the ACT for the
20 different zones.

21
22 If the committee wants to make any changes to the alternatives
23 that are being presented in this document, I think this would be
24 a great opportunity, like during this council meeting. That
25 way, we can convene the IPT and make the appropriate changes and
26 bring that to the next council meeting.

27
28 **CHAIRMAN RIECHERS:** I understand if we want change in
29 alternatives, and so far we have Action 1, and we didn't make
30 any changes, though a suggestion that we could get an average,
31 as opposed to starting at the lowest and incremental up, though
32 the SSC -- With the appropriate caveat in our request that the
33 SSC already talked about that some, and, at least originally in
34 thought, wasn't willing to do that.

35
36 The reality of it is this is the first time we're seeing the
37 document this fleshed out, and, in December, the South Atlantic
38 saw it like this, but now you all have made a few changes to it
39 since then, and is that a fair statement?

40
41 **DR. MENDEZ-FERRER:** The South Atlantic has not seen this
42 document. All they saw in December was the same presentation
43 that the Gulf Council saw in October.

44
45 **CHAIRMAN RIECHERS:** Okay.

46
47 **DR. MENDEZ-FERRER:** So the plan is to bring a draft document to
48 the South Atlantic at their next meeting, which I believe is the

1 first week of March.

2
3 **CHAIRMAN RIECHERS:** Okay.

4
5 **DR. MENDEZ-FERRER:** If we don't have any more questions on
6 Action 2, then we can move on to Action 3, and so Action 3 would
7 update or establish annual catch targets for the Gulf cobia
8 zone, being the Gulf Zone and the Florida East Coast Zone,
9 depending on -- Based on the apportionment selected in Action 2,
10 and so, currently, the Gulf Zone ACT equals 90 percent of the
11 Gulf Zone ACL, and so we have a 10 percent buffer, and this is
12 based on the Gulf Council's ACL/ACT control rule.

13
14 The Florida East Coast Zone has only an ACT for the recreational
15 ACL, and the way that they calculate it is different than --
16 They do not use the Gulf ACL/ACT control rule. The ACT is
17 calculated by multiplying the recreational ACLs times one minus
18 the proportional standard error, or 0.5, whichever is greater,
19 and so Alternative 1 could be the way that the ACTs are
20 calculated as they stand, and that would be no action.

21
22 Then Alternative 2 proposes to use the Gulf Council's ACL/ACT
23 control rule to calculate the ACTs for the Gulf Zone and for the
24 recreational sector in the Florida East Coast Zone, and so to
25 have some sort of similarity in the way that the ACT is
26 calculated for both zones. We did run the control rule for the
27 Gulf Zone and the Florida East Coast Zone, and it ended up being
28 also a 10 percent buffer, and so the ACT in Alternative 2, when
29 we calculate it, it's still 90 percent of the ACL for the Gulf
30 Zone and for the Florida East Coast Zone.

31
32 In Alternative 3, it could be to establish an ACT for the
33 commercial sector in the Florida East Coast Zone, using the Gulf
34 Council's ACL/ACT control rule. As it stands, the commercial
35 sector in the Florida East Coast Zone does not have an ACT.

36
37 **CHAIRMAN RIECHERS:** Can I go back to a point that you just made,
38 Natasha, that Alternative 2, as I heard you suggest it, if I
39 heard correctly, was that, basically, it comes up with the same
40 buffer as Alternative 1, and, again, I say if I heard that
41 correctly.

42
43 **DR. MENDEZ-FERRER:** When we calculate it, yes. The difference
44 between -- So Alternatives 2 and 3 would update then the
45 calculation of the ACT using the ACL/ACT control rule, and what
46 that means is that, if there were any changes to be made to the
47 control rule, then those would apply to the ACT, and it wouldn't
48 just be as it stands right now that the stock ACT for the Gulf

1 Zone is 90 percent of the ACL. I could use some help here from
2 Ryan, if things are still a little bit confusing.

3
4 **CHAIRMAN RIECHERS:** Ryan, they just put your name up.

5
6 **MR. RINDONE:** Where is the crux of the matter then on this?
7 What's the crux of the question?

8
9 **CHAIRMAN RIECHERS:** Well, the question that I was asking, or at
10 least what I heard, was that, from an actual buffer standpoint,
11 Alternative 2, at this point, and I'm not bringing in
12 Alternative 3 yet, but Alternative 2 didn't have a managerial
13 difference to Alternative 1, and it might have moving forward,
14 as Natasha just explained, but, right now, it wouldn't have a --
15 It's a 10 percent buffer no which approach you used right now.
16 Now, again, that's assuming that I heard her correctly.

17
18 **MR. RINDONE:** That's correct. Alternative 2 isn't just for now,
19 but it's for in the future as well, and so it allows you guys to
20 make those modifications to the ACL, in the wake of the new best
21 science in the future, without having to readdress how you're
22 establishing the difference between the ACL and the ACT.

23
24 **CHAIRMAN RIECHERS:** All right. Susan.

25
26 **MS. BOGGS:** Okay. Thank you, Mr. Chair. So, kind of to Robin's
27 point, to make sure I understand, Alternative 1, the FLEC Zone
28 doesn't have just a 10 percent buffer, but it would use
29 Alternative 2 as basically equaling a 10 percent buffer across
30 the Gulf -- The Gulf Zone and the FLEC Zone, and that's question
31 one.

32
33 Then I'm going to pull in Alternative 3, Robin, and so, in the
34 Gulf, we don't have separate catch limits. I mean, the quota is
35 one quota for commercial and recreational, and so I'm not sure
36 why we would need an ACT for the commercial sector, and the FLEC
37 Zone commercial fishery has never exceeded their catch, or their
38 ACL, and so I'm just wondering -- I mean, is this something that
39 we would really need, this Alternative 3? Thank you.

40
41 **CHAIRMAN RIECHERS:** Natasha, are you going to try to field that,
42 or do you want someone else to?

43
44 **MS. BOGGS:** Then, Robin, I have a follow-up.

45
46 **CHAIRMAN RIECHERS:** Okay.

47
48 **DR. MENDEZ-FERRER:** Let's hear Susan's follow-up.

1
2 **CHAIRMAN RIECHERS:** Okay.

3
4 **MS. BOGGS:** Well, this is going to take us back a few pages, but
5 it just occurred to me that, in Action 1, we don't establish an
6 ACT.

7
8 **DR. MENDEZ-FERRER:** But, Susan, in Alternative 1, the Gulf Zone
9 already has an ACT established, and so --

10
11 **MS. BOGGS:** My apologies.

12
13 **CHAIRMAN RIECHERS:** So I've got two hands up, and I don't know
14 whether Ryan is trying to jump back in and help with
15 explanation.

16
17 **MR. RINDONE:** I just wanted to keep Martha from being able to
18 talk, and that was all.

19
20 **CHAIRMAN RIECHERS:** Okay.

21
22 **MR. RINDONE:** No, what I wanted to stress was a comment that
23 Natasha had made earlier, is that all of these things -- They
24 kind of build on each other. Each of the actions that are
25 presented in the document are designed to allow the council to
26 find ways to reduce fishing mortality, in an effort to
27 ultimately end overfishing on cobia, and so it's like a thousand
28 little cuts, except in this case it's five, but each thing is
29 designed to give you guys an opportunity to find ways to reduce
30 that fishing mortality.

31
32 By using the ACT as a management tool, it allows you to -- It
33 allows a portion of the way in which you could do that, and,
34 because we have to manage Gulf cobia not just in the Gulf, but
35 as a stock, and that's why we're doing so much talking right now
36 about that Florida East Coast Zone, and it does represent a
37 significant amount of fishing effort, and so you guys, and with
38 the South Atlantic Council, just need to think creatively about
39 how best to address both areas.

40
41 At present, the PSEs for cobia for the Florida East Coast Zone -
42 - I think it's 17 percent, Natasha, but, if we go to -- Once we
43 complete that migration to FES, that proportional standard error
44 increases, and that represents a decrease in the precision with
45 which those landings are known, and so that would increase that
46 difference between the ACL and the ACT for the recreational
47 side.

1 **CHAIRMAN RIECHERS:** Next up is Martha.

2
3 **MS. GUYAS:** Thanks, and so a couple of things. I guess, first,
4 to answer Susan's question about why do we need Alternative 3,
5 although the Gulf does not split recreational and commercial for
6 cobia, my understanding is the South Atlantic does, and so that
7 Florida East Coast component has recreational and commercial
8 allocation, and so, in my mind, Alternative 3 -- I mean, I would
9 like to think that the South Atlantic would take the lead on
10 that, and, hopefully, if we need to make some cuts, kind of step
11 up and consider that, but that's that.

12
13 Ryan, I think, helped to explain the other question I had, which
14 was basically where I guess this Atlantic ACT stands now, and
15 then my other question was the ACL/ACT control rule for the
16 Gulf, and so our ACT is 90 percent now, and would the ACL/ACT
17 control rule run again, based on this new assessment, or was
18 that not necessary? Are we still looking at a 10 percent
19 buffer, or would that potentially change? Sorry if I missed
20 that.

21
22 **DR. MENDEZ-FERRER:** It would run again, and we have included
23 that in Appendix C.

24
25 **MS. GUYAS:** So the same result?

26
27 **DR. MENDEZ-FERRER:** It ended up being the same, yes.

28
29 **MS. GUYAS:** Okay. Thank you. That helps.

30
31 **DR. MENDEZ-FERRER:** You are correct, and so it's Action 3,
32 Alternative 3, and that's an alternative that would solely
33 affect the Florida East Coast Zone, because it's specific for
34 the commercial sector in that zone, and that's an opportunity
35 for, again, like Ryan was saying, because we need to end
36 overfishing, and it's an opportunity for the South Atlantic to
37 explore an additional management measure.

38
39 If we don't have any other questions, I will let you know that
40 we are done with the actions exploring the catch limits, and we
41 can move on to Action 4 and Action 5, which look at possession
42 limits and size limits. Any other questions before I move
43 forward?

44
45 **CHAIRMAN RIECHERS:** Natasha, not a question on my part, but I
46 would say that, maybe in the text, and this is a little bit --
47 You know, we saw in Action 1, with the first alternative, where
48 it's changing the calibration, and then, in this last set of

alternatives, a different issue, but it's that issue of the FLEC Zone and a commercial ACL/ACT, and maybe if we can get a little text in between those alternatives, where we're explaining -- Because, for instance, in the last action, Action 3, it's almost as if Action 1 is the no alternative, or no action, and Action 2 is a different approach to that, and then Action 3 is yet a new option, and they all deal with ACLs and ACTs, but Alternative 3 really isn't necessarily an alternative to Alternative 1.

DR. MENDEZ-FERRER: For the next time that we bring this to the council, I will make sure to create some sort of flow chart, to kind of show you how Actions 1, 2, and 3 build upon each other, and hopefully that will help clear up some of the doubts.

CHAIRMAN RIECHERS: Anything we can do there to help with clarity I think would just be useful.

DR. MENDEZ-FERRER: Of course. We will definitely -- I am making notes, and we will definitely work on that. Moving on to Action 4, during the September 2020 meeting, the direction from the council was to also explore possession limits and size limits, in addition to modifying the catch limits.

To remind you, the changes, modifications, to possession limits and size limits were initially evaluated with Framework Amendment 7, although the only change that came from Framework Amendment 7 was increasing the size limit for the Gulf Zone.

What we tried to do in Action 4 and Action 5 was run similar analyses to what were used in Framework Amendment 7, and so it will be kind of an easier comparison, and I do have to give a disclaimer that we received the results from these analyses really close to the briefing book deadline, and so the IPT has not had a chance to weigh-in on the results in these analyses, as the briefing book deadline was upon us, but, in Action 4, which is to modify the Gulf cobia possession limit and/or establish a trip limit, my understanding was that the intention for the council was to look at vessel limits, but the way that the analyses were run for this action, as we have them right now, were on a trip-by-trip basis, and so that's why we're trying to keep it consistent.

One of the recommendations that we received from council members and the public was to explore having possession limits similar to what FWC enforces, and so FWC enforces a daily bag limit of one fish per person, or two per vessel, whichever is less, where cobia is caught in Gulf state waters of Florida.

1 For the fish caught in the South Atlantic state waters of
2 Florida, the enforcement is a little different. They do have a
3 daily bag limit of one fish per person, or six per vessel,
4 whichever is less, and so Alternative 1, no action, would retain
5 the current recreational and commercial daily possession limit
6 of two fish per person, regardless of the number or duration of
7 trips.

8
9 Alternatives 2 and 3 give the council the opportunity to explore
10 these options based by zone, and so Alternative 2 would reduce
11 the recreational and commercial daily possession limit to one
12 fish per person, regardless of the number or duration of trips,
13 and then Alternative 3 would create a recreational or commercial
14 daily trip limit, either at two fish, four fish, or six fish,
15 and these numbers were the same that were used, or considered,
16 in Framework Amendment 7.

17
18 The reason why we're looking at this action is to reduce the
19 number of legal-sized cobia caught on a fishing trip which may
20 be retained, and, therefore, it would be expected to reduce the
21 overall fishing mortality on Gulf cobia, and so, just as a
22 reminder, fish that are released after capture are assumed to
23 have a 5 percent discard mortality rate. We have heard concerns
24 about fish that are brought onto the boat by the use of gaffs
25 and how that could be also increasing the discard mortality, and
26 so those are things to consider.

27
28 When we look at the results of this analysis, they are pretty
29 similar to what was discussed in Framework Amendment 7, and so
30 the majority of both the commercial and recreational trips for
31 both zones harvest less than one cobia per person, and so the
32 cobia catch is mostly incidental. Examination of this data
33 revealed that the majority of the commercial and recreational
34 trips in both zones harvested only one cobia per vessel per
35 trip, and we can see this in Figures 2.4.1 to 2.4.5. Does the
36 council have any feedback on the alternatives that are listed in
37 this action?

38
39 When we looked at the percent reduction in landings for the
40 various alternatives in this action, the reduction is fairly
41 small, which was the reason why the council took no action when
42 this was initially considered in Framework Amendment 7. I do
43 have to mention that the data that we used in this analysis is
44 more recent, and so, for Framework Amendment 7, the time series
45 that was evaluated was from 2015 to 2017, and, over here, we're
46 looking at 2017 to 2019.

47
48 **CHAIRMAN RIECHERS:** It looks like we have Susan's hand up.

1
2 **MS. BOGGS:** Thanks again, Robin. I appreciate it. I would love
3 to see this council, the Gulf Council, adopt what FWC is doing
4 for the Gulf Zone cobia, and I'm certainly not going to speak
5 for the FLEC Zone, but, with what I'm seeing with cobia, and
6 what I'm hearing from the fishermen in our area over in Florida,
7 I think we need to try to do something.

8
9 As far as the bycatch, this is a fairly targeted fishery, and so
10 I don't think that, if we limit the species -- You know, the
11 first legal fish in the boat and you would be done with it, and,
12 of course, we can monitor that, but I think, until we can do
13 something to get this fishery in a better state, that we need to
14 look at what the FWC is doing with the one fish per person or
15 two per vessel. Thank you.

16
17 **CHAIRMAN RIECHERS:** Next on the list is Martha.

18
19 **MS. GUYAS:** Ditto that, and we talked about this last time, but
20 I think, in terms of Florida, we'll be looking at state waters
21 too, to hopefully get it to a more consistent place. The only
22 thing that I was just going to say is, using the trip limit
23 language, and, Natasha, you already mentioned this, and I feel
24 like it's super confusing, layering it with a daily bag limit as
25 well, and, if we can clarify that that's vessel in the next
26 version, I think that would be helpful.

27
28 **DR. MENDEZ-FERRER:** It's definitely on our plans. Like I said,
29 we didn't have a chance to discuss it with the IPT, and so we're
30 going to compare what was done here to what was used in
31 Framework Amendment 7. Sometimes trip limits can be used as a
32 proxy for vessel limits, but that's something that we feel we
33 would need to look further into.

34
35 **MS. GUYAS:** One more question, I guess, now that I'm thinking
36 about it. So when we, of course, looked at this a couple of
37 years ago, we were only looking at it for the Gulf of Mexico.
38 Have you looked at doing this on the Atlantic? Are the results
39 any different? Could we potentially make some gains, or I guess
40 bigger gains, by implementing this change on the east coast?

41
42 **DR. MENDEZ-FERRER:** The analyses that are included here look at
43 both zones, and the trends are fairly similar, but we will make
44 sure to update this and make it clearer, so that you can compare
45 between the percent reduction, if it were only applied to the
46 Gulf Zone versus the Florida East Coast.

47
48 **CHAIRMAN RIECHERS:** Next up, I see Leann's hand.

1
2 **MS. BOSARGE:** Thank you. Natasha said that the crux of this
3 action is to reduce the number of fish that are landed, and, at
4 this point, commercial landings are in the neighborhood of
5 35,000 pounds for the entire Gulf of Mexico.

6
7 I don't know how much lower you can get commercial landings
8 without essentially trying to eliminate them from the fishery,
9 and so I would suggest that you remove commercial from these
10 alternatives.

11
12 You know, if you go back and look at where the bulk of the
13 restrictions have been effective, commercial landings -- It's
14 always been a bycatch fishery, by and large, but, at the peak of
15 our fishery and our landings for cobia, we were somewhere in the
16 neighborhood of about 350,000 pounds, and that was in the 1990s.

17
18 What went into effect federally in the 1990s was a two-fish bag
19 limit for commercial fishermen, and I can't think of any other
20 fishery where commercial fishermen have a bag limit. In other
21 words, numbers of fish. We operate in pounds of fish, and you
22 can't make a living catching two fish, and so that essentially -
23 - If you look at what happened throughout the 1990s, the late
24 1990s, and there forward, commercial landings of cobia
25 plummeted, to the point that we are finally, at this day and
26 time, down to 30,000 pounds.

27
28 I think that the reduction in quota, generally speaking, is
29 enough of a restriction for commercial fishermen for cobia, and
30 I don't think further restrictions should be entertained for
31 commercial fishermen for cobia. **For that reason, I would like**
32 **to make a motion that commercial is removed from Action 4.**

33
34 **CHAIRMAN RIECHERS:** I've got a motion. Do I hear a second?

35
36 **MR. SANCHEZ:** I'll second it.

37
38 **CHAIRMAN RIECHERS:** Okay. Remember, folks -- I mean, I would
39 just add that, as we have this discussion, this is just the
40 beginning document, and I understand the notions, but I'm -- I
41 fully understand your rationale, Leann, and why you're making
42 the motion, but I'm also suggesting that we are still at the
43 beginning of a stage where we're developing a suite of
44 alternatives, and that's all I'm suggesting. Susan.

45
46 **MS. BOGGS:** Thank you again, Mr. Chair, and, Leann, thank you
47 for pointing that out. I should have mentioned that when I was
48 discussing -- I mean, I would like to adopt the FWC rules for

1 the recreational fishermen, and I agree that I think the cobia
2 is a bycatch for the commercial fishermen, and I didn't know
3 that you were going to make a motion, but I would certainly
4 support it. Yes, ma'am.

5
6 **CHAIRMAN RIECHERS:** Andy.

7
8 **MR. STRELCHECK:** I support Leann's recommendation, and I was
9 going to say something similar. I did want to back up, and a
10 comment was made about implementing similar regulations as the
11 State of Florida. Given that Texas and Louisiana land a lot of
12 cobia, I would be curious to hear from both you, Robin, and
13 Chris, in terms of existing regulations in your states and how
14 they align with alternatives being proposed in this amendment.

15
16 **CHAIRMAN RIECHERS:** You're going to make me go to my handy-dandy
17 web application here.

18
19 **MR. STRELCHECK:** I thought it would roll right off the top of
20 your head, Robin.

21
22 **CHAIRMAN RIECHERS:** Well, I think I know, but, if I say it here,
23 it's law or gospel. Tom.

24
25 **DR. FRAZER:** Thanks, Robin. I just wanted to get some
26 clarification from Leann whether or not that motion is specific
27 to the Gulf cobia or the Florida East Coast group or everything.

28
29 **MS. BOSARGE:** Well, let -- I am on the Gulf Council, and I am
30 going to make the motion just for what we manage, and so
31 anything that that applies to the Gulf Zone.

32
33 **DR. FRAZER:** I just wanted to make sure. Thank you.

34
35 **CHAIRMAN RIECHERS:** I've got a couple other hands up. Martha.

36
37 **MS. GUYAS:** I have a question, I guess relative to Leann's
38 motion. Do we -- I am trying to dig through the document and
39 find it, but do we have state-by-state commercial landings in
40 this document, and the reason I ask is because, in Florida, in
41 the Gulf, commercial is already at one per person and two per
42 vessel, and so, if a lot of the commercial landings are coming
43 out of Florida, I presume they would be coming from state
44 waters, and so this may not really make that much of a
45 difference. I don't know if that's already in the document or
46 if that's something that we could look at.

47
48 **DR. MENDEZ-FERRER:** Martha, I will have to dig through my

1 documents, and I'm pretty sure that I have made that figure
2 included in one of the presentations, and so it's not in here,
3 but, if I remember correctly, the majority of the landings were
4 reported for Florida and Louisiana, but I will find that figure,
5 and maybe I can share it with the committee or bring it up
6 during Full Council.

7
8 **MS. GUYAS:** Thanks.

9
10 **CHAIRMAN RIECHERS:** Kevin.

11
12 **MR. ANSON:** Thank you, Mr. Chair. Martha touched on a couple of
13 things that I was going to ask, or bring up, and that was what
14 was Florida's state regs on cobia for commercial, to figure out
15 what impact it would have, and, obviously, Leann, as you pointed
16 out, any reduction is going to impact the commercial sector,
17 just like it would the recreational, but I'm just trying to see
18 kind of what the impact would be in having the landings, and
19 having some of that information and analysis done I think would
20 be valuable.

21
22 You have a compelling argument at this point, but I think it
23 needs just to be put on paper for us to make a better judgment,
24 or a better decision, relative to removal of commercial, and so
25 I won't be in support of the motion.

26
27 **CHAIRMAN RIECHERS:** Okay. Going back to answer Andy, I looked
28 it up, just to make sure I had it right, and it is a two-fish
29 daily bag limit and forty inches total length, from Texas's
30 perspective, and Louisiana will have to weigh-in. Anyone else
31 on the motion? Tom, we're going to try this much like we did
32 earlier. All those in favor of the motion, say aye; all those
33 opposed to the motion same sign. It sounds as if the no's have
34 it, and so the motion fails. We will move on then, Natasha.

35
36 **MS. BOGGS:** Mr. Chair, were some of the ayes when you were
37 asking for nays really ayes as not nays, or do we know?

38
39 **CHAIRMAN RIECHERS:** Well, I'm sorry. I let the ayes go, and
40 then I kind of paused and let the nays come in, but if you want
41 to -- We can do it again, or we can do a roll call. Tom, have
42 you got a suggestion?

43
44 **DR. FRAZER:** We'll go through a roll call. It was a bit
45 confusing, Robin, and so let me look at the committee real quick
46 and get with Dr. Simmons. Okay, Dr. Simmons, take it away.

47
48 **EXECUTIVE DIRECTOR SIMMONS:** Thank you. Mr. Sanchez.

1
2 **MR. SANCHEZ:** Yes.
3
4 **EXECUTIVE DIRECTOR SIMMONS:** Mr. Strelcheck.
5
6 **MR. STRELCHECK:** Yes.
7
8 **EXECUTIVE DIRECTOR SIMMONS:** Ms. Bosarge.
9
10 **MS. BOSARGE:** Yes.
11
12 **EXECUTIVE DIRECTOR SIMMONS:** Mr. Dugas.
13
14 **MR. DUGAS:** No.
15
16 **EXECUTIVE DIRECTOR SIMMONS:** Ms. Boggs.
17
18 **MS. BOGGS:** Yes.
19
20 **EXECUTIVE DIRECTOR SIMMONS:** Mr. Swindell.
21
22 **MR. SWINDELL:** Yes.
23
24 **EXECUTIVE DIRECTOR SIMMONS:** Ms. Guyas.
25
26 **MS. GUYAS:** No.
27
28 **EXECUTIVE DIRECTOR SIMMONS:** Mr. Diaz.
29
30 **MR. DIAZ:** No.
31
32 **EXECUTIVE DIRECTOR SIMMONS:** Mr. Anson.
33
34 **MR. ANSON:** No.
35
36 **EXECUTIVE DIRECTOR SIMMONS:** Mr. Williamson.
37
38 **MR. WILLIAMSON:** No.
39
40 **EXECUTIVE DIRECTOR SIMMONS:** Mr. Riechers, did you want to vote?
41
42 **CHAIRMAN RIECHERS:** No.
43
44 **EXECUTIVE DIRECTOR SIMMONS:** I'm sorry. Did you wish to
45 abstain?
46
47 **CHAIRMAN RIECHERS:** I will vote no.
48

1 **EXECUTIVE DIRECTOR SIMMONS:** Okay. The motion fails five to
2 **six.** Thank you.

3
4 **DR. FRAZER:** Carry on, Robin.

5
6 **CHAIRMAN RIECHERS:** Natasha.

7
8 **DR. MENDEZ-FERRER:** All right. Should we move to Action 5?

9
10 **CHAIRMAN RIECHERS:** Yes, please.

11
12 **DR. MENDEZ-FERRER:** All right. Action 5 would modify the Gulf
13 cobia minimum size limit, and so I guess, to kind of bring you
14 back, we changed -- We increased the minimum size limit on the
15 Gulf Zone from thirty-three to thirty-six, and that was
16 implemented in March of 2020. Therefore, the results from that
17 change in management were not incorporated in the SEDAR 28
18 update stock assessment, and those landings are also not being
19 evaluated during the analysis for this action, and so this
20 action is looking at the cobia landed from 2017 to 2019.

21
22 Alternative 1, no action, retain the current recreational and
23 commercial minimum size limit of thirty-six inches fork length
24 for the Gulf Zone and a thirty-three-inch fork length in the
25 Florida East Coast Zone.

26
27 Alternative 2 would increase the recreational and commercial
28 minimum size limit to thirty-three inches for the Florida East
29 Coast Zone, to be the same as it currently is for the Gulf Zone.
30 Alternatives 3 and 4 would increase the recreational and
31 commercial minimum size limit to thirty-nine or forty-two, and
32 these can be explored by zones, and so the council may choose
33 more than one alternative and option, and the selection of size
34 limits are not required to match for both zones.

35
36 The results of the analysis suggest that, overall, commercial
37 fishermen in both zones tend to harvest larger cobia than the
38 recreational fishermen. One of the things that kind of caught
39 my eye was the percentage of undersized cobia that is being
40 landed, and this is something that, when I went back to
41 Framework Amendment 7, it was occurring for that time period of
42 2015 to 2017, and so maybe we should be exploring -- Maybe this
43 should say something about more outreach, to make sure that the
44 regulations are being enforced.

45
46 When comparing the percent reduction, like which action would
47 reduce cobia fishing mortality the most increasing the size
48 limit would definitely have a higher effect than establishing --

1 Than changing the possession limits, and so, by increasing the
2 minimum size limits, anglers would be expected to release cobia
3 that they would otherwise retain under the current regulations.
4 However, Alternatives 2, 3, and 4 would be expected to increase
5 regulatory discards of undersized cobia, and this is a concern
6 especially for those cobia that are brought onboard by gaffs.

7
8 Furthermore, by increasing the size limit, especially with
9 Alternatives 3 and 4, it would indirectly drive fishing efforts
10 to target those large female cobia, sexually-mature female
11 cobia, which would then have a negative effect on the spawning
12 stock biomass.

13
14 If we go to Table 2.5.1, this is looking at the percent
15 reduction in commercial landings for the Gulf and the Florida
16 East Coast Zone, and so we can see that the percentage tends to
17 be higher, in the 20 percent and 45 percent, when we compare to
18 what we have seen on the possession limit analysis, and you can
19 see it was only a 10 percent reduction, and so, similarly, for
20 the Florida East Coast Zone. Even just increasing the size
21 limit from thirty-three to thirty-six, to be equal to the size
22 limit in the Gulf Zone, it would have a 27.2 percent reduction
23 in fishing mortality related to commercial landings.

24
25 One thing that this analysis, and, like I said, we have not been
26 able to discuss this further with the IPT, but, in the Florida
27 East Coast Zone, the percent reductions were calculated for the
28 recreational sector combined, and, over here, it's being divided
29 by -- This is something that I would like to see looking at the
30 recreational for the Gulf Zone and the recreational for the
31 Florida East Coast Zone, so it will be an easier comparison to
32 what was done in Framework Amendment 7.

33
34 As I stands, I would like to hear from the committee if the size
35 limits being proposed in these alternatives -- If you have any
36 feedback on them, if you have any other sizes that you would
37 like to explore or if you -- Just get feedback or any questions
38 from the committee.

39
40 **CHAIRMAN RIECHERS:** Any other feedback regarding a different
41 range or different size limits, as opposed to the ones that are
42 currently in the document? It looks like we've got J.D.'s hand
43 up.

44
45 **MR. DUGAS:** Thank you, Mr. Chairman. I have a question. Why is
46 the Florida East Coast Zone not up to thirty-six inches now? It
47 seems that we did this over a year ago on our side, and I guess
48 the second question to it would be, if it's going to be proposed

1 in this document, that they have to go to thirty-six inches, how
2 long is that going to be dragged out? How much more time are we
3 going to, I guess, waste? It seems like they need to get up to
4 speed and get on the same level as us, as quick as possible.
5

6 **CHAIRMAN RIECHERS:** Following J.D.'s question, we actually have
7 Andy on the list, and Andy might be able to even help with some
8 of that response and answer. Andy.
9

10 **MR. STRELCHECK:** I, unfortunately, can't help with the response.
11 I was going to comment that I don't have really any recommended
12 changes to the range of alternatives, but what I do find a
13 little awkward, and I want to make sure that, as we progress,
14 that it's considered, and Framework Amendment 7, I believe, was
15 the one that increased the size limit from thirty-three to
16 thirty-six inches.
17

18 We haven't seen the realization of what's that done to reduce
19 cobia harvest, but I see here, in the tables, it's listed as
20 kind of the current size limit is not achieving a reduction in
21 harvest, and I think is more a timing issue, because of when the
22 framework was implemented and the timeframe since that
23 implementation, to understand what benefit it's going to have in
24 terms of reducing harvest and fishing mortality to help us limit
25 catches to the catch levels that are ultimately adopted in this
26 amendment, and so probably some more work needs to be done, in
27 terms of how we present that information in this document.
28

29 **CHAIRMAN RIECHERS:** Thank you, Andy, for that clarification. We
30 probably need to clean that up a little bit. Chris, if you
31 don't mind, I'm going to turn to Martha, because I bet she will
32 answer some of J.D.'s question about the Florida Zone and why
33 they stayed at -- Or haven't yet implemented the increase in
34 minimum size limit, or chose to stay at the thirty-three-inch
35 minimum size limit. Martha, did you want to try to -- You may
36 have a question too, Martha.
37

38 **MS. GUYAS:** Let me try, and I'm digging at the cobwebs in the
39 back of my brain and trying to remember all of this, but I
40 think, because we had an assessment coming, and I think this
41 assessment was supposed to be out before this, but it is what it
42 is, and we got it when we got it, and then, at the time, I don't
43 know that they were hearing a lot about cobia over there.
44

45 I think, since that time, they have heard from fishermen on the
46 Atlantic coast of Florida that there's some interest in making
47 some changes to regulations for cobia, and so I am hopeful that
48 they will step-up to the plate here, J.D., but we'll give them a

1 chance, I guess, to take a look at this document, and so, as I
2 said before, at least for state waters of Florida, we're
3 watching all of this closely, and so hopefully that helps.

4
5 **CHAIRMAN RIECHERS:** Martha, did you have a question or a comment
6 beyond that as well?

7
8 **MS. GUYAS:** No, and I just wanted to jump in and help with that.

9
10 **CHAIRMAN RIECHERS:** Thank you. Chris.

11
12 **MR. CHRIS SCHIEBLE:** Thank you, Mr. Chair. I'm a few steps
13 behind, because I wanted to double-check, but, to answer Andy's
14 question, for the commercial side of things, Louisiana is a
15 thirty-six-inch size limit, and also a two-per-person bag limit
16 per day, and there is no vessel limit for commercial.

17
18 **CHAIRMAN RIECHERS:** Thanks for that update, Chris. I appreciate
19 that. Ryan, we had you next on the list.

20
21 **MR. RINDONE:** Thank you, Mr. Chair. The size limit change that
22 we did only applied to the Gulf, and the reason that we did the
23 framework action the way that we did is because it specifically
24 did not address the Florida East Coast Zone, because we
25 generally leave decisions in that zone, management, up to the
26 South Atlantic Council.

27
28 To the point about the size limit change not having an effect,
29 you guys had completed Framework Amendment 7 at the January 2019
30 council meeting, and we transmitted it in February, and then the
31 final rule took effect on March 25, 2020, and so it really was
32 only in effect for three-quarters of 2020, for which we don't
33 have great data, as we all know, and so we really won't know
34 what effect increasing the minimum size limit in the Gulf will
35 have at this point.

36
37 **CHAIRMAN RIECHERS:** I think Andy's -- The way I took Andy's
38 comment was just that we need to probably just explain that a
39 little bit better, as opposed to a quick sentence that doesn't
40 necessarily give it the granularity that it really hasn't had a
41 chance to work yet, and it's not that it didn't have any effect,
42 is what I think he was getting at.

43
44 With that, Natasha, I think you heard that the size limit ranges
45 are within the ranges that we would deem reasonable, or
46 possible, and, obviously, there is some different tensions at
47 work here, as you start increasing those minimum size limits, as
48 you pointed out, and so I think we're all going to have to get

1 our arms around that a little bit moving forward, but I think
2 you heard the ranges are seemingly appropriate.

3
4 **DR. MENDEZ-FERRER:** Sounds good. If the committee then agrees,
5 we should move over to Action 6, to talk about the framework
6 procedure. The CMP framework procedure outlines the
7 responsibilities of each of the councils when it comes to
8 regulatory changes that can be addressed through a framework
9 amendment.

10
11 I'm glad that Ryan mentioned that, when Framework Amendment 7
12 was being developed, that the Florida East Coast -- The
13 rationale, or the train of thought, was that the Florida East
14 Coast Zone could also change the size limit in that zone through
15 the framework procedure.

16
17 As I'm highlighting here, and this is in Alternative 1, and this
18 is an excerpt from the CMP framework procedure, which has been
19 included in this document as Appendix A, but, as it stands, it
20 says that the South Atlantic Council will have the
21 responsibility to set vessel trip limits, closed seasons or
22 areas, or gear restrictions for the Florida East Coast Zone, and
23 so it only allows them to make those specific changes through a
24 framework amendment.

25
26 As it reads, it wouldn't allow them to make changes to, for
27 example, a size limit on their own without going through a plan
28 amendment and involving the Gulf Council, and so Alternative 2
29 is modifying that text to say that the South Atlantic will have
30 the responsibility to specify management measures that affect
31 only the east coast of Florida, including the Atlantic side of
32 the Florida Keys, for Gulf migratory group cobia, and so,
33 basically, the changes that are being suggested here in
34 Alternative 2 are to allow the South Atlantic Council to have
35 more, I guess, autonomy in making management decisions that
36 pertain to the CMP group or zone that is apportioned to them.

37
38 Now, I know that there was some confusion when we first brought
39 this up to the council in October, and so this only applies to
40 things that can be -- Management changes that can be addressed
41 through the framework and not through an amendment, and so any
42 changes that would affect both zones -- That doesn't mean that
43 the South Atlantic will be able to make unilateral changes that
44 would affect the entire migratory group, and so, for example,
45 modifying their OFL, ABC, or ACL, that is not something that the
46 South Atlantic could do for the Florida East Coast Zone without
47 having -- Without involving the Gulf Council.

1 Similarly, they would not be able to change the boundaries for
2 the migratory group that is apportioned to them, and so this
3 only applies to things that are already outlined in the
4 framework procedure, and maybe Mara can help me here to answer
5 some of these questions, and I am open to hear more feedback
6 from the committee.

7
8 **CHAIRMAN RIECHERS:** Natasha, can I ask this? What's the
9 reception of the South Atlantic Council when they first saw
10 these changes? I mean, obviously, they were in a different
11 place, for some reason, before, and I am just -- I mean, are
12 they now suggesting that they want greater ability to make a
13 wider suite of changes and more autonomy there?

14
15 **DR. MENDEZ-FERRER:** They have not weighed-in at this point.
16 When we initially brought this up, there was a little confusion
17 in the language, which is why we decided to now include the
18 actual language from the CMP framework procedure, which gives
19 you the list of management actions that could be addressed
20 through a framework amendment, which is what we call the
21 framework procedure for the CMP fisheries plan.

22
23 At this point, they have not said if they want to move forward
24 with this or not, but the language that has been included in CMP
25 Amendment 20B in Framework Amendment 7 kind of gave the
26 impression that the South Atlantic would have more of that
27 freedom to make changes through a framework procedure outside of
28 the vessel trip limits and closed seasons and gear restrictions
29 that are specifically outline in 1A.

30
31 If they wanted to do -- Basically, by modifying -- Here's an
32 example. By replacing the text with what's included in
33 Alternative 2, they could do a size limit, and they could change
34 the minimum size limit of the Florida east coast cobia, but, if
35 we go to the text in the framework procedure, there is a
36 limitation that size limits cannot be more than 10 percent prior
37 to -- Meaning that they could do a change based on thirty-three
38 to thirty-six, but they could not do a change from thirty-three
39 to forty-two through a framework.

40
41 **CHAIRMAN RIECHERS:** Okay.

42
43 **DR. MENDEZ-FERRER:** I know that some of the concerns that were
44 brought up the last time that we discussed this was what kind of
45 responsibilities would we be given, but these things have
46 already been outlined in the language for the framework
47 procedures, and it seems like both councils were already working
48 under the assumption that the South Atlantic could make more

1 changes, in addition to the vessel trip limits, closed seasons,
2 and areas and gear restrictions.

3
4 **MR. CHRIS CONKLIN:** This is Chris Conklin, the South Atlantic
5 liaison. Can you hear me?

6
7 **CHAIRMAN RIECHERS:** Yes. Go ahead, Chris.

8
9 **MR. CONKLIN:** So sorry if you guys called on me earlier. I had
10 a death in the family this morning, and so I'm just kind of
11 tuning back in here the past couple of hours, and so, if you
12 did, I apologize.

13
14 I can't for sure say why we did that, but cobia was a nightmare
15 that we faced a few years ago, and I think we got some
16 information that determined that there was an east coast Florida
17 stock, and so we did draw a line, and I think we gave most all
18 the jurisdiction to you guys. Generally, with the east coast
19 Florida stuff, and Martha may be able to chime in, if need be,
20 but, with that kind of stuff, we usually will go with FWC
21 recommendations.

22
23 The whole 10 percent increase thing, I have no clue about that,
24 and, for the most part, I don't see us making any more changes
25 to cobia unless some new like life history stuff comes up or if
26 the stock is determined that there was actually no Gulf stock on
27 the east side of Florida or something like that, but, as far as
28 that goes, I think we probably would be pretty easy to work
29 with, and it would be more of an FWC-type thing, even though we
30 have the jurisdiction. Thank you.

31
32 **CHAIRMAN RIECHERS:** Thank you, Chris, for that clarification,
33 and certainly we're sorry to hear about your loss today, and our
34 thoughts will be with you and your family.

35
36 I am going to suggest that, on this one, just because it's
37 really dealing with this multijurisdictional issue, and we're
38 all, after the last meeting, now coming to grips with the new
39 language here that you've put in here, Natasha, and I think what
40 we probably should do is all take a look at this and read it
41 closely and understand what those differences are, and then
42 maybe, since we haven't done other preferreds, just take this up
43 in our discussion at Full Council, is kind of what I think we
44 probably should do, and at least attempt to move on to our other
45 item, which is a presentation on Gulf king mackerel.

46
47 If I don't hear any objections from the committee in that
48 regard, that's the way we're going to try to move here, and I

1 see a bunch of hands coming up, and so I'm assuming that I'm
2 going to get the objections. Mara.

3
4 **MS. LEVY:** Just to note, and I don't know if Natasha said this,
5 and, if she did, I apologize, and I will just repeat it, but
6 Appendix A has the full framework procedure in it, and so, when
7 we're talking about what the councils have determined can be
8 changed in a framework, generally, the list is there, and then
9 you will see the language at the bottom of that framework action
10 that talks about the responsibilities, and so, if people want to
11 look at it in context, I would suggest looking at Appendix A.

12
13 **CHAIRMAN RIECHERS:** Okay. Thank you, Mara. Leann.

14
15 **MS. BOSARGE:** I will try and be quick for you, Robin. My
16 question was actually for the second thing, where it's talking
17 about for stocks where a stock assessment indicates a different
18 boundary between the Gulf Atlantic migratory groups for the two
19 different stocks of cobia, okay, than the management boundary,
20 than the current management boundary, and a portion of the ACL
21 for one migratory group may be apportioned to a zone in the
22 other council's jurisdiction.

23
24 Will there be some further language in that that talks about how
25 that apportionment will -- So that's essentially a shift in
26 allocation and how that's going to be arrived at, and I ask
27 because this is what I got into before that I'm still confused
28 on.

29
30 When the South Atlantic took Atlantic cobia out of their FMP,
31 and they took it out of their FMP, and so they don't manage
32 Atlantic cobia, and so, if there is a change in boundary that
33 requires a change in apportionment, then there would have to be
34 an agreement reached between the Gulf Council and who? Would it
35 be the Gulf States, I mean the Atlantic States, Commission? I
36 think that just needs to be fleshed out a little bit more, and,
37 if it's in the document, in the verbiage, I apologize. I
38 haven't had a chance to read the verbiage.

39
40 **CHAIRMAN RIECHERS:** If someone has a quick response to Leann on
41 that particular question, I will let them chime in here.

42
43 **MS. LEVY:** Robin, I just want to point that that language --
44 This language doesn't just apply to Gulf cobia, right, and so
45 there's also king mackerel that has a boundary, and I know we
46 changed it, but the language in here, when it says "migratory
47 groups", it's for all the CMP migratory groups, and so I think
48 it might be confusing, if you think of it just for cobia, but

1 there's no Atlantic migratory group cobia anymore, but, if that
2 were going to change, that would be a South Atlantic thing,
3 right, and the Atlantic States Commission stuff.

4
5 **CHAIRMAN RIECHERS:** Okay, and so the answer to her question is
6 it would have to be a South Atlantic Fisheries Commission issue,
7 and is that --

8
9 **MS. BOSARGE:** A quick follow-up, and so there is still an
10 Atlantic group of cobia, and those fish didn't go away, but
11 they're just managed differently. They are not managed by the
12 South Atlantic, and they're managed by the Atlantic States, and
13 so, if there's a new boundary line, and some apportionment has
14 to change, the two management groups, the one that manages Gulf
15 cobia, which is us, and the South Atlantic, for just the east
16 coast of Florida, and the Atlantic States would all need to come
17 to an agreement on what that is or is not and who is going to
18 manage what.

19
20 I realize that there's more species involved than just cobia,
21 but I think this is a good opportunity to really flesh that out
22 and make sure that we have a procedure in writing in place for
23 working with a group that we have never worked with before.

24
25 **MS. LEVY:** So maybe -- Andy can speak to this, but cobia, the
26 Atlantic cobia, is no longer managed by the council process,
27 right, and so it's not in the FMP anymore, the Atlantic
28 migratory group cobia, and so there's no -- The councils aren't
29 involved at this point, and someone from NMFS can correct me if
30 I'm wrong about that.

31
32 **DR. MENDEZ-FERRER:** Mara, you're correct, and so, with CMP 20B,
33 and I think we have that information, Leann, included in kind of
34 like the first part of the background in Chapter 1, which it
35 explains that the Atlantic States Marine Fisheries Commission
36 has assumed the management of the Atlantic stock cobia, and so
37 the Gulf Council is not involved in that management anymore.

38
39 **CHAIRMAN RIECHERS:** All right. J.D.

40
41 **MR. DUGAS:** Thank you, Mr. Chair. My question was very similar,
42 as to why is the line drawn at the Georgia line, and why is the
43 rest of the council and South Carolina and North Carolina and
44 upward not involved with this, and are they are, but why is the
45 boundary where it is, but I think I got some clarification.
46 Thank you.

47
48 **DR. MENDEZ-FERRER:** I have the answer to that, J.D., and so that

1 was based on genetics, the genetics of the stock, and so it was
2 determined that the stock -- The cobia that are from north of
3 the Florida/Georgia state line to New York have a different
4 genetic markup to the cobia that we have in the Gulf, and, like
5 Ryan had mentioned, there is an area on the Florida East Coast
6 Zone that is a mixing zone, but it has been hard to determine,
7 and so, for management purposes, the cobia that are south of the
8 Florida/Georgia state line are considered under the Gulf stock
9 of cobia, and I see Ryan has his hand up.

10
11 **MR. DUGAS:** Thank you.

12
13 **CHAIRMAN RIECHERS:** Okay. The next question is to Martha, or
14 comment.

15
16 **MS. GUYAS:** Mine is just a comment, I guess overall with the
17 document, and I just wanted to jump in real quick before we left
18 this, and so I guess one thing, just to note for all of us, is I
19 guess the one action that I don't see in here that I suspect
20 will be added is one that really is more the South Atlantic's
21 business, but I will suspect they will need to look at
22 recreational versus commercial allocations, and so that might, I
23 guess, potentially muck this up a little bit, but I was hoping
24 that, in future versions of this, and I realize this information
25 is not rife at this point, but that we have some sort of mega
26 table that shows, I guess, percent reductions overall versus
27 where we need to be with these various options for both the East
28 Coast Zone and the Gulf, and then also give some idea, assuming
29 that changes to the size limit and bag and vessel limits don't
30 go far enough, what is the possibility of early closures for, in
31 our case, for the stock, and I guess, for the Atlantic side,
32 recreational versus commercial.

33
34 Then it might be helpful also to have landings information that
35 goes along with that, so that we can understand like, I guess,
36 which parts of the Gulf and east coast of Florida might be
37 impacted if there are early closures, based on -- I guess you
38 would have to look at MRIP-level wave data for various MRIP
39 zones, and then we could look at commercial data, and it's just
40 going to get complicated, but I feel like we need to have all of
41 this in front of us at some point, to understand really what
42 we're doing here and what the impacts are going to be. Thanks.

43
44 **CHAIRMAN RIECHERS:** Thank you for those comments, Martha. I'm
45 sure Natasha and the IPT team are going to take that under
46 consideration. All right. So, Tom, we are getting close to our
47 timeframe, and my assumption is that you're going to want us to
48 continue on, or are you going to want us with a hard stop at,

1 your time, 5:00?

2
3 **DR. FRAZER:** I would like you to go ahead and finish up the king
4 mackerel presentation and the Other Business, if you would,
5 Robin. Thank you.

6
7 **CHAIRMAN RIECHERS:** Okay. Thank you. Natasha, we're going to
8 now turn to Tab C, Number 6. What I will do, just in lieu of
9 the time, and I realize that these are complicated documents,
10 and we certainly spent a lot of time trying to understand the
11 one we just went through, but, as I understand this, this is an
12 early scoping presentation.

13
14 I'm not saying this to not ask questions, but I want everyone to
15 try to understand as well as they can, but also to give Natasha
16 a little opportunity to maybe answer some of the questions that
17 we may have, which she may be planning on answering later in the
18 presentation, and so, if we can, we may want to hold as many of
19 our questions until we get to the end, to see if some of those
20 questions get answered along the way, and then, that way, we can
21 get a little further through it before we kind of start the
22 back-and-forth with questions. Natasha, it's up to you.

23
24 **GULF KING MACKEREL PRESENTATION**

25
26 **DR. MENDEZ-FERRER:** Thank you, Mr. Chair. Switching gears to
27 king mackerel, I guess the objective of this presentation is to
28 summarize the most recent changes to king mackerel management
29 measures, including a summary of recent landings and the results
30 of the recent SEDAR 38 update assessment, which the council saw
31 in October of 2020.

32
33 The committee should consider the proposed options outlined in
34 the presentation, in looking at consideration to modifying
35 sector allocations and size limits, and then provide direction
36 to staff on moving forward with a possible Amendment 33, CMP
37 Amendment 33.

38
39 The results from the update stock assessment determined that
40 Gulf king mackerel is not overfished and is not experiencing
41 overfishing, and the stock assessment had a terminal year of
42 2017 to 2018, and it incorporates to -- It also incorporates
43 MRIP-FES for the recreational data.

44
45 Based on the council direction from the October 2020 meeting,
46 the council is considering to modify Gulf king mackerel catch
47 limits based on the recommendations from the SEDAR stock
48 assessment and to look at sector allocations between the

1 commercial and recreational.

2
3 Now, I have put in size limits, and this is not a discussion
4 that was had during the October 2020 Mackerel Committee, but we
5 have been receiving some comments, some public comments,
6 regarding size limits, and so I will address those down the line
7 with the presentation, so that we can get some feedback and see
8 if this something that the committee wants to explore.

9
10 The SSC reviewed the SEDAR 38 in September, and it was
11 determined to be the best scientific information available, and,
12 like I mentioned, Gulf king mackerel is not overfished and not
13 undergoing overfishing, and the SSC provided catch limits
14 recommendations for 2021 through 2023, and these catch levels
15 will remain at 2023 levels until changed by a management action.

16
17 When looking at the model, the SSC felt that it did not
18 adequately capture uncertainty inherent to the data, and so they
19 did not use the ABC control rule, and they made a recommendation
20 based on projected yields at FOY of 0.85 F SPR at 30 percent.

21
22 The current limits for Gulf king mackerel are monitored in MRIP-
23 CHTS, and the ABC for the king mackerel is equal to the ACL, and
24 that ACL is apportioned, or allocated, between the recreational
25 and the commercial sectors, and so, with the transition to MRIP-
26 FES, the new recommended catch limits would be higher, but it
27 would also assume more recreational fishing effort.

28
29 This is something to keep in mind as we begin thinking about
30 sector allocations. The current sector allocations are based on
31 average catches of data from 1975 to 1979, and so this does not
32 incorporate MRIP-FES, and so the current allocation is
33 approximately 70 percent recreational and 30 percent commercial,
34 and so the things that we have to think about is that, by
35 incorporating these MRIP-FES to the recreational data, the usual
36 trends that -- In relation to the comments that we've received,
37 the recreational sector has not landed the ACL in over twenty
38 years. Once we incorporate the MRIP -- Once we begin monitoring
39 in MRIP-FES, that trend might not still hold true.

40
41 We know that the commercial sector regularly landings its ACL,
42 and so, if we look at kind of the change, the percent increase,
43 in landings, if we were to change to FES, and so, here, the
44 second column are the recreational landings in CHTS, and the
45 third column are the recreational landings in FES, and we can
46 see that they're basically doubled, and so that's something that
47 we have to keep in mind as we begin discussions into considering
48 sector allocations.

1
2 This discussion is not new for the council, and so the following
3 slides are summarizing some of the comments that we have
4 received from CMP AP members, and so, specific to the commercial
5 sector, what they are looking for is that they would like to
6 optimize landings by commercial zone and gear, to have a stable
7 dockside price as fish migrate through the zone as well as the
8 Gulf, protect historical fishing access, and increase the quota,
9 if at all possible.

10
11 When we look at some of the comments that we have received from
12 the recreational sector, they would like to maintain year-round
13 access to the fishery, maintain a surplus of fish to increase
14 the odds of catching a trophy fish, and that there is value --
15 Even though they are not catching the ACL, there is value in
16 retaining those fish in the water to increase the probability of
17 interaction when going out and trying to target kingfish.

18
19 I could stop here, if the committee has any questions or
20 suggestions on how to move forward when considering sector
21 allocations, and I have two more slides in relation to the size
22 limit discussion, and whatever the committee -- If the committee
23 wants to talk about these allocations initially, we could stop
24 here and hear some of your thoughts, or I can finish the
25 presentation, and I only have three more slides. Okay. Moving
26 on to size limits -- We have a comment or a question from John
27 Sanchez.

28
29 **CHAIRMAN RIECHERS:** Go ahead, John.

30
31 **MR. SANCHEZ:** If you would like, in the interest of time, I will
32 wait until you finish, and then I will bring it up. That way,
33 we can just go back to the slides.

34
35 **DR. MENDEZ-FERRER:** Sounds good to me.

36
37 **MR. SANCHEZ:** Okay.

38
39 **DR. MENDEZ-FERRER:** All right. So, during public testimony in
40 the last couple of years, we have received a lot of comments
41 about the commercial sector catching a lot of undersized king
42 mackerel in recent years, and also noticing that a high discard
43 mortality when catching these undersized king mackerel, and so
44 the comments that we have received is to move away from having a
45 size limit for king mackerel, under the idea that you could
46 still sell that catch, especially if the discard mortality would
47 be so high by those smaller fish not surviving one they are
48 released back into the water.

1
2 To kind of refresh your memory, SEDAR 38 used a combined sex-
3 growth curve to calculate size at maturity, and so it determined
4 that individuals are about fifty-eight centimeters fork length,
5 or twenty-two inches fork length, that 50 percent of the
6 individuals that were analyzed were sexually mature. The
7 current minimum size limit is twenty-four inches fork length for
8 Gulf king mackerel.

9
10 I guess my questions to the committee are do we want to move
11 forward with a document to modify the catch limits and
12 incorporating the best scientific information available in MRIP-
13 FES? Do we want to move forward with sector allocations, and I
14 guess do you have an idea on how you think these sector
15 allocations should look, and what are your thoughts on the size
16 limit?

17
18 **CHAIRMAN RIECHERS:** Okay. Those are the questions before us,
19 and John had a question that he wanted to specifically ask.

20
21 **MR. SANCHEZ:** Not so much, and it was to let her go through the
22 presentation and then weigh-in on the presentation a little bit
23 and then answer the question as to how we would like to proceed,
24 how I would like to proceed anyway. Mr. Chair, if now is
25 appropriate, I would like to chime in.

26
27 **CHAIRMAN RIECHERS:** Yes, John. Go ahead.

28
29 **MR. SANCHEZ:** Thank you very much. I have brought this up
30 several times, and so it's obvious that I am for proceeding with
31 looking at reallocation. Based on this presentation, I am
32 seeing ABC recommendations from the SSC from 2021 of 9.4, 2022
33 of 9.7, and 2023 roughly ten million, 9.9.

34
35 Again, the recreational sector has not landed their ACL in over
36 twenty years, even with the addition of the three-fish bag limit
37 that we did I think in 2017, where the commercial sector has
38 fully utilized this resource during that same time period.

39
40 If I look at the sector allocation slide, where it throws out
41 recent landings history and convergence to FES, my take on it is
42 the seven-year average for total FES comes out to about 8.27,
43 and I am disregarding that last year, that 2019/2020, because it
44 looks low, and I don't know if some of these numbers are still
45 coming in and they are preliminary, and maybe it's COVID, or
46 maybe it's the umpteenth hurricanes we had, and I don't know, and
47 so I disregarded that in my average and came up with 8.27.

1 In 2021, we're going to have an ABC recommendation of 9.4, and
2 you subtract that 8.27 from it, and there is over a million
3 pounds of fish there, and I am for reallocating, and, again,
4 it's a matter of fully-utilized versus underutilized, and it
5 seems, to me, in all the other fisheries, where reallocation
6 seems to be what we're looking at, species after species, here
7 is one where the shoe is on the other foot, fully-utilized and
8 underutilized, and the guys could sure use the extra fish.

9
10 I don't think it would harm anybody from the recreational
11 experience, because they're not catching them, and you could
12 certainly continue to have that experience with catch-and-
13 release, and so I am for doing what -- You know, helping us to
14 fully utilize and give these guys, especially post-COVID, a
15 little bit of relief. We've been talking about COVID relief and
16 impacted fisheries, and this would help to do that, and that's
17 basically my sentiment, Mr. Chairman.

18
19 **CHAIRMAN RIECHERS:** Thank you for those comments, John.
20 Natasha, you may be able to -- I mean, we keep bouncing around
21 with FES and CHTS and so forth, and remind me. In the current
22 mackerel update, were the new estimations of recreational
23 fishing effort and recreational catch applied in some fashion to
24 the historical time series?

25
26 I mean, in your presentation, you're saying, obviously, we don't
27 have it for the time when the allocation occurred in 1975 to
28 1979, and I get that, and I'm not arguing that fact at all, but
29 I'm trying to figure out how much of that increased fishing
30 effort, increased landings, has now been factored into the
31 current assessment.

32
33 **DR. FRAZER:** While they're looking this up, Robin, I think that
34 the issue here is it's calibrated back, and the question is
35 whether it's calibrated through 1981 or 1986, and that's what
36 they're looking for.

37
38 **CHAIRMAN RIECHERS:** Okay. Well, that answered my question
39 enough then, and I don't need you to go determine whether it's
40 1981 or 1986. I am just trying to figure out how much it is
41 figured in already, because, when we have these allocation
42 discussions, and this is kind of to John, but, when we had these
43 allocation discussions -- We almost need to have it factored in,
44 as we look to any discussions about allocation.

45
46 Otherwise, it is a de facto reallocation, and, John, I'm not
47 saying you're trying to do that here, but you're just saying
48 let's look at it because one side has been underutilized, but I

1 am just trying to figure out how we do move forward with these
2 species when we have a completely different metric now that has
3 to get factored in, and that's all I'm trying to figure out.
4 I've got a couple of hands up. Leann and then Dale.

5
6 **MS. BOSARGE:** Thank you, Mr. Chair. To answer Natasha's
7 question, yes, I would say, obviously, you move forward with
8 implementing the new catch recommendations from the SSC, and, as
9 I look at those catch recommendations, the ABCs you had listed -
10 - If I bust that out to get a rec ACL, and I assume the ABC is
11 equal to the ACL, it gives you a recreational ACL, in 2021, of
12 6.37, then 6.61 in 2022, and about 6.8 in 2023.

13
14 I only see two years in this history that you've got here that
15 goes back to 2012, two years out of the last round-about ten
16 years, that they have come close to hitting that ACL, and so
17 there's definitely uncaught fish, and there is additional
18 capacity, and you see that commercial side hitting up against,
19 and sometimes going slightly over, their ACL, and so I think
20 that you need to -- Mara told us earlier that we couldn't
21 separate allocation from new catch recommendations, that you
22 have to consider all this, or you have some sort of de facto,
23 which I won't say that I necessarily agree with that point, when
24 you're looking at the timeliness of ending overfishing or
25 getting an allocation just right and going back and forth on an
26 allocation for a couple of years before you decide to implement
27 a catch recommendation to end overfishing.

28
29 That's a long way of saying catch levels, allocation, and I am
30 not real familiar with the one item that you have in here on no
31 minimum size limits for commercial, and, now, I can see that
32 being applicable maybe in that south Florida gillnet fishery,
33 and so I guess I would want to consider that, especially for
34 that fishery, where you would want to land fish that may be
35 going to die anyway, and so I would consider that as well.
36 Thank you.

37
38 **CHAIRMAN RIECHERS:** Thank you, Leann. Dale.

39
40 **MR. DIAZ:** This question is for maybe Ryan or Natasha. So,
41 obviously, when you look at CHTS to FES, it's about twice as
42 much. In the stock assessment, when they looked at it,
43 recreational fishermen fished a lot more, probably twice as much
44 as what we thought they were fishing, and I just thought, when
45 the stock assessments come out, I was looking for the numbers to
46 be more dramatic on what the FES number would be, and it seems
47 like, to me, it's low, and I am wondering if Ryan or Natasha
48 could explain some of the discussions that maybe happened at the

1 SSC or what they know about the stock assessment of why those
2 numbers aren't higher.

3
4 **CHAIRMAN RIECHERS:** Natasha or Ryan, does one of you all want to
5 take a swing at that pitch?

6
7 **DR. MENDEZ-FERRER:** That's a great question, and I will have to
8 go back to the record to see the discussions that the SSC had
9 regarding the transition from CHTS to FES.

10
11 **MR. RINDONE:** I might be able to help a little bit. Part of why
12 the numbers aren't higher, Dale, than what you might think that
13 they would be is because, in looking at the stock, including the
14 last several years of fishing, catch, and effort, in the SEDAR
15 38 update, and accounting for FES, it's telling us that there is
16 more recreational effort than there has been in the past, but
17 that kingfish is being managed closer to F at MSY than we had
18 thought it had been before, and perhaps that's due to increasing
19 fishing effort in recent years, or it could be to some other
20 circumstance with the stock.

21
22 Recruitment has been below average over the last five or six
23 years, but, over the last two years, it has been starting to
24 tick up a little bit, but it's still below the long-term
25 average, and kingfish is one of those stocks that usually
26 benefits from periodic boosts in a really strong year class, and
27 you may recall, from 2019, you all may recall, and most of you
28 were on the council, or all of you I think were on the council
29 at that point, but the fishermen, in 2019 and that first meeting
30 in 2020, were telling us about catching a lot of small kingfish,
31 which we have learned is usually an anecdotal indicator of a
32 strong year class starting to move in.

33
34 So perhaps there's something there, and we just didn't have the
35 data, at the time of the SEDAR 38 update assessment, to tell us
36 exactly, empirically, what was going on there, and so, the next
37 time we take a look at king mackerel, perhaps we'll get more
38 insight into that.

39
40 **CHAIRMAN RIECHERS:** Any other discussion? All right. Hearing
41 none, I am going to now turn to the Other Business column, and,
42 John, you had something regarding the Florida Keys gillnet
43 fishery.

44
45 **OTHER BUSINESS**
46 **DISCUSSION OF FLORIDA KEYS GILLNET FISHERY**
47

48 **MR. SANCHEZ:** Thank you, Mr. Chairman. I got a call this

1 morning from Bill Kelly, on behalf of the Florida Keys
2 Commercial Fishermen's Association and the gillnetters, and this
3 season has been challenging, because of pricing and everything,
4 and they would, once again, like to explore the opportunity to
5 create an ITQ/IFQ for the runaround gillnet fishery for king
6 mackerel.

7
8 The reason is that would address all of the price issues, and
9 that would address the timing issues that are challenging for
10 some of these guys, while they're still lobstering and crabbing,
11 or personal reasons, like something comes up, a death in the
12 family or some significant family event.

13
14 Now, if they went to an IFQ, that would address this for this
15 small group of fishermen, and they would individually, one, be
16 directly accountable for their catch, and they would be able to
17 go when the market tells them to go, and they would address all
18 of those personal issues, and so Bill asked me to bounce that
19 off the committee, and he's going to be having a meeting with
20 the entire fleet and working on a white paper to present to the
21 council, in the hope that the council will pursue this topic for
22 discussion and consideration and perhaps result in some kind of
23 a framework amendment for perhaps 2022. That's what I was asked
24 to discuss, Mr. Chairman.

25
26 **CHAIRMAN RIECHERS:** Certainly, John, thank you for bringing that
27 to us. That has been a topic of discussion with not only that
28 group, but I think in the mackerel fishery, and, of course, it's
29 now zoned up into all the zones, and so there's the issue of
30 those allocations between zones as well, and, beyond an other
31 business kind of note that he's going to create a white paper
32 and bring it to us, is there any other conversations regarding
33 that that we want to have today? Obviously, that would be a
34 longer topic of discussion.

35
36 **MR. SANCHEZ:** I know it's late this afternoon, but I wanted to
37 give you a heads-up that you will be hearing from Bill Kelly, on
38 behalf of the fleet, and that's something they would want the
39 council to take a hard look at, and it certainly would take, I
40 guess, the monkey off the agency's back to rely on the fleet to
41 make sure that the catches are being reported in a timely
42 manner, which the industry has done a great job of doing and
43 avoiding, for the most part, any overages.

44
45 We thank the agency for working closely with industry, but this
46 would make it, you know, more individualized and more
47 accountable to the person, so if anybody ever wanted to break
48 ranks or something like that, this would stop that from ever

1 being a potential problem, and so coming soon to a theater near
2 year, I guess. Thank you.

3
4 **CHAIRMAN RIECHERS:** Thanks, John. Leann, you had something?

5
6 **MS. BOSARGE:** I was just going to say that I would like to see
7 that white paper, when it's finalized, and I would like to see a
8 presentation on that. I think that that's one of the great
9 things about this council, is that it's a bottom-up style of
10 management, and we really rely on our fishermen to inform us and
11 steer our ship in the right direction, and so I would like to
12 see what they have to say when they finish it up.

13
14 **CHAIRMAN RIECHERS:** Thank you for that, Leann. With that, if
15 there is no other business beyond that to come before this
16 group, Tom, I think I'm going to declare us adjourned, from a
17 committee perspective.

18
19 (Whereupon, the meeting adjourned on January 25, 2021.)
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21

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