

SOUTH ATLANTIC FISHERY MANAGEMENT COUNCIL

MACKEREL COBIA COMMITTEE

Webinar

December 9, 2020

TRANSCRIPT

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Other observers and participants are attached.

The Mackerel Cobia Committee of the South Atlantic Fishery Management Council convened via webinar on Wednesday, December 9, 2020, and was called to order by Chairman Steve Poland.

MR. POLAND: I will convene the Mackerel Cobia Committee. The first item is Approval of the Agenda, and I am going to suggest a modification, to move the Mackerel Cobia AP Report item to the end of the agenda, and so we'll put it after CMP Amendment 32, and the reason to do this is Ira will be available during our discussions of Framework Amendment 10 and Amendment 32, to provide the AP's perspective on those two amendments, and then, afterwards, provide any additional input from the AP that wasn't covered in those two items, and so we're just looking at making our discussion a little bit more efficient. If there's no objections from the committee on the modification to the agenda -- Hearing or seeing none, the agenda stands approved as modified.

Next is Approval of the June 2020 Committee Minutes. Did anyone read them? Does anyone have any issues or concerns or edits or modifications? All right. Hearing none, the committee meeting minutes from June 2020 stand approved. Next, Christina is going to walk us through the options paper for CMP Framework Amendment 10, and so take it away, Christina, whenever you're ready.

MS. WIEGAND: I will get that pulled up, and, just to let everyone know, Ira said he's having some internet issues, and so hopefully he's going to be able to hop on and go over the AP recommendations from this section of the document. I will go ahead and jump right in. If you guys will remember, Framework Amendment 10 is meant to address catch level recommendations for Atlantic king mackerel based on the updated SEDAR 38 stock assessment, which you guys received recommendations on back in June of this year.

As a quick refresher, Atlantic migratory group king mackerel was not overfished or undergoing overfishing. In fact, all fishery indicators showed an increasing trend, and, thanks to several consecutive years of really strong recruitment, the SSC catch level recommendations are particularly positive.

What we're going to be looking for during this meeting is for you guys to review the Mackerel Cobia Advisory Panel comments. They saw a document almost identical to the one that I'm showing you guys now at their November 2020 meeting, and they went ahead and provided some recommendations for you to consider, and we'll also be looking for you guys to talk about approving this amendment for scoping.

Here is your more detailed timeline. Like I said, at this meeting, what we're really looking for you all to do is to give staff some direction on what you would ultimately like to include in the amendment, and then we'll take that direction and convene the IPT and develop a purpose and need and proposed actions and alternatives for you guys to consider those for approval at your March meeting. We'll do some analysis, and you guys will be able to select preferred alternatives and consider for public hearings in June, and then you would be looking at final approval sometime around September, and, of course, that's always a tentative schedule.

Jumping right in, here is your first action to consider, and this would be revisions to the Atlantic king mackerel annual catch limit. You can see the ABC recommendations from the SSC there in Table 1, and one thing that I did want to note is that these ABC recommendations are not directly

comparable to the current ABC, because this assessment did incorporate the revised MRIP numbers, and so that's something to consider.

When we brought this to the AP, we asked them, given the large ABC, if the council should consider placing a buffer between acceptable biological catch and annual catch limit, to account for any management uncertainty, and I'm going to pause here. Chip, has Ira been able to hop back on?

DR. COLLIER: Yes, Ira is here.

MS. WIEGAND: Perfect. In that case, I'm going to turn it over to Ira to give you guys the information on what the AP talked about, in terms of setting a buffer between ABC and ACL for king mackerel. Take it away, Ira.

MR. LAKS: I understand we're going into the catch level recommendations, and is that correct?

MS. WIEGAND: That's correct, and I was hoping you could give the council a little bit of perspective on what the AP talked about, in terms of setting a buffer between ABC and ACL for king mackerel.

MR. LAKS: Okay. The concern that the AP had was that the catch level recommendation by the SSC was substantially higher than current catch levels. Given the increase, the council should consider accommodating a buffer, to be cautious, but especially given the data for the current and future fishing years, and it may be compromised. If the current catch is not reaching or exceeding the ABC -- I'm sorry, but I'm having some problems hearing, and it's totally off. Hang on one second.

They were worried about the catch levels from the SSC being higher than normal, and so they were concerned that COVID might somehow affect those levels for this current year, during the pandemic, especially with the waves being delayed and all of the situation that we're having now with not being able to have the current reporting systems. Another problem that they were worried about was the increased landings that are happening in the Northern Zone of North Carolina and the South Carolina line to New York.

There was discussion that, anecdotally, there's a lot of reports coming in that a large number of fish are now being targeted, especially for recreational trips, and, with the climate change that's happening, and they wondered if king mackerel were shifting forward to the north and how that was going to affect future reporting, and so that was definitely a concern, because we've had a lot of reports, anecdotally, like I said, of those fish being caught to the north.

There was also a concern that, when looking at a buffer, it's important to make sure that the commercial and the recreational fisheries can remain open year-round. There was an alternative perspective that was provided stating that, if the landings are increasing in the Northern Zone, a buffer should not be set, because it's important to ensure that all the quota remains available to account for changes in landings.

MS. WIEGAND: Thank you, Ira. With that, I'm going to turn it back over to you, Steve. What we're sort of looking for here is if you have any questions or if a buffer is something that you would like the IPT to develop actions and alternatives for.

MR. POLAND: All right. Thank you, Christina. Does anyone on the committee have any questions? Dewey, I see you have your hand up. Go ahead.

MR. HEMILRIGHT: When Ira was talking about -- Is he talking about king mackerel in the north, large catches or something like that? Was that what he was referring to, is king mackerel?

MR. LAKS: Yes, Dewey, and we've had a lot of reports, and, like I said, they're anecdotal reports, and we don't have any hard data on it, that there is directed trips happening north of the North Carolina line, and we're just concerned how that's going to affect everybody going forward, especially if that's an increasing trend.

MR. HEMILRIGHT: Is there any other way besides -- I mean, I know fishermen are anecdotal, but is there anything showing up in any type of data from the states or anything like that to the north of North Carolina that we could maybe grab ahold of or rely on or maybe have maybe -- I don't know, but just something different, because I haven't, personally, heard any -- I don't know what large amounts are, or whatever like that, but I was just curious of another way of seeing what management has for numbers. Thank you.

MS. WIEGAND: Dewey, that's something that we could pull together. A couple of -- I think this was maybe March, or maybe December of last year, but Mike Errigo presented information on landings of both of the mackerel species through the Mid-Atlantic and into New England, and I don't have those numbers on me, and it's something that we could update and certainly bring to the council, to show state-by-state-level landings, to the extent possible, with confidentiality concerns, but there were definitely landings coming from the Mid-Atlantic states, but I just can't remember the volume of those off the top of my head.

MR. HEMILRIGHT: I think that would be important to know, and, I mean, sometimes, that's a parameter of watching the change, or migratory patterns changing and different things, but it would be good to know the extent and the magnitude of what's being seen or caught. Thank you.

MR. LAKS: Dewey, if I could jump back in again, I know one thing that we discussed a little bit, and that I had suggested be brought up, is that there's a large amount of the for-hire fleet that's targeting these fish north of North Carolina that is required to have the South Atlantic CMP for-hire permit, and the numbers show that very few do, and so it would be interesting to somehow get a better handle on that, especially with reporting, and I'm not sure if the VTRs up there capture that in their reporting.

MR. HEMILRIGHT: If you possess a GARFO permit, you're supposed to report everything you catch on your VTR, and I don't know if folks in the Mid-Atlantic know about having to have the CMP for the South Atlantic, but, if they possess GARFO permit, any GARFO permit, for charter, they're supposed to be reporting their catch, and I do know that, and so maybe we can look into that further. Thank you.

MR. POLAND: Thank you for that, Dewey. Tony, go ahead.

MR. DILERNIA: Thank you. I wanted to add a little bit to what Dewey was just saying. Yes, we are beginning to see king mackerel up, as far as I know, Montauk Point, and there's a few that have come into ports along the south shore of Long Island, and not too many, but, two or three years ago, I did see the one, and now it's, obviously, an occasional fish, and Dewey is correct that any for-hire vessel has to report everything that they catch, and so, if they have a GARFO permit -- If they're a for-hire vessel in the Mid-Atlantic, they have a GARFO permit, and, if they do take a king mackerel, they also have to list it on their VTR. Thank you.

MR. POLAND: Thank you, Tony. I agree, and I think it would be good to see if there are any landings north of North Carolina, and I don't think it will inform anything on our discussion on this action, but potentially the next action in this document, where we consider if we need any modifications to area allocations and sector allocations, but are there any more comments on Action 1 or questions for Ira for the AP report, because we need to provide staff some direction on options to analyze and bring back to us, or if we want to even consider a buffer for ACL. I mean, my thoughts are yes, at least for consideration, analyze a 5, 10, and 15 percent buffer, and then, obviously, a no action of ACL equals ABC, which I think that's what king mackerel is right now. Jessica, go ahead.

MS. MCCAWLEY: I would agree with a range of buffers. I thought that we normally did like 90 percent and 80 percent, and so I thought that you just said 5, 10, and 15, and is that what you said? Maybe we need one that's 20?

MR. POLAND: We can certainly do that, and I pulled 5, 10, and 15 percent, because that was the question posed to the advisory panel, but we can certainly consider whatever buffer we want, and so 5, 10, 15, and 20. Any other comments from the committee? All right. Thanks. Back to you, Christina.

MS. WIEGAND: All right. Moving on down the line, the next thing you all may want to consider are modifications to sector and/or area allocations. If you will remember, you guys developed an allocation review trigger policy and established several indicator-based criteria, one of those being after a stock assessment is approved by the SSC, and so that trigger has been hit, and you all will need to consider whether or not any modifications or revisions to the current sector and area allocations are needed. If the council ultimately determines that they are needed, this is the amendment to include them in.

Again, as a refresher, your current sector allocations for king mackerel were set up back in Amendment 1, and they were based on a series of landings beginning in 1979 for which both recreational and commercial catch data were available, and they ultimately resulted in a 37.1 percent allocation to the commercial sector and a 62.9 percent allocation to the recreational sector that is still in use today.

Then this FMP also has area allocations, and you've got the Northern Zone, which is North Carolina all the way north through the Mid-Atlantic Council's region, and the Southern Zone, which is South Carolina south to the Miami-Dade/Monroe County boundary in Florida. The Northern Zone is currently allocated 23.04 percent, and the Southern Zone is allocated 76.96 percent of the commercial ACL, and these allocations are specific to the commercial sector, and there are not area allocations for the recreational sector.

Those were set in Amendment 20B and then revised in Amendment 26, to reflect the new management boundary, and they are based on landings from the fishing season beginning in 2002 through the 2011 fishing season, and so, again, we took this to the advisory panel and asked them if they felt that current sector allocations and/or current regional allocations needed to be revised, and they did unanimously pass a motion requesting that the council not consider revising sector or area allocations at this time, but I'm going to turn it back over to Ira to give you a little bit more about their rationale for that decision.

MR. LAKS: The AP feels that the fishery has been functioning pretty well with the current sector allocations. However, it does need to be watched, if climate changes or landings change going forward, and it's something to keep an eye on, but, right now, they definitely felt that it's functioning well.

They felt that they were historically and accurately representing the historic fishery, especially with the increase in proposed catch levels, and there's no need to alter sector allocations, and the priority should be to get accurate recreational landings and discard estimates. That would be very important, to see where the recreational fishery is actually at.

The commercial king mackerel permits are limited access, and that is definitely helping to control effort in the fishery, and it was noted that the price of the permit has increased slightly, to approximately \$15,000 a permit, and that is definitely keeping that effort somewhat in line. Again, there was no need to address regional allocations at this time, but there might need to be something in place to trigger some sort of consideration of reallocation if effort in a sector or area is reaching the quota early. Basically, it was felt that the fishery is working pretty well, and it just needs to be monitored, and not really any changes.

MR. POLAND: All right. Thanks, Ira. Dale, I see you have your hand up. Go ahead.

MR. DIAZ: Thank you, Mr. Chair. I just want to, at this time, let you know that the Gulf Council did pass a motion, and I believe it was in September, and that motion was to direct staff to start a plan amendment to look at sector allocations, as well as adjust catch limits, for Gulf king mackerel. I don't know where this is going to go, and we're going to see the document again in January, but part of our discussion at the council was that the new numbers from the latest stock assessment are in FES numbers, and, because of that, most of the effort is from the recreational side.

It was said, during our discussions, that, if we don't look at reallocating, we would be reallocating some fish to the commercial sector, but, having said that, I really don't know where we're going to go when we see this again in January, and that might be a driver, and it might not be, and there might be other reasons, and we'll just have to see where the council goes. Thank you, Mr. Chairman.

MR. POLAND: Thank you for that, Dale. We've certainly had similar discussions over here, as far as dealing with new recalibrated MRIP estimates and allocations, and certainly, if we do nothing, certainly it probably would be a reallocation of some of the -- A reallocation to the commercial sector, and so I feel like, as a committee, at the very least, we need to consider looking at the sector allocation, very similar to actions that we have that we just discussed in dolphin,

where we look at the formula and the percentages and if we want to hold current commercial poundage where it's at or just how to deal with all that. Spud, go ahead.

MR. WOODWARD: Thank you, Steve. Dale brought up what I was going to say, that we have to take a look at the sector allocations, because of the changes resulting from the FES recalibrations, and so I think we cannot avoid doing that, and so we might as well just go ahead and just start the process.

MR. POLAND: All right. Thank you, Spud. Are there any other questions for Ira or comments from the committee? Any willingness to look at any of the zone allocations? It seems like it's working all right. All right. Hearing none, go ahead, Christina.

MS. WIEGAND: If I may, Steve, I've got some direction to staff on the board, and I just want to make sure that I'm summarizing what the committee is feeling and that you would like to review sector allocations in light of the revised MRIP numbers, and you would like to consider an alternative that would keep the current commercial poundage the same. Is there any other alternatives that you guys would like to consider within allocations? Is that something that you would like the IPT to discuss? I just want to make sure that I'm accurately reflecting what you would like to see at the March meeting.

MR. POLAND: That looks good to me, but I would be interested to hear feedback from the IPT, but, yes, that direction looks fine to me. Any other comments from the committee? All right. Hearing none, do you have what you need, Christina?

MS. WIEGAND: I do. I will go ahead and move on to Action 3.

MR. POLAND: Thanks.

MS. WIEGAND: This is just general modifications to current management measures. When discussing the Executive Order at the September meeting, I believe, the council did note that Atlantic king mackerel landings have been well below the current ACL, and, even with the MRIP revisions, it's looking like there is going to be a fair amount of room between the current landings and the possible ACL, and so we took that to the advisory panel and asked them if they felt that there were any management measures that could be modified to affect commercial or recreational harvest, and we also asked if there were any sort of market or demand issues that were keeping the commercial and recreational landings where they were at. The AP had two suggestions, and the first was to modify bag limits, and the second was to consider revisions to size limits and cut fish, given the shark problem, but I'm going to turn it back over to Ira to go over those two ideas and what the AP discussed.

MR. LAKS: Basically, we felt that, with the catch increasing, management measures really don't need to be changed all that much for the recreational harvest. There was thought that, from the recreational perspective, there is absolutely nothing wrong with leaving some fish in the water, especially if it increases interaction rates. There was talk that, under the current recreational bag limit, few for-hire customers want to keep a full limit of king mackerel.

On the east coast of Florida, the recreational bag limit is two per person, whereas the rest of the Gulf and Atlantic region is three fish per person, and I will say that this was probably more of a

suggestion from me than the rest of the AP, but, having fished in that area, it has always seemed to me that we should be consistent with the rest of basically North Carolina to Texas. From the Georgia/Florida line down to the Monroe/Dade County line is two, and everywhere else is three, and it's noted that a lot of people do not want to catch three king mackerel on a charter, and I do understand that, and the AP understood that, but I do have clients and others that suggested that there might be people that do want to catch those, especially if nothing is able -- If nothing that you can catch that day is really biting, it would be nice to be able to take one, and so we did suggest that, for equality in the fishery up and down the coast, that maybe the east coast of Florida go to three per person.

We were asked for feedback about the emergency rule, and I think, generally, nobody thought that it incentivized trips, and, in general, a bag limit of higher than three fish we thought was unnecessary. There was talk about smaller king mackerel and the release of dead discards, and some thought that decreasing the minimum size limit may increase recreational landings and not have as many dead discards. People were saying that the young fish are more desirable for the table, and they also -- Fragile fish are hard to release, and so there was some talk about maybe a minimum size limit of twenty-two inches.

Then, as Christina mentioned, we did discuss the availability of keeping a cutoff king, much like the commercial side does. There is times, especially with the shark interactions that we're having now, that you will catch a fish that will be a twenty-seven or twenty-eight or twenty-nine-inch fish, and he gets part of his tail cut off, and you have to throw him back, and that small part of the tail, especially when you're filleting it, it's not much meat, but it just seems silly to have to kill an extra fish, when you already have that fish almost bled too, and so it's a good food product, and it seems a shame to have to throw it back and feed it back to chum the sharks off even more, and so we would definitely like to see maybe something that can be done with that, where we can keep those mutilated fish. Any questions?

MR. POLAND: Thanks for that, Ira. Are there any questions from the committee for Ira and the AP report? Art, go ahead.

MR. SAPP: With that said, I like the thought of potentially even getting rid of a minimum size limit altogether with king mackerel, and it would help with some folks that can't tell the difference between a juvenile king and a Spanish, and I couldn't agree more with Ira, and it's a great idea, with both bit fish and to get rid of some confusion. Thank you.

MR. POLAND: All right. Thanks, Art. Jessica.

MS. MCCAWLEY: Well, I would be willing to consider an increased bag limit from two to three for Florida, just for consideration in the document. I don't know what I think about the size limit, and I would have to go back and look at some of our historic files and look up some of the Roy Williams documents, in order to figure out what I think about the size limit, and so I don't have an opinion on that right at this time.

MR. POLAND: All right. Thanks, Jessica. I know a similar suggestion has been discussed, and I don't know if it was at this AP meeting, and I've heard it at some point too, and the same thing for Spanish mackerel, getting rid of the size limit. Spanish mackerel is mostly to do with the potential high discard mortality in that fishery, but, I mean, is it something that we want to

consider? I think, at the very least, we can consider it as an action. I'm going to go Dale, real quick.

MR. DIAZ: Thank you, Mr. Chair. I just was going to give you a quick history on the bag limit for the Gulf. Generally, in the Gulf of Mexico, the recreational side usually leaves three or four million pounds of fish unharvested, and the commercial side generally catches about their ACL, sometimes over slightly or under slightly, but they generally catch the fish that they have.

A few years back, we were looking at a potential loan program to -- Like a soft reallocation, and you all might have discussed it at you all's meeting at one time, and, before we did that, the recs on the council wanted to make sure that the recreational sector got a chance to catch as many of those fish as possible, and we did go up on the bag limit from two to three, but we had done a bag limit analysis, and that analysis showed that most people didn't even keep two. Since then, we've raised the bag limit from two to three, and the catch has not changed much, and I don't believe the bag limit analysis has changed much either, and so it has not had, from what I can see, a great impact in the Gulf. Thank you.

MR. POLAND: All right. Thanks, Dale. Any other comments? Are there any other management modifications that we want to consider for king mackerel?

MS. WIEGAND: Steve, if you will let me, I will note that you guys haven't had any discussion on allowing recreational fishermen to keep cutoff fish, similar to the way commercial fishermen do, and I just would like to note that that was an option that the AP brought up, and see if the council wanted to consider it or not to consider it, either way, but I just wanted some guidance on that one.

MR. POLAND: Thanks, Christina. Spud, go ahead.

MR. WOODWARD: Thank you, Steve. I know this has come up before, and I think I actually mentioned it during the AP meeting, and I don't think that anybody disagrees with the intent of that. The problem is that many of our states, including Georgia, have laws on the books that require anything that is managed under state or federal regulation to be landed with heads and fins intact, and so it's one of those things where, if we promulgated this under the council's purview, we could create a situation where we would be in conflict with existing state law, and I'm a little curious -- Of course, we don't have any commercial fishing for mackerel, to speak of, off of Georgia, but I can actually -- Georgia law says that all saltwater finfish, including sharks, under state or federal regulation must be landed with head and fins intact. It's a good idea, but I think we may be opening a Pandora's box.

MR. POLAND: Thanks for that, Spud. We have a similar rule here in North Carolina. I mean, we do have an exception for tuna, to allow them to be landed. Art, go ahead.

MR. SAPP: Having heard Spud's comments, it doesn't matter if there is a minimum size limit. With that law on the books, it's illegal to have a bit fish, I guess, but I thought I had, though not well, addressed the thought of a bit fish with no minimum size limit. Thanks.

MR. POLAND: Thanks, Art. What's the pleasure of the committee? I mean, again, this is just for consideration, and I certainly agree and understand that we're having more and more shark

interactions, or we're getting reports of more and more shark interactions, and so mutilated fish, it is -- I don't want to call it a waste of the resource, because it's being consumed by another resource, but I know it is a frustrating thing for our fishermen, but Spud made some good points about it's in conflict with at least state laws in Georgia and North Carolina, and I can only assume Florida and South Carolina have similar rules on the books, but I've got a list going. I will go to Chris and then Mel.

MR. CONKLIN: I mean, I know the law is black-and-white, but, I mean, if a fish is bit off at -- If it's over the legal size limit, you can come write me a ticket for doing the right thing, but, I mean, that just makes sense to me.

MR. POLAND: All right. Mel.

MR. BELL: Just to weigh-in, we do also have the landed with head and fins intact law as well, but I have -- In discussing this with law enforcement, there is such a thing as officer discretion, and that's not written down in law or anything, but I think that the general sense is that, if you had the remains of a fish that met or exceeded the minimum length, that probably wouldn't be an issue, perhaps, again, but it's not a law, and officer discretion is officer discretion.

Then, if you have a fish that -- I mean, you could obviously see that it had been bitten, and that, again, comes into officer discretion, but we have the same law. I mean, Spud is absolutely right, and that's the law, and the law is black-and-white, but that's probably how our folks tend to look at these things, I think, on the water, but, again, the law is the law.

MR. POLAND: Thanks, Mel. Christina.

MS. WIEGAND: Mel and Chris covered it, but I just wanted to clarify that the current regulation that's on the book for commercial fishermen does require those cut fish to meet the minimum size limit.

MR. POLAND: All right. Again, what's the pleasure of the committee? Do we want to ask staff to further develop that, or do we feel like it's fruitless? Kerry, go ahead.

MS. MARHEFKA: I just feel like, for the sake of consistency -- I mean, if we're letting the commercial guys do it, and it's above -- Once it's above the size limit, state issues aside, either we get rid of the commercial allowance or we have a recreational allowance for it, but I feel like we need to be consistent in this. There's no recreational or commercial component to this, and it's just what the right thing to do is.

MR. POLAND: All right. Thanks for that, Kerry. Christina, go ahead and add it to the list. All right. Any further discussion? Hearing none, Christina, what's next?

MS. WIEGAND: That's all I have for this amendment. Next up is whether or not you guys would like to send this out to scoping, and I've got a draft motion there for you.

MR. POLAND: Thanks, Christina. If we send it out to scoping, it will go out to scoping with the input received from this meeting, and will staff go ahead and kind of flesh those out into actions or alternatives, or will it just be kind of a list of actions the council is considering?

MS. WIEGAND: It would be similar to this document, a list of actions the council is considering, and I wouldn't necessarily want to show the public firm actions and alternatives before the council has had a chance to review them, and I also wouldn't want to put the IPT on a tighter timeline than necessary, and so, for scoping, we would get comments from the public on these ideas, and then, in March, we would bring those comments back to you, in addition to draft actions and alternatives for your consideration.

MR. POLAND: All right. Sounds good. Thanks, Christina. Is anyone willing to make a motion?

MS. BECKWITH: **So moved.**

MR. POLAND: Thank you, Anna. Do we have a second?

MR. WOODWARD: Second.

MR. POLAND: **We have a motion on the floor to move Coastal Migratory Pelagics Framework Amendment 10 for scoping.** Myra, you have your hand up. Go ahead.

MS. BROUWER: Thank you, Steve. It would be helpful if the committee would specify when you would want those scoping hearings to be held. You have the option of doing it in conjunction with the council meeting in March or before that.

MR. POLAND: Any thoughts from the committee? If it's done during the March meeting, it will be done during public comment, or how will that work? I can't remember.

MS. WIEGAND: It would be done during public comment.

MR. POLAND: Okay. Mel, go ahead.

MR. BELL: I was just going to defer to staff or John on that, just in terms of workload and all. If you want to wait until March, great. If you wanted to go earlier, if they could do it, that -- March is fine, if it ends up being March.

MS. BECKWITH: I would agree with that.

MR. POLAND: All right. Is that enough direction, Myra?

MS. BROUWER: That works. Thank you.

MR. POLAND: All right. Thank you. All right. Any more discussion on the motion? **Is there any opposition to the motion? Hearing and seeing none, the motion stands approved.** Thank you, Christina. Next, we will move on to CMP Amendment 32, and I think Natasha from the Gulf Council is going to give us a presentation on what's going on with cobia in the Gulf.

MS. WIEGAND: First, I just wanted to give the council a brief overview of what we're looking for from you for this amendment. The Gulf discussed this amendment at their October meeting,

and, Natasha, please feel free to correct me if I say anything wrong, and reviewed the actions and alternatives that she is going to present to you.

We are looking for sort of general guidance from you and direction on what's currently contained in the actions and alternatives that she will present to you. This will then go back to the Gulf in January, and then, at your March meeting, I believe we'll be looking for you to approve actions and alternatives for analysis, and, with that, I'm going to go ahead and turn it over to you, Natasha, to walk them through everything that's been put together for this amendment.

DR. MENDEZ-FERRER: Thank you, Mr. Chair, and thank you, Christina. Like Christina said, my name is Natasha Mendez-Ferrer, and I will be working with Christina on the development of the CMP Amendment 32. I guess, to kind of give you an overview of the recent cobia happenings of 2020, the Framework Amendment 7, which was implemented in March of 2020, it increased the minimum size limit for Gulf cobia, yet it retained the existing possession limit, and this was sort of an interim management action while the councils were waiting for the update on the stock assessment.

This summer, we received the results from the SEDAR 28 update, which deemed Gulf cobia to not be overfished, but undergoing overfishing, and so the Gulf Council saw the results from the stock assessment in September of 2020, and, based on this, they directed staff to start a plan amendment to reduce fishing mortality in the commercial and recreational cobia fishery for the Gulf and to include considerations for bag limits, vessel limits, size limits, and catch limit options.

What I will be going through today will be actions associated with this motion, in addition to an update to provide more clarity on the framework procedure for the responsibilities of the management of Gulf migratory group cobia between the South Atlantic and the Gulf Council.

Like I mentioned, Gulf cobia is managed jointly between the South Atlantic and the Gulf. The current boundary for Gulf migratory group includes all the way -- It extends all the way from east Texas to the Florida/Georgia boundary line, and then this is further divided into two zones, which is Gulf zone, which is the same boundary as the Gulf Council's jurisdiction, and then a smaller Florida east coast zone, which extends from Monroe County all the way up to the Florida/Georgia line. The ACL is current apportioned to 64 percent of the stock ACL to the Gulf zone, and it is currently managed as a single stock, while the additional 36 percent of the stock ACL is apportioned to the Florida east coast zone, and this is further divided to be 92 percent of that ACL is apportioned to the recreational sector and then 8 percent to the commercial sector.

Like I mentioned earlier, the most recent cobia action is Framework Amendment 7, which was implemented earlier this year, and the purpose of this framework amendment was to reduce fishing mortality of Gulf cobia in response to concerns that harvest rates have been decreasing in the waters of the Gulf zone, and so, through this action, the minimum size limit increased from thirty-three inches fork length to thirty-six inches fork length for Gulf zone cobia, while the Florida east coast zone still retains the thirty-three-inch fork length minimum size limit in federal waters.

The possession limit was not changed, and so we still have the two fish per person daily recreational and commercial possession limit for the full Gulf migratory group cobia, regardless of the number or duration of trips.

To kind of give you an overview of the results of the most recent SEDAR 28 update, it had a terminal year of 2018, and it incorporates the MRIP-FES adjustments to the recreational catch and effort. It determined that the stock is not overfished, but it is undergoing overfishing, and the overfishing has occurred every year from 1975 to 2018, except for the years 1993 and 2009, and so our current harvest levels -- The stock has seen its biomass depressed to approximately 21 percent of the virgin biomass level.

I guess, moving on to the different actions, like Christina mentioned, in October, this previous -- At the last October meeting, the Gulf Council saw kind of a first draft of what the potential actions to include in this amendment would be, and, today, I am including -- After some discussions with the IPT, we have divided what would have been Action 2 into two separate actions to consider the ACL apportionment as its own action and then modify the ACT for the two cobia zones in Action 3, and so, last time, the council saw five actions, but, in this round, we're showing you six actions, with some of the preliminary data analysis that is currently under review with the IPT.

We can start with Action 1, which would be to modify the Gulf cobia OFL, ABC, and ACL. Action 1, of course, would be no action, to retain the OFL, ABC, and ACL for Gulf cobia as it was implemented in CMP Amendment 20B. In this little table on the right, Gulf cobia -- The ACL is currently monitored in MRIP-CHTS, and then, in the row at the bottom, there are some hypothetical FES numbers, and SEDAR 28 also used FES, and so Alternative 2 would be to incorporate the recommendations by the Gulf SSC.

One of the questions that we received when we presented this to the council is the numbers for the ACL may be higher, but -- For the OFL, ABC, and ACL, it may be higher than in Alternative 1, but this is a result of the change in currency, but, had SEDAR 28 used FES currency for the recreational sector, the current catch recommendations included in Alternative 2 would be about a 30 percent reduction of the current harvest levels.

If you go to the next slide, here you can see a plot of time series for the recreational landings, comparing between the Gulf zone and the Florida east coast zone. The pink, or magenta, line are landings in CHTS, and then the navy blue are in MRIP-FES, and you can see that the landings in FES -- When we change currency, it almost doubles the numbers, and I also want to show -- I want to note that the Y-axis, the scale on the Y-axis, is much different, and so most of the landings are actually coming from the Gulf zone. Even though the MRIP-FES seems to be higher numbers, we can see a very similar trend to what is being reported in MRIP-CHTS.

If we move to the next slide, then here are the commercial landings. In pink would be the commercial landings from the Florida east coast zone, and the navy blue are the Gulf zone, and then the black is the combined landings, and we can see that, in the last twenty years or so, we've been seeing a reduction in the reported landings. I can stop here, in case the committee has any questions on Action 1, before I move to Action 2.

MR. POLAND: Thanks, Natasha. Any questions from the committee? I don't see any. Go ahead.

DR. MENDEZ-FERRER: Okay. Moving on to Action 2, Action 2 will be exploring the -- Since we will be modifying, with Action 1, the ACL, then we need to consider changes to the ACL apportionment between the Gulf zone and the Florida east coast zone. Like I mentioned, the ACL,

the stock ACL, is currently divided as a 64 percent Gulf zone and 36 percent Florida east coast zone, based on an average of the landings from 1998 to 2012 in MRIP-CHTS.

The following alternatives then would be incorporating the current MRIP-FES landings, and so, for Alternative 2, it would be to retain the current apportionment of 64/36, but monitor the ACL in MRIP-FES, and I should mention here that then the zone ACLs will have to be updated, based on the MRIP-FES average total landings from the years of 1998 to 2012.

Then Alternatives 3, 4, and 5 are exploring average landings on three different time series of 1998 to 2012 and 2001 to 2015, and so that's about the same number of years that were evaluated when the apportionment was initially discussed in CMP 20B, and then Alternative 5 -- I do have to mention that it's a more recent time series, but we do have to consider that these numbers may be biased, based on the changes from 2015, but it is an option to consider more recent data. If we go to the next couple of slides, they're basically two tables to show that the ACL for Gulf zone cobia, as well as the Florida east coast zone, which is the next slide, have never been met. I can stop here for Action 2, before we move on to Action 3.

MR. POLAND: Thanks. Any questions from the committee on Action 2? I am not seeing any. Go ahead.

DR. MENDEZ-FERRER: All right. Moving on, based on the selection of the ACL apportionment for Action 2, Action 3 will be exploring the ACTs, and so the currently established ACT calculations of 90 percent of the stock ACL for the Gulf zone, and then the formula that calculates the Florida east coast zone.

Alternative 2 and Alternative 3 would be to calculate the ACT based on the ACL/ACT control rules, and, currently, the Florida east coast zone only has an ACT for the recreational sector, and so Alternative 3 would propose to establish an ACT for the commercial sector in the Florida east coast zone, and that will be calculated using the ACL/ACT control rule. I can stop here, and I don't have any data to show at this time, but is this something -- I mean, since Alternative 3 would be kind of directly affecting the Florida east coast zone, does the committee have any questions or suggestions?

MR. POLAND: Thanks. I will open it up to the committee. I am not hearing any, Natasha.

DR. MENDEZ-FERRER: All right. Moving on to Action 4, Action 4 and Action 5 will be very similar to what was originally considered with Framework Amendment 7, and so, in Action 4, it would be to modify the Gulf cobia possession limit. Alternative 1 would be to retain the two-fish per person daily recreational and commercial possession limit, regardless of the number and duration of trips.

Alternative 2 proposes to reduce the recreational and commercial daily possession limit to one fish per person, regardless of the number or duration of trips, and these could be applied to both zones or to the zones individually. Then Alternative 3 would be to create a recreational and commercial daily vessel limit for Gulf cobia, and anglers may not exceed the per-person possession limit, and that would be to -- The options could be for each of the zones, and then sub-options could be considered of two, four, and six fish per vessel.

During the October council meeting, we did receive some public comment that mentioned considering Florida's possession limit of one per person or two per vessel, whichever is less, and so that's something that I kind of wanted to highlight. If we go to the next slide, here is a snapshot of the data analyses that were used in Framework Amendment 7, and I don't have updated analyses at the moment, but we expect to present those at the January Gulf Council meeting.

The reasoning behind going with Preferred Alternative 1, no action, for the previous framework amendment was because the cobia fishery -- The nature of the cobia fishery is largely incidental, and so making changes to the possession limit at the time did not seem to have a large impact on reducing cobia mortality. I can stop here before I move to the next action and the discussion on size limit.

MR. POLAND: Thank you, Natasha. Any comments or questions? Anna, go ahead.

MS. BECKWITH: I mean, it would certainly seem reasonable to make sure that the east coast and the west coast of Florida have the same limits, for ease of enforcement, and so, if the east coast limit is one per person, with a maximum of two per vessel, that would seem like an excellent option to include and consider.

DR. MENDEZ-FERRER: Right now, the possession limits are the same, when it comes to landing cobia in federal waters between the Gulf zone and the Florida east coast zone, but, if the committee then wants to recommend that whatever change we consider in Action 4 would be the same for both zones, then I will definitely make a note.

MR. POLAND: Go ahead, Jessica.

MS. MCCAWLEY: I wanted to consider -- I think this is what Anna was trying to say, but it was misinterpreted, and I would like to consider what FWC put in place for state waters of the Gulf, and I would like to consider that here in this document.

MR. POLAND: Okay. Anna.

MS. BECKWITH: Jessica took the words out of my mouth.

MR. POLAND: All right. Christina.

MS. WIEGAND: I just want to make sure, as I'm taking notes, that I am understanding what Jessica said correctly. You're looking to consider implementing the regulations that FWC has for the Gulf coast here in the South Atlantic?

MS. MCCAWLEY: That's exactly what I'm saying.

MS. WIEGAND: Perfect. Then I've got it written down correctly. Thank you.

MS. MCCAWLEY: The Gulf coast state waters that FWC put in place, which is the one per person per day or two per vessel, whichever is less.

MS. WIEGAND: Perfect. Thank you, Jessica.

MR. POLAND: Any more comments or questions? All right. I am not seeing any.

DR. MENDEZ-FERRER: Okay. For Action 5, Action 5 seeks to increase the Gulf cobia minimum size limit. No action would retain the current recreational and commercial minimum size limit of thirty-six inches fork length in the Gulf zone and thirty-three inches fork length in the Florida east coast zone.

For Alternative 2, then it would retain the thirty-six-inch fork length in the Gulf zone, but then it would increase the Florida east coast zone size limit to thirty-six, to be the same as in the Gulf. Then Alternatives 3 and 4 are proposing to increase the size limit to thirty-nine or forty-two. One of the things that we do have to consider here is that cobia reach maturity at a thirty-six inch fork length, but those cobia that are largely than thirty-nine inches are disproportionately female, and so increasing the size limit to something along the lines of Alternatives 3 and 4 might be disproportionately targeting all those big cobia, and therefore it may have an effect on the reproduction and then the stock size.

If we go to the next slide, it has the analyses that were used in Framework Amendment 7, and, again, we're still updating this before we present it to the Gulf Council. When the councils compared modifying the size limit and possession limits in Framework Amendment 7, it seemed that the size limit would have a stronger effect on reducing fishing mortality, and I see that I have some questions, and so I can stop here.

MR. POLAND: All right. Thanks. Anna, go ahead.

MS. BECKWITH: When we had some of these discussions, we had brought up, on our side, the disproportionate increase in females in the larger sizes, but, also, how dangerous a big cobia can be when you're trying to maintain them on the boat, and so I do think that thirty-six-inch size limit is probably a reasonable choice, and we're certainly not going to stop anyone from keeping one that's larger, if you maybe come across it, but pushing everyone to try and handle those thirty-nine or forty-two-inch fish would be quite a thing to watch on Facebook.

MR. POLAND: All right. Dale.

MR. DIAZ: Thank you, Mr. Chair. I agree with what Anna and Natasha had said about the larger females, and it's something that should be considered. Also, during public testimony some time ago, when we were looking at size limits on cobia, one of the charter fishermen mentioned that, a lot of times, they will net the smaller cobia, and they gaff the bigger cobia, and I think that's something else that needs to be considered when we talk about size limits, is we just need to consider that gaffing the fish is extremely hard on the fish, and, as you go up, it might have an impact on mortality. Thank you.

MR. POLAND: Thanks for that, Dale. I know, over here in the Atlantic, some of the states have adopted no gaffing and no spearing for cobia. North Carolina didn't, but we also require that you release the fish in a manner that ensures the highest likelihood of survival, and so gaffing or spearing it and then releasing it certainly isn't in a manner that is increasing the likelihood of survival. Art, go ahead.

MR. SAPP: To me, it's much like the mutton snapper, when they came to us saying that females weren't reproductively mature until eighteen inches. It was a no-brainer, and we all went with it, and so, if cobia are not reproductively mature until thirty-six inches, I can't imagine getting pushback, and I think that's the number.

MR. POLAND: All right. Thanks, Art. Any other questions or comments? I am not hearing any.

DR. MENDEZ-FERRER: I guess a correction to Art's comment from the stock assessment, and they become reproductively mature at thirty-three inches.

MR. SAPP: I am sorry. I heard thirty-six earlier, and so I change my thought then. Thirty-three is fine with me. As long as they reproduce once, I'm happy.

MR. POLAND: Thanks. Is thirty-six the L 50, Natasha? I can't remember.

DR. MENDEZ-FERRER: I would have to get back to you, but I think it's thirty-three.

MR. POLAND: Thirty-three is the L 50? Okay.

DR. MENDEZ-FERRER: I see there's another question. If it's still related to Action 5, I would rather answer it before I move to Action 6, if that's okay.

MR. POLAND: Okay. Go ahead, Mel.

MR. BELL: It's not a question, and I'm not a cobia expert, but we've dealt with that a lot here, and I know that, at thirty-three, they are technically sexually mature, and we've gone with thirty-six in other areas because of the probability that they have spawned once, or maybe even get another spawn in, and so your spawning potential is a lot higher if you let them go to thirty-six, and so, yes, technically, I guess they're mature at thirty-three.

MR. POLAND: All right. Thanks, Mel. All right. Go ahead, Natasha.

DR. MENDEZ-FERRER: If we go to Action 6, and here we are. I just got a message from Ryan saying what Mel said, and so kudos to Mel. Action 6 looks to modify the framework procedure, and so Alternative 1 -- Here, I am going to be using the language that's currently in the framework procedure.

It retains the current responsibilities for each council to set regulations for the Gulf migratory group cobia, as adopted in Amendment 20B and revised in Amendment 26. The language in the framework procedure says that the recommendations with respect to the Atlantic migratory groups of king mackerel, Spanish mackerel, and cobia will be the responsibility of the South Atlantic Council, and those for the Gulf migratory groups of king mackerel, Spanish mackerel, and cobia will be the responsibility of the Gulf Council, with the following exceptions. The South Atlantic Council will have the responsibility to set vessel trip limits, closed seasons or areas, or gear restrictions for the east coast of Florida, including the Atlantic side of the Florida Keys, for Gulf migratory group cobia, and so these three management measures the South Atlantic can do, currently, through the framework amendment process.

CMP 26 was the amendment that removed the language related to eastern zone and east coast sub-zone of king mackerel, which is why I am not including it on this slide, and so, with the Amendment 20B, it does not provide the South Atlantic Council the responsibility to modify ACTs, accountability measures, buffers, bag limits, and size limits for cobia.

If we go to the next slide, in Alternative 2, it would modify the framework procedure to update the responsibility to each council for setting regulations for the Gulf migratory group cobia, and so, in that Bullet (a), the change to the language would be that the South Atlantic will have the responsibility to specify management measures that affect only the east coast of Florida, including the Atlantic side of the Florida Keys for Gulf migratory group cobia.

I guess the reasoning behind this is that there might be some questions regarding the South Atlantic's responsibilities, and so, right now, it's limited to three actions that were mentioned on the previous slide, but this would be a chance to explore or expand the responsibilities for the South Atlantic in relation to managing the Gulf cobia on the Florida east coast zone. I can stop here.

MR. POLAND: All right. Thanks, Natasha. Jessica, go ahead.

MS. MCCAWLEY: I'm sorry that I'm so confused between the two different alternatives here. Are you suggesting, on the previous slide, that Alternative 1, for example, would not allow the council to set like a per-person limit, and they would only be able to do vessel limits, closed seasons, area, and gear, and then, on the next alternative, this would basically turn all of the responsibility relative to the east coast of Florida over to the South Atlantic? This is very confusing to me, and I don't understand.

DR. MENDEZ-FERRER: Maybe I will need some help from Christina on this portion, and that's kind of what we're trying to address with this action. In Framework Amendment 20B, it outlined the responsibilities for each council, and there are things like modifying the ACL, for example, and it's not something that the South Atlantic would be able to do through a framework amendment, and it would also need a vote from the Gulf Council. As it stands, our understanding is that changing, for example, things like size limits for the Florida east coast zone -- The South Atlantic wouldn't be able to do that through a framework without including the Gulf Council, and I see that Christina has her hand raised.

MR. POLAND: Go ahead, Christina.

MS. WIEGAND: I think the ultimate goal here is to set this up so that we're managing Florida east coast cobia in a similar way to how we manage the Atlantic migratory groups of the mackerels, and so, for example, like we're working on this king mackerel amendment right now, where we're changing ACLs and ACTs, and we might make some modifications to management measures, and none of that impacts Gulf migratory group king mackerel, and so our council is able to do that through a framework amendment without including the Gulf Council.

If you remember, anytime we do a full plan amendment for CMP, both councils have to approve of the management measures, and a lot of the language in the framework procedure was meant to sort of separate the responsibilities of the two councils, specific to their migratory groups, and, in this case, Florida east coast cobia isn't a separate migratory group, but, in terms of management

jurisdiction, it's separate, because we manage it, and so this is essentially just trying to allow us to manage Florida east coast zone cobia in a similar way to what we do with the mackerels. Is that making sense, Jessica?

MS. MCCAWLEY: Yes, and that helps me, but I guess more questions. Then the ACL for the east coast portion of Florida is only set by the Gulf Council, or it has to be done in conjunction with the South Atlantic? I am just confused as to which pieces are part of the joint document and which pieces can be done by the South Atlantic by themselves, and that's not clear to me.

MS. WIEGAND: Under the current framework procedure, any changes to Florida east coast cobia have to go through the Gulf Council as well, with the exception of these three, the vessel trip limits, closed seasons, areas, or gear restrictions. Under the new proposed modifications, we would have the ability to specify any management measures that would only affect east coast, and so, if we wanted to set an ACT, for example, for Florida east coast cobia, we could do that. We could change size limits, vessel limits, trip limits, things like that, so long as none of the actions would have any impact on Gulf cobia.

It might be useful, and, Natasha, if it's possible maybe for the IPT to go back and list some specifics, maybe in the discussion, and I'm not sure I would want to get too prescriptive in the actual procedure, but it's possible we can do something to make the specific items that would be affected under the new language clear, but I see Monica has got her hand up, and I always appreciate sort of the legal advice when it comes to stuff like a framework procedure.

MR. POLAND: Go ahead, Monica, with your legal expertise.

MS. SMIT-BRUNELLO: The pressure is on now. I've got to give you good advice. I was just going to say something along the lines of what Christina said at the very end, and that is I think the IPT could get together, and, in the discussion portion of the document, next time you see it, it would lay out some scenarios in which there is some differences between the two alternatives, because it's kind of hard to come up with that. I agree, Jessica, that it's a little confusing, and so I would hope that, the next time you see the document, it will have examples for you.

MS. MCCAWLEY: Thank you, Monica, and thank you, Christina.

MR. POLAND: Thank you for that, Monica. Anna, go ahead.

MS. BECKWITH: This would only impact, I'm assuming, cobia, and not roll into mackerel, because my attention waivered for a moment, but I know that, if it did impact our ability to set, for mackerel and Spanish mackerel, I would have a problem with it, because I know that, in the past, the Gulf Council has looked to make season changes that would impact the value of the king mackerel fishery in North Carolina, and we, during a previous joint amendment, had to negotiate with the Gulf Council on some seasonality, to make sure that our king mackerel commercial value did not tank, and so, if that is where this is going, then I would be, I think, in opposition to it, but I want to make sure that I am not misspeaking, and so can you guys clarify for me all the species that this would work with?

MS. WIEGAND: Absolutely, Anna, and this is only meant to affect cobia. We'll continue to manage king and Spanish mackerel the same way we have been, and this modification would only affect Florida east coast cobia.

MS. BECKWITH: Okay. Thanks.

MR. POLAND: Thank you. Kelli O'Donnell, go ahead.

MS. O'DONNELL: I think Christina pretty much covered it, but I just wanted to clarify that there are things -- Like, when we looked at Framework Amendment 7, we only changed the size limit in the Gulf, and the South Atlantic had decided that they didn't want to address that, but, technically, right now, how the framework procedure is written, the South Atlantic Council could not change the Gulf migratory group cobia size limit in the Florida east coast zone without Gulf Council participating on the document, and so this is just what we're looking to update, are things like that that South Atlantic Council may want to update on their own through a framework, without having to consult with the Gulf, although things that would affect the entire migratory group, like Natasha and Christina both mentioned, would still have to go to both councils, and that would be changing the OFL, the ABC, the ACL, changing zone boundaries, and things of that sort.

MR. POLAND: Okay. Thank you for that. Basically, this gives us little bit more autonomy with frameworkable actions. That's kind of my take on this. Are there any other comments or questions from the committee? All right. Seeing none, I see you have one more slide, Natasha.

DR. MENDEZ-FERRER: That is just my last slide, Mr. Chair, in case there are any other questions.

MR. POLAND: Any other questions from the committee? All right. I am not hearing. Thank you for that presentation, Natasha.

DR. MENDEZ-FERRER: All right. Thank you.

MR. POLAND: Christina, or I guess Ira, the AP feedback.

MR. LAKS: The AP suggested that the council consider mirroring Florida's regulations in federal waters, Florida state regulations in federal waters, on the east coast. That conversation was held understanding the current regulations, and not the proposed changes that Jessica just made, but, as a matter of a fact, I will just say that the AP, probably off and on for five or six years, has suggested that we mirror Florida state waters on the east coast of Florida in federal waters.

One of the reasons is, again, getting back to sharks, is, in federal waters, a lot of times people will catch their one, or, if they've got a couple of people on the boat, two, and they try to catch the extra cobia, and they feed quite a few to the sharks, and we just think that that's probably -- With the problems we're having, it's probably just better to stay at one per person, and we really didn't discuss other -- Like I said, we discussed what the current regulations in Florida state waters were, and I believe that's six per boat. At the time, we didn't discuss anything further.

MR. POLAND: Okay. Thank you, Ira. Are there any questions for Ira? I am not seeing any, and so, Christina, next steps.

MS. WIEGAND: For Amendment 32, I will record all of the comments that we got from the committee in the report, and we'll take that back to the IPT. The IPT will, again, work on the actions and alternatives, and those will be going to the Gulf in January, and then they'll be coming back to you for approval in March.

MR. POLAND: Sounds good. All right. Next, we'll toss it back to Ira, and he'll give us the rest of the AP report of items that haven't been discussed up to this point, and so whenever you're ready, Ira.

MR. LAKS: Okay. We had an update on the Citizen Science Program, and Julia Byrd gave us a great presentation, and she updated us on the scamp release project and the FISHstory pilot project, and it was very cool to see what they're doing with that and the great old pictures and stuff. We did have one suggestion for that, and that was that, while they do the length history, that they take an account of the selectivity that those fish were caught under.

Back in the day, it was probably more common to fish those with planers and spoons and dead baits on the headboats, and you're probably going to encounter a smaller fish than if you try to compare it to the charter fleet today catching larger fish with live baits and more advanced techniques, and so that was just one thing that we were mindful of, that that was taken into consideration. Plenty of the AP members were interested in providing photos for the FISHstory project, and, like I said, they were very excited about it.

It was told to us that the Citizen Science Program was going to give small sections of information for stock assessments, and an example is the discards for scamp, and we did have a recommendation that the Citizen Science Program be used to estimate discard mortality in king mackerel, and so that was one thing that we did have for a suggestion for that, too.

We also were presented with a presentation on the council's effort on climate change scenarios, and, especially in the mackerel fisheries, we really thought it was important to understand how climate change is affecting the range of species shifting northward, and so that was definitely something we thought was very worthwhile, and we look forward to seeing some information from that.

We also had an election of a new Chair and Vice Chair, and I was honored to be appointed Chair again, and Tom Roller was appointed Vice Chair. Then we got into Other Business, and, in the Other Business, we are concerned about the increased landings and closures in the Northern Zone that need to be addressed for Spanish mackerel. We understand that the Spanish mackerel stock assessment is on track, and it will be years before those results are available and management measures can be implemented from that.

This fishery is bursting at the seams, and you can see that the federal fishery closes down earlier every year, especially in the Northern Zone, and the fishermen were thankful to have North Carolina have the 500-pound trip limit, as well as Florida, to keep the fishery open, but that's not a sustainable way to handle this fishery. The fishermen, especially in the Spanish mackerel fishery, have been asking for some sort of amendment or visioning or something to go through to deal with this as soon as possible.

I don't think this fishery can wait until a stock assessment is done, and the AP didn't think it can wait until the stock assessment is done, to start an amendment, especially when we see how long amendments take, and things come up in the interim, and, if we wait, we're talking years and years until something can be done for relief. We ask that the council take some action to address the Spanish mackerel fishery.

There's also concerns about the new MRIP numbers, and will it impact estimates on the recreational catch, and there's also -- One of the AP members, who actually fishes in northern North Carolina, and now travels to Virginia, says that there's an increased interest in the commercial fishery for Spanish mackerel in Virginia, and he thinks that's likely to increase, and so, given all of that, we really would like to see something happen sooner than later. Again, the Spanish mackerel commercial fishery is bursting at the seams, and there needs to be some direction. This little relief valve we have is keeping people hanging on, but, as effort continues to come into the fishery, that's not going to sustain it, and we would love to see something happen.

One other thing, getting back to what we were talking about earlier, about the anecdotal evidence of Spanish mackerel and king mackerel being caught further to the north, in the Mid-Atlantic and even New England states, is that maybe the council should consider having some fishermen from those areas join the AP, so that we could have some information from them, to really understand what's going on in those areas to make some of our decisions a little clearer on what we don't really have, and, like I said, we're going by what we hear and what we see on social media, and it would be nice to get it straight from the fishermen, to understand what's really going on up there. I would be happy to answer any questions.

MR. POLAND: All right. Thank you for that, Ira. As far as AP representation, we've discussed that during the Executive Committee in closed session, and the council is considering modifying the makeup of the CMP AP to get a little bit more representation from north of North Carolina, and so the council is considering that.

I do want to speak to Spanish mackerel, since that tends to be mostly a North Carolina issue, and so the council did take action to modify some of the management measures for Spanish mackerel, mostly looking at modifying accountability measures and trip limits in the Northern Zone, and we decided to put that on hold, mostly based off of input received from stakeholders, who wanted to wait until the assessment was completed, because, really, what it will take is a holistic review of the Spanish mackerel fishery, because it seems that really what the issue is it's an allocation issue, and so we haven't looked at allocations for Spanish mackerel, and the council felt like those discussions would be more fruitful after the stock assessment, and so that action that we initiated we put on hold until the stock assessment is completed.

As far as I know, the stock assessment is still on track, and so I just wanted to say that I listened to the AP, and some of the fishermen who were encouraging us to take this matter back up and do something were some of the same fishermen who encouraged us, a year ago, to stop work on the trip limit amendment, and so I certainly hear, and I certainly understand, and trust me. I hear a lot about this fishery up our way, but I just think, and I feel like the council agreed, that we don't want to kind of piecemeal this, and we want to get the assessment back and look at the entire fishery, to make sure that any broad management changes that we do are done with the best assessment and the best information and looking at the entire fishery, Northern and Southern Zones and everything, and so I wanted to speak to that. Dewey, I see you have your hand raised. Go ahead.

MR. HEMILRIGHT: Do you think it's possible maybe that staff could talk to the states from Virginia to New York, to see what the commercial landings for Spanish mackerel is and what gear types are being used to harvest them commercially, because I have checked around the State of Virginia and Maryland and New Jersey, and probably Virginia has more fishermen left than any of the other states that I named for say the gillnetting in state waters, commercial fishermen, and so could we get maybe -- Could you all ask staff to come back with what's known landings from the State of Maryland to New York for Spanish mackerel? I think that would help us to alleviate what we think we know and what's known that would be used for management. Thank you.

MR. POLAND: Thanks, Dewey. Christina, I can't remember if that information was included in that Spanish mackerel information paper that you put together twelve or eighteen months ago or not.

MS. WIEGAND: It had landings in it, and I'm sure it had Mid-Atlantic landings included, but it would have been -- That paper was put together quickly, and, off the top of my head, I can't remember if it also included state landings, and, if you will remember, a decent number of landings for Spanish mackerel occur by fishermen who don't hold a federal permit in state waters. That information is something that it would certainly be possible for staff to pull together. I believe what you're looking for, Dewey, is commercial landings of Spanish mackerel from north of North Carolina by gear type. Confidentiality issues may play a bit of a role, but that's absolutely information that staff can pull together.

MR. HEMILRIGHT: I would think that the state is going to have to report, and this is because -- The reason why I said state waters is because I would venture to say that 99 percent of the Spanish mackerel are caught in state waters, and it might be from fishermen who don't possess federal permits, and so that's try to get it down to a microscope of what could be available, and I might request that out to Atlantic States, to ask the states, because they sit around the table, and they know what's happening in their states, the folks at the Atlantic States Marine Fisheries Commission that sit around there, and so I'm just trying to drill down to get a more exactly what's happening, so to speak. Thank you.

MR. POLAND: To that, Dewey, certainly, since we don't have an action that we're working on that is really looking at Spanish mackerel right now, I might suggest reaching out to staff here at DMF, because they can certainly pull that data for states north of here, at the gear level and trip level, if there are enough landings that confidentiality is not an issue, and so I might ask my staff, or our staff, to work on that, and we can certainly provide that to you, Dewey. That way, we're not tasking South Atlantic Council staff with a data request when we don't have any action before us.

MR. HEMILRIGHT: I would think that also it would need just gillnets and pound nets, is the two particularly that I'm aware of. Thank you.

MR. POLAND: All right. Thanks, Dewey. Ira, go ahead.

MR. LAKS: Steve, I understand that there's a lot of issues up in North Carolina, but it's not just North Carolina. The fishermen here in my area in south Florida, or central Florida, are very

concerned about the fishery and the state that it's in and the effort and how the fishery is being prosecuted.

Back in the September meeting, there were several fishermen from this area who made public comment about the fishery, and I think we've heard repeated public comment from the south Florida Spanish mackerel fishermen on the AP, and this gets down to a timing thing. This fishery is bursting at the seams, and, if we're waiting for a stock assessment, and then we have to then start an amendment, and no offense, but I just listened to the dolphin amendment, and see how long that takes, and these fishermen deserve to be heard, and just letting status quo is probably going to be very hard on them, and they feel like they have no relief and they're not being heard.

MR. POLAND: All right. Thanks for that, Ira. I will pose this to the committee. Questions or comments or thoughts on Spanish mackerel? Jessica, go ahead.

MS. MCCAWLEY: I guess I would like to say that I definitely think that we're hearing what the AP is stating, but I also feel that the council's workload is busting at the seams right now, and there are some items that we're trying to take care of, and I do think that we have spots coming available to look at some additional things, and the council's Executive Committee can have that conversation, but I think that it's not until late 2021 that the spots even open up, but just where I'm coming from is I would just really like to have that stock assessment before we start talking about something as important as some type of limited-entry program, and so I just -- That's kind of where I'm coming from here.

I don't want the message to be that we're not listening to the AP members, but it seems like it's got to get in line behind these other things that we're working on, and, with this stock assessment on the horizon, I personally don't want to make decisions about limited entry without seeing those assessment results.

MR. POLAND: All right. Thanks, Jessica. Chris.

MR. CONKLIN: I certainly share a lot of the concerns that the AP does, but Jessica is right, or her opinion -- Her point of view -- Man, it's hard to talk without looking at people, but her point of view -- I feel you, and so I fully support doing some pretty drastic changes to that fishery, when the time is right, and hopefully we don't have a bunch of emergency amendments coming through because somebody caught too many fish or something like that, like we've been having to deal with over the past few years, which really sets things out of line or whatever, or way behind schedule, but I hear you, Ira, and all the members of the AP, and I really appreciate everything that you guys do to show up and come to the table, and the mackerel guys are some of the best, and I enjoy seeing them and hearing them, and they're smart, and they know what's going on in their backyards, and I appreciate it.

MR. POLAND: Thank you, Chris. Mel, go ahead.

MR. BELL: Nothing new, but I just share Jessica's concerns about I really would like to have that stock assessment, so we know what the lay of the land is before we start potentially making changes to thing that are significant, and so the stock assessment -- Yes, indeed, we hear the AP, and we definitely understand where they're coming from, and value their input, but -- Of course,

as she mentioned, balancing the overall schedule and trying to get things done, but I think the stock assessment would be very helpful in establishing where we are before we start messing with stuff.

MR. POLAND: As far as I know, we are still on track, or on schedule, for the stock assessment to begin in 2021. Is that correct, John or Chip?

DR. COLLIER: Yes, based on the information that was provided, and I believe it's in Full Council III, Attachment 2a.

MR. POLAND: All right. Thank you, Chip. Any more questions or comments for Ira on Spanish mackerel or the AP report in general? All right. I am not hearing any. Again, thank you so much, Ira. I always enjoy receiving AP reports and your input and commentary. I do appreciate it, and we'll certainly talk to you again as our next AP meeting approaches.

MR. LAKS: Thank you for the opportunity to voice the concerns of the fishermen, and, again, I apologize for my technology problems at the beginning.

MR. POLAND: No problem.

MR. LAKS: You all stay safe.

MR. POLAND: You too, Ira. All right. With that, is there any other business to come before the Mackerel Cobia Committee? Mel, go ahead.

MR. BELL: Not really new business, but I just wanted to congratulate Ira for being able to stick with us for another term. We do appreciate his leadership on the AP and their input, and so thanks, Ira, and then I have nothing else. If we could quickly adjourn, and then what I would like to do is transition to Dolphin Wahoo real quick. I think we have enough time, because of your good stewardship of the time we gave you, that we actually have a little time, at the moment.

MR. POLAND: Well, thank you, Mel. I had to make up for yesterday. The Mackerel Cobia Committee is adjourned.

(Whereupon, the meeting adjourned on December 9, 2020.)

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SAFMC December Council Meeting

Attendee Report: (12/07/20 - 12/10/20)

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