

SOUTH ATLANTIC FISHERY MANAGEMENT COUNCIL

MACKEREL COBIA COMMITTEE

Webinar

March 2, 2021

Transcript

Mackerel Committee

Stephen Poland, Chair
Mel Bell
Anna Beckwith
Chester Brewer
Chris Conklin
Tim Griner
Jessica McCawley
Spud Woodward
Dewey Hemilright

Art Sapp, Vice Chair
Bob Beal
Dr. Carolyn Belcher
Dr. Kyle Christiansen
LT Robert Copeland
Kerry Marhefka
Andy Strelcheck
Tony DiLernia

Council Staff

Myra Brouwer
John Carmichael
Dr. Chip Collier
John Hadley
Kathleen Howington
Kim Iverson
Dr. Julie Neer
Cameron Rhodes
Suz Thomas

Julia Byrd
Cindy Chaya
Dr. Mike Errigo

Allie Iberle
Kelly Klasnick
Roger Pugliese
Dr. Mike Schmidtke
Christina Wiegand

Attendees & Invited Participants

Rick DeVictor
Dr. Genny Nessler
Monica Smit-Brunello

Shep Grimes
Dr. Jack McGovern
LT Patrick O'Shaughnessy

Additional attendees and invited participants attached.

The Mackerel Cobia Committee of the South Atlantic Fishery Management Council convened via webinar on Tuesday, March 2, 2021, and was called to order by Chairman Steve Poland.

MR. POLAND: We will convene the Mackerel Cobia Committee. Before we get started, I just wanted to review who was on this committee, and so, in addition to the thirteen council voting members, we have Bob Beal, Lieutenant Robert Copeland, and our two Mid-Atlantic liaisons, Tony and Dewey. Welcome, everybody.

The first order of business is Approval of the Agenda. I do want to note that we do have one item of Other Business, and it relates to the adjusted quota trip limit system for Spanish mackerel in the Southern Zone, and Rick DeVictor will be going over this issue in Other Business, and so, other than that, are there any modifications to the agenda? Hearing none, is there any opposition to approval of the agenda? Hearing none, the agenda stands approved.

Next, we want the approval of the December 2020 committee meeting minutes. Are there any modifications to these minutes, these draft minutes, that were provided in your briefing book? Hearing none, is there any opposition for approval of the draft December 2020 committee meeting minutes? Hearing none, those minutes will stand approved.

Our first item on the agenda today is a review of CMP Framework Amendment 10, and Christina will be going over this. The AP has provided comment on most of the actions in this amendment, and it's up to us to discuss those actions and decide how to proceed with this. There is actions in here updating the ABCs and the sector allocations, as well as some actions for us to consider that came directly from the AP. With that, Christina, whenever you're ready, take it away.

MS. WIEGAND: All right. I will go ahead and jump right in. Steve, you did a great job covering sort of the background of this amendment, but, again, just real quick, this amendment is in response to the updated SEDAR 38 stock assessment, which did determine that Atlantic migratory group king mackerel was not overfished or undergoing overfishing. Additionally, the SSC made new recommendations for catch levels, and I will scroll down and show those to you right here.

These do incorporate the new FES numbers for MRIP, and, as you can see, they are -- There is quite a large ABC, compared to the previous ABC, but, again, it's important to remember that you can't compare apples and oranges. The old ABC and ACL were in the old MRIP currency, and these new numbers are in the new MRIP-FES currency, and so that's just an important thing to remember as we go through.

Additionally, this amendment is going to address changing sector allocations, revising the recreational annual catch target, reducing the minimum size limit for recreational and commercial harvest of king mackerel, increasing the recreational bag limit and possession limit off of Florida, as well as modifying the requirement for coastal migratory pelagic species to be landed with heads and fins intact. What we're going to be looking for from you guys today is to review and approve the purpose and need statement, as well as review and approve the range of actions and alternatives that have been proposed to be analyzed.

I do want to go over the tentative timing of this amendment. You will see that, right now, it's being referred to as CMP Framework Amendment 10. However, this is going to need to be a full plan amendment. The framework procedure does not allow changes to allocations or changes to

cut fish requirement, or the cut or damaged fish action, through the framework procedure, and so this amendment will also need to be reviewed by the Gulf Council. We don't anticipate that this will slow down the amendment significantly.

I will note that the Gulf Council is currently working on CMP Amendment 33, and this addresses the most recent Gulf king mackerel updated assessment. Our intent right now is to keep this amendment for Atlantic king mackerel separate from the Gulf's amendment for king mackerel, because they are moving on two different timelines. Right now, the Gulf's priority is to work on the cobia amendment, that we're going to talk about after that, before, again, picking up their king mackerel amendment, and so, since we're currently moving forward with our king mackerel amendment, this amendment will become CMP Amendment 34 and be kept separate from the Gulf's amendment. I just want to pause real fast right there and make sure that no one has any questions about sort of the naming and separation of these different amendments.

MR. POLAND: Thanks, Christina. Any questions from the committee? I am seeing no hands, and so, from henceforth, this will be Amendment 34.

MS. WIEGAND: Amendment 34. All right. Let's dive right into the purpose and need statement. The purpose of this amendment is to revise the annual catch limits for Atlantic migratory group king mackerel; to revise the recreational and commercial allocations for Atlantic migratory group king mackerel; and to revise or establish management measures for Atlantic migratory group king and Spanish mackerel.

The need for this amendment is to ensure that annual catch limits are based on the best scientific information available and to ensure that overfishing does not occur in the Atlantic migratory group king and Spanish mackerel fisheries while increasing social and economic benefits through sustainable and profitable harvest of Atlantic migratory group king and Spanish mackerel.

One thing that I do want to note about this, and I'm sure you noticed Spanish mackerel mentioned in the purpose and need, and that's because Action 6, which, again, looks at the requirements for landing fish with heads and fins intact can also address Spanish mackerel. If you guys choose to move forward with that action, Spanish mackerel would need to be mentioned in the purpose and need statement, and so that's why it's included here. I will open it up to the committee to make any modifications they feel necessary to this purpose and need statement.

One last thing to note is that this amendment is up for scoping at this meeting, and so I guess there are two ways you could do this. You guys could do a motion now to approve the purpose and need statement, as modified, or we can wait until Full Council, after public comment, and I can include draft motions in the committee report, whichever way you would like to move forward, Mr. Chair.

MR. POLAND: Thank you, Christina. Jessica, go ahead.

MS. MCCAWLEY: **I move that we approve the purpose and need statement.**

MR. POLAND: All right. Is there a second?

MR. SAPP: Second.

MR. POLAND: That sounded like Art. Spud, go ahead.

MR. WOODWARD: I was just going to second the motion, Steve.

MR. POLAND: Okay. All right. Any further discussion on the motion? **Any opposition to the motion? Hearing none, the motion stands approved.**

MS. WIEGAND: All right. That was nice and straightforward. Let's move into Action 1. This action looks at revising the total annual catch limit for Atlantic migratory group king mackerel based on that updated ABC from the SSC, and there are a large number of alternatives under this. Alternative 1 would keep the old acceptable biological catch level, which is 12.7 million pounds. Alternative 2 would update the ACL and set it equal to the acceptable biological catch level, and then Alternatives 3, 4, 5, and 6 each propose buffers between the acceptable biological catch and the annual catch limit. Alternative 3 is a 95 percent buffer, Alternative 4 is a 90 percent buffer, Alternative 5 is an 85 percent buffer, and then Alternative 6 is an 80 percent buffer.

If you look here, this shows -- If you will remember, the ABC recommendation from the SSC involves sort of a decreasing yield stream, and so the ABC, and thus the ACL, decrease as the fishing year goes on, and so you can see what each of those buffers would look like right here, and, if the committee would like to look at recent landings, I can pull up the website that Chip Collier put together for king mackerel that will show those landings.

MR. POLAND: Thank you, Christina. Any interest from the committee in seeing recent landings? I would like to ask the committee if we feel comfortable moving forward with so many alternatives in this action, given that a range from 80 to 95, in 5 percent increments, is presented, and do we feel like that is appropriate, or do we want to whittle that down, since this is a lot to ask the IPT to analyze? I see I've got a large queue. Go ahead, Jessica.

MS. MCCAWLEY: Thanks, Steve. I don't know if we need all of these, but, based on the comments from the AP that they are suggesting a buffer, because they think that the stock assessment is overly optimistic here, I would like to consider, at some point, one of these alternatives that adds a buffer, but I don't know how big to make the buffer. I don't know if just keeping Alternative 6 and Alternative 4 are adequate or if we should break it down further, like is shown here, and so I just want to throw that out there.

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

MR. BELL: Aside from the comment about the buffer, and that's interesting that it came from the AP, if we can get this down to fewer alternatives, it definitely helps with the analysis process and all, and so, if we could -- I don't know that it needs to be 5 percent increments or if 10 percent is sufficient, and I would just entertain discussion on that, but I think, if we can -- The fewer alternatives we have, the better it is.

MR. POLAND: All right. Thank you, Mel. Andy, go ahead.

MR. STRELCHECK: Like Mel and Jessica, I don't have a specific recommendation, but I would agree that it would be beneficial to narrow the alternatives down to a more manageable number. I

guess the other thing that I would note is, obviously, the AP has kind of weighed-in and recommended a buffer and that the projections might be overly optimistic, but, by reducing the ABC by a certain percent, and assuming we manage landings to those lower amounts, ultimately, it dynamically changes the ABC going forward in the projection years, and so you're essentially buffering based on the projected ABCs, as we know them today, but, if those are actually accurate and correct going forward, you potentially could be creating an additional buffer, because the stock would -- The ABC could grow, if we're actually underharvesting from the ABC in the future.

MR. POLAND: All right. Thank you for that clarification, Andy. Anna, go ahead.

MS. BECKWITH: I was going to say that we're not really known for doing a ton of buffers, and so I would think that 5 percent, and maybe 8 percent, would be more than enough for options.

MR. POLAND: All right. Thank you, Anna. Any additional comments? No hands. How do we want to move forward with this action? Jessica, go ahead.

MS. MCCAWLEY: I think Anna said 5 percent and 8 percent, and I would like to see one that's a little bit bigger than that as well, an option for that.

MR. POLAND: Would you suggest 5 and 10 percent, or 5 and 15 percent? I mean, I'm like everyone else, and I don't know what an appropriate buffer should be on this. To me, it's just 5, 10, 15, 20 seems like a reasonable range, but that is a little too much to ask. Christina, go ahead.

MS. WIEGAND: I just want to make a note, again, and so you're correct in that AP did review this and did recommend setting a buffer. If you would like to get more public input, again, this is something that's going to scoping at this meeting, and so you could make a note here that you would like more input from the public, maybe, on what type of a buffer they would like to see, and then this could be -- We could do a motion on this at Full Council, and I just wanted to throw that out as a suggestion to the committee.

MR. POLAND: Thank you for that, Christina. Spud, go ahead.

MR. WOODWARD: Thank you, Steve, and I certainly appreciate what Christina said, and I think the public is going to be just as perplexed about this as we are, in terms of what number to pick, and so I would -- Just as far as something specific for discussion, I would recommend that we leave in the 95 percent and the 90 percent and consider deleting the other alternatives.

MR. POLAND: All right. Thank you, Spud. Is that a motion or just --

MS. BECKWITH: If it's a motion, I can second that.

MS. WIEGAND: You can make a motion if you would like, but these actions and alternatives haven't been formally approved for inclusion in the amendment yet, and so it doesn't need to be a formal action to remove them, but just, once you're sort of done modifying the full action, then we can make a motion to approve this action as modified, and so, if you're good with the way this is written now, then let's make a motion and we can go on, but I just wanted to be clear that these haven't been formally included in the amendment yet.

MR. POLAND: Thank you, Christina. Basically, this is just our first crack at this, and so how does the committee feel? I mean, I'm fine with the proposed changes here on the screen. Just so we're clear, for scoping, this will be Alternatives 1 through 4 only, and then we can handle this action at Full Council. Mel, go ahead.

MR. BELL: I was just going to say that we can go with that, and, if we get a lot of feedback in scoping that we need something else, fine, but that does limit you to four there, which would be reasonable, I think.

MR. POLAND: All right. Thank you, Mel. I remember, when the AP discussed this, they liked the idea of having a buffer, but they didn't have any specific recommendations, because, at that time, there were no numbers or analysis available to them, but we do have Table 2 in the decision document that shows how that buffer would be applied over the next five fishing seasons, and so this information is now available to the public for scoping. All right. Any other discussion on Action 1?

MS. WIEGAND: Not to push you guys further on this one, but the IPT did recommend, or wanted it to be noted, that selecting a preferred alternative under this action is going to be important for analysis of the subsequent actions, and so the action related to ACTs and the action related to sector allocations. The sooner you all can discuss and pick a preferred alternative under this action, the easier it is for staff to go on and do analysis for the following actions.

MR. POLAND: Thank you, Christina. We can certainly take that up now or at Full Council. Mel, go ahead.

MR. BELL: I was just going to suggest that maybe we do that at Full Council, or after we've kind of gone through this whole thing, conceptually.

MR. POLAND: All right. That's how I'm leaning, too. All right. Any other discussion on that point? Hearing none, go ahead, Christina.

MS. WIEGAND: All right. Then let's rock-and-roll down to Action 2. This action looks at revising sector allocations and sector ACLs for Atlantic migratory group king mackerel, and this is so -- You will see in the table down here that there are some numbers, and I want it to be noted that those numbers are based on Alternative 2 in Action 1, which would be holding the ABC equal -- Holding the ACL equal to the ABC.

Alternative 1, no action, would retain the current recreational and commercial sector allocations, which are 62.9 percent recreational and 37.1 percent commercial, and this is based on landings from 1979 to 1983. Alternative 2 would allocate 78.44 percent to the recreational sector and 21.56 percent to the commercial sector, and I want to explain how those numbers were arrived at and then ask for some guidance from the council.

If you will remember, the ABC recommendations from the SSC have a decreasing yield stream, and so, during the 2022/2023 fishing year, they started at approximately thirty-two million pounds and slowly decrease each fishing season to the 2026/2027 fishing year and going forward to approximately twenty-one million pounds.

This is the same as the past assessment, and you can see here the past assessment started with the 2016/2017 ACL at 6.5 and slowly decreasing to the current one at 4.7, and so the goal of Alternative 2 was to get at the direction from the council at the December meeting to hold the commercial sector at their current ACL and then revise allocations so that the commercial sector would keep the same poundage, and the rest would go to the recreational sector, to account for those changes in MRIP numbers.

What has to be decided is at what level would you like to hold the commercial sector stable at, and when, and so, when calculating this 78.4 and 21.5 allocation, what I did was took the 4.7 million pounds that was the lowest number at the most recent fishing season, and so this is what the fishermen are currently fishing under now, and I made it so that 4.7 million was held stable at the final fishing year, and so the 2025/2026 fishing year, and so, as you can see here, that 4.7 is the same in 2025/2026 as it was currently, and so then it increases as you go back in time, up to the 2021/2022 fishing season. I guess my first question is does that make sense, and then, second, is that how the council would like Alternative 2 calculated, or would they like to hold the commercial sector stable at a different poundage?

MR. POLAND: Thank you for that, Christina. To your first question, yes, that makes sense to me, and I appreciate that explanation, because, when I was reviewing the briefing materials, it took me a little bit of time to arrive at that conclusion. Jessica, go ahead.

MS. MCCAWLEY: Thanks, Steve, and so maybe you said this, and so these alternatives include the new FES numbers, right?

MS. WIEGAND: Yes, ma'am.

MS. MCCAWLEY: Okay. Perfect. Thank you.

MR. POLAND: Thank you, Jessica. Any more comments? To me, it seems like this is very similar to the discussions that we've had in Dolphin Wahoo and talking about sector allocations there, and we've already debated a lot about the pros and cons about holding the commercial sector to their previous landings, prior to FES numbers and that, and so, Andy, go ahead.

MR. STRELCHECK: Thanks, Steve. One of the things that I'm trying to confirm is whether or not we could use the historical 1979 to 1983 time series and update it based on the FES numbers, and I don't think that's feasible and possible, because those 1979 and 1980 data are not supported any longer. Then the other comment that I guess I would broadly make is the council, in my view, should at least consider options for updating that time series and looking at potentially alternative allocations, whether it's based on landings years or some other basis, and, obviously, you're doing that with Alternative 2, but, if Alternative 3 isn't feasible, we would need to add at least a new alternative for consideration for allocation.

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

MR. BELL: After Christina's explanation, I do think that allowing the commercial sector the stability and availability of product for market -- I like that concept, of being able to hold them with some reliance upon a certain level, because that's where disruptions -- We've heard, over and

over again, about disruptions to market and unpredictability of the availability of product and all, and so, I mean, there's some merit to that concept, I think, and I like that.

MR. POLAND: Thank you, Mel. Mr. Conklin, go ahead.

MR. CONKLIN: Thanks. I guess, Christina -- I know you ended up with the 4.7 million in 2025, or whatever it was, and so is this allocation based off of the lowest years of landings from the table? Is that what I'm hearing?

MS. WIEGAND: It's not based on landings. It's based on the ACL, and so it's the lowest ACL, and so the 4.7 was the ACL for the 2019/2020 season, and that was the lowest ACL the commercial sector saw under the old assessment, and so the old assessment started at 6.5 million pounds and slowly decreased each fishing season, down to 4.7 million.

With holding them the same, I held them at that lowest number, at the 2025/2026 fishing season, which would be the lowest under the new assessment, and so it would start the 2021/2022 fishing year at approximately seven million pounds and then decrease back to where they are today, and that's based on the ACL and not landings.

MR. CONKLIN: Okay. It's hard for me to wrap my mind around this when we have an open-access permit for this fishery, just like I said with dolphin. I mean, people can apply for the permit all day, every single day, and they can go Spanish mackerel fishing and enter the fishery for relatively cheap, twenty-five dollars, and I don't see any room for growth in the fishery, and so I don't see what we're doing, other than -- I think you've done a good job, but it's just the principle of having an open-access fishery and then constraining the catch down, and it doesn't make sense to me, as a harvester.

MS. WIEGAND: The commercial king mackerel permit is limited access, and it's only the Spanish mackerel permit that's open access.

MR. CONKLIN: You're right. Sorry. I was talking Spanish, but okay. Enough said. Thank you.

MR. POLAND: I don't think you were talking Spanish, because I understood you, Chris, but, real quick, before I go to Dewey, Christina, can you remind me why the yield is declining? Was it a concern over declining recruitment from the assessment, or what was driving that? I just can't remember.

MS. WIEGAND: I see that Mike Errigo has got his hand up, and I'm going to let him take that one and explain the SSC's reasoning behind that.

MR. POLAND: Okay. Go ahead, Mike.

DR. ERRIGO: I had another comment, but I can answer that question. The reason why the ACL is decreasing has to do with the surplus biomass in the water, and so, right now, the spawning stock biomass for king mackerel is above the MSY values, and what happens is the ABCs are set in such a way that, each year, you're fishing down the biomass towards MSY. As it gets closer and closer to MSY, your landings have to -- Your ABC levels have to get smaller, and they get closer and

closer to the MSY level, and so that's why they're decreasing, because you're above MSY, but you're fishing the stock down.

MR. POLAND: I've got you. Okay. We're on the right side of the curve. Thanks. That helps.

DR. ERRIGO: The other comment I had, if I could, has to do with the fact that Alternative 2 is keeping the commercial allocation the same, and the idea is because the recreational sector -- The increase in the FES is causing the increase in the ABC, and that was true for dolphin and wahoo, because we only used landings to change the ABC.

In king mackerel, it's a little more complicated, and I just want to make sure that everyone realizes that. Because an assessment was performed, there are lots of other factors that go into the ABC besides landings, like recruitment and biomass trends and things like that, and so it could be that part of the reason why the ABCs are higher has nothing to do with the increase in the FES numbers, but it may have to do with other aspects of the stock, and so I just wanted to throw that out there, to make sure that everyone is aware that it's a little more complicated when there's an assessment that has increased the ACL, and it's not a one-to-one that the recreational landings went up and, therefore, the ABC has to go up in proportion.

MR. POLAND: Okay. Thank you for that, Mike. I guess this is one of the first assessments we've had that have incorporated the new FES, where we've had to have these allocation discussions, and so I appreciate that. All right. Dewey, go ahead.

MR. HEMILRIGHT: Thank you. I've got two questions, and I hope that I can present them so that it comes across and I can understand them. If you look back over these proportions of recreational and commercial, the breakdown, has anybody went back and looked at any constraints that the commercial would have had over the years, because it's held to its annual catch limit or its percentage? Given the fact that the new methodology for accounting for past recreational catch has greatly increased their landings, I'm just wondering how much -- If this would have been done however many years ago, would it have also increased the chance for the commercial fishing industry to increase their harvest? That's one question, and I've got one more after that. Thank you.

MS. WIEGAND: I think I can try to answer your question, Dewey. The commercial and recreational sectors for king mackerel are a bit different than some of the other species, in that they've had annual catch limits, or, back in the day, total allowable catch limits, and some semblance of allocation since Amendment 1, since 1983, I believe, is when it's been in place. I haven't gone back and looked at which years the total allowable catch, or the ACL, would have been restrictive upon either sector, but that's definitely something that I could do, that we could, and put together for this amendment. Does that answer your question, Dewey?

MR. HEMILRIGHT: Yes, it does, and that would be a great help, just to give a perspective of, if it was constrained back then, based on having to stay within that, because it's some of my belief that there were some closures back in the time, when, in fact, had this been done years ago, with this new methodology, that it could have been increased harvest.

My second question, but that was a good answer and response, and I look forward to seeing the information, and my next response is, is it my understanding that what Mike just said is that the

biomass -- We're fishing up to the biomass, meaning that the biomass is real large right now, and I guess there's too many fish right now, and we're fishing our way up until it comes back down, and is that the interpretation? Thank you.

DR. ERRIGO: The biomass is above where MSY levels are, and so that means that you can take more fish until the biomass comes down to MSY, and so, as the biomass shrinks down towards MSY levels, that's why the ABC is getting smaller and smaller, and so until it reaches MSY.

MR. HEMILRIGHT: One more question. Do we know how long this has been going on?

MR. POLAND: How long we've been fishing above MSY? Is that your question, Dewey?

MR. HEMILRIGHT: No, the stock and how long the stock has been above BMSY.

DR. ERRIGO: I don't remember specifically off the top of my head, but we can look at the assessment report, and it would show the biomass trend, but I think it's been the last several years, because of high recruitment for a bunch of years, that pushed the stock up over MSY.

MR. HEMILRIGHT: Thank you.

MR. POLAND: All right. Thank you for those, Dewey. Chris, go ahead.

MR. CONKLIN: Thanks. The only thing is, like Dewey was saying, if the commercial fishing had to stop fishing over the years, due to a TAC or ACL constraint or whatever, we could have caught more fish, and, had that been the case -- A change in allocation this drastically, and I know you're saying we're still getting the same amount of fish, but it just doesn't add up to where we have to follow federal law on the commercial side to feed the non-boat-owning public. Then we're going to reward the other sector for not being accountable and operating by the rules, and so it just doesn't make much sense to me. Thank you.

MR. POLAND: Thank you, Chris. Spud.

MR. WOODWARD: Thanks, Steve. I guess I'm still trying to quite understand what Mike E. was explaining, and so my question is we're -- If we're fishing down towards MSY, does that presume that we're fully utilizing both sector ACLs in the projection process?

DR. ERRIGO: The projections assume, like for each year, that you take the entire ABC, and so, if you took the entire ABC each year, the biomass would change by a certain amount, and then the ABC would therefore have to change by a certain amount each year, until you -- Eventually, the idea is the stock would hit MSY and that everything would stay constant.

MR. WOODWARD: Can I follow-up, Steve?

MR. POLAND: Go ahead, Spud.

MR. WOODWARD: So, if we're underharvesting the ACL, like we've been doing, at least in the recreational sector, we're actually -- This gets back to some of our discussion about Action 1, is that we are building in a protective buffer, because we're -- The presumption is that we're fishing

to the full ACL each year, but, if we only catch, or land, 50 percent of that ACL, then we're leaving a lot more fish in the water, and we're not approaching the MSY level, and is that correct?

DR. ERRIGO: Yes, that is correct. Assuming that everything else in the assessment is correct and holds true, then, yes, you're leaving part of the ABC in the water, and, therefore, you're not harvesting the entire ABC, and so the assumptions of the projections are not being met, and so the biomass isn't shrinking as much as it should be under the projections, because you're not harvesting the whole ABC.

MR. WOODWARD: All right. Thank you, Mike.

MR. POLAND: Thank you for that, Spud. Andy, go ahead.

MR. STRELCHECK: Thanks. A couple of points. Essentially, what I was trying to reference earlier is that, if we impose a buffer, the larger that buffer, the more fish, essentially, you're not harvesting, and the lower fishing mortality, and so the ABC is going to actually remain higher, and potentially not decrease, or decrease as fast, back to the MSY level, and so that's certainly something to consider, obviously, when we start looking at preferred alternatives.

I did want to get back to a comment that Chris made, and I hear this in the Gulf as well, with regard to allocation issues, and, obviously, they're controversial, and the commercial sector is pointing the finger at the recreational sector and saying they're unaccountable, and I think we need to be very careful when we say things like that, because certainly the recreational sector was operating within the restrictions and regulations at the time, and hindsight is certainly 20/20, with regard to the landings data and information and the improvements that have been made to the recreational data collection systems.

It's certainly within the purview of the council to review and revise and update allocations, and certainly that's front and center, obviously, with the new FES data, but certainly you can choose to set the allocations however you want, based on a solid rationale that we come up with at the council, and so I just encourage the council to kind of think along those lines as we continue to develop this amendment and focus in on what are the -- What we're trying to accomplish with regard to the alternatives for allocation going forward.

MR. POLAND: All right. Thank you for that, Andy, and, yes, your comments from earlier are crystal clear to me now, and I appreciate that. Chip, go ahead.

DR. COLLIER: Christina, if you want to pull up that king mackerel tool that was developed, if you go to the first tab, the assessment output tab, and, if you scroll down to the second figure, if you look at this one, this is the spawning stock biomass that came out of the stock assessment, and, here, you can look at the decline in the population from a virgin biomass back in 1900, going down to the lowest spawning stock biomass, which occurred in the late 1990s, or the mid-1990s, I believe, and then it's been increasing ever since.

What the new projections are trying to do is take that spawning stock biomass from the level that it is now, and I think it's right around 4,000, is what the level is listed there, in millions of eggs, and it's going to drive it down to that black solid line, and so that's going to require some extra fishing in that first time period, and so that's why it's a higher catch rate at that time period, and

then it's going to level out. The goal is to level it out at that darker line down there, the spawning stock biomass.

The other thing that I want to point out that's included in this tool, if you scroll up to the combined sector, the combined data, and this one provides you guys the proportion of the ACL that was caught, and it's this first graph, and it provides it for both the recreational and commercial since 2012, on up to 2018, and we started at 2012 just because that's when the ACL amendment was established for this one, and we didn't take it back in time. If you guys would like for it to be going back in time for Spanish and king mackerel, we can definitely do that for you.

MR. POLAND: All right. Thank you for that, Chip, and, at least for me, that certainly makes that relationship between the projections and the MSY clear. I do want to remind the committee that this is just for scoping, and so I appreciate the discussion we've had up to this point, but, really, what we need to decide is are these alternatives appropriate, or do we want to add additional alternatives or modify these alternatives, and I've heard -- I think Andy made the recommendation that we could consider adjusting the reference period for the landings stream there in Alternative 3, and it's 1979 to 1983, and that's an outdated, or potentially outdated, timeframe, and is that something that the committee wishes to do? Does the committee wish to just push forward with these three alternatives, the no action and the two alternatives? Shep, go ahead.

MR. GRIMES: Thank you, Mr. Chairman. I guess I would echo what Andy is saying, or at least the council needs to consider whether updating the reference period -- 1983 seems like a long time ago, or maybe provide some rationale of why it doesn't go past 1983, but the main thing I wanted to mention on this, and it's just giving you a heads-up, and I know you were just making the point that this is going to scoping, and we're not at the point where you're talking about preferred alternatives, but, as I've mentioned in the past, and as this council has discussed briefly in the past, assessments now are done based on a particular allocation, and this is one of those assessments.

If the council comes in and changes allocation to enough of a degree, it could result in changes to the assessment, and we -- Once the council makes a decision on what its preferred alternative is for allocation, we're going to have to look and see, okay, is that enough of a change, based on what was in the assessment, that it would warrant potentially new projections or new benchmark estimations from the assessment? This is an action that I think the council will -- Despite the difficulty in making a decision, I think the council will want to work to make this decision as quickly as possible, so we can decide whether or not we need additional information. Thank you.

MR. POLAND: Thank you for that, Shep, and, just for clarification on my end, so that would require additional work, because, if the allocations are changed drastically, then, since both fisheries have different selectivities, that might would affect the projections out of the assessment, and is that the rationale there?

MR. GRIMES: That's my understanding of it, and I think there are some other changes that go along with it, and certainly the Science Center folks would be much better to speak to that than me.

MR. POLAND: Chip, go ahead.

DR. COLLIER: I will leave that up to the Science Center folks to talk about it more if they want to, but one of the reasons that they use the allocations the way that they do is it's based on what's observed in the fishery at the current time, assuming not many other changes are going on, and so, if you look back at that tool that we had up earlier, it indicated that it was about -- I think it was about 30 percent of the recreational catch was being landed, and about 40 percent of the commercial catch was being landed, from 2012 to 2018.

Given, that they were not achieving the ACL, and the allocations aren't appropriate to be used at that time period. The goal is to increase the catch rates up to their current ACL, and, therefore, they would be achieving their allocations. However, that has not been done in the past, and so it might be a stretch, and it might be better to use the observed allocations, and that's what the assessment scientists have been using.

MR. POLAND: Thank you for that, Chip. I'm going to go to Clay first and then back to Mel. Go ahead, Clay.

DR. PORCH: Thank you. I just wanted to confirm what's been said, and, if we did change the allocations intentionally, it does change the long-term yield that would result, but the reality is, even when we specify allocations like this, they typically are not actually achieved, and so probably to continue using the existing catch ratios is the best way to move forward.

MR. POLAND: Okay. Thank you, Clay. Mel, go ahead.

MR. BELL: I was just kind of reacting to what Shep had said, and maybe Andy, in that -- I mean, I would think that reliance upon the landings stream back to 1983 does seem a little old, and so, if we were going to continue to utilize that, we would need to explain why, perhaps, and I'm not sure that I could. The other thing is just, related to significant changes in allocations resulting in a different outcome, I don't really know, and what would be the advice from the Science Center? What's the threshold there? I mean, at what point do we cross a line where we've now created a significant change, and it would give us a different outcome, and so that's where we just need guidance from them, I think.

MR. POLAND: Okay. John, before I go to you, Clay, or anyone else from the Science Center, do you all want to address Mel's question there?

DR. PORCH: Sure. If I understood what Mel was asking, I mean, ultimately, what's a threshold, or what's a significant point, it's going to be up to the council. We have certainly made runs before with different allocations, and we can say what the change in the long-term yield would be, and it's not right on the top of my head, but, since the commercial and recreational fisheries do have a little bit different selectivity, it would change it some, and I don't think it's tremendously different, but I would have to go back and get the numbers, but, again, the council would have to say what's a significant change.

MR. POLAND: Thank you, Clay. Mel, does that satisfy your question?

MR. BELL: Yes, and I didn't mean that I needed an answer right this second, and I was just kind of -- Based on how Shep had presented this, I was thinking we needed some further guidance on

that, but it sounds like, from what Clay is saying, we set it, and they just calculate it basically from what we give them, but I didn't mean that we had to have an answer right this second.

MR. POLAND: Okay. Thank you, Mel.

MR. GRIMES: Steve, could I respond to that point, real quick?

MR. POLAND: To that point, go ahead, Shep.

MR. GRIMES: Thank you. Just what I was thinking is that we would get some guidance, so that the Science Center wouldn't have to go back and -- Like, okay, here's what our allocation alternatives are, and it would ease the burden on them, and, if we were looking at it and the council's preferred alternative was only say 2 or 3 percent off of what had been realized in the fishery, then there wouldn't seem to be as much potential for a change in it, and maybe the Science Center wouldn't need to go back and run it, and that's kind of where I had been coming from, that we would look at it and decide whether or not to ask for additional runs, but, if they're comfortable doing it, that's great, and I realize that it will necessarily be on a case-by-case basis, regardless of who is ultimately making the decision about it. Thank you.

MR. POLAND: All right. Thank you for that, Shep. John Sanchez, go ahead.

MR. SANCHEZ: Thank you very much, Mr. Chairman. One of the confusing things for me, because we kind of went through this in the Gulf recently, was that, when you try to consider that, yes, you can convert landings histories to FES and update them, but then the ABCs, the quotas, remain in MRFSS, and I think it's very challenging, and NMFS can correct me if I'm wrong, to be able to also correct, for that same time series, the ABCs to FES, so that you can have an apples-to-apples comparison. To me, that's where I get lost in all of this. It's just an observation. Thanks.

MR. POLAND: Thank you for that, John. Any response from the Science Center or SERO on that?

MR. STRELCHECK: If I'm understanding John correctly, certainly one of the challenges we've had with MRIP data over time is the improvements that have been made to the survey, but kind of a lag time with changes to how we then set the annual catch limits and so the surveys, obviously, are proceeding and improving, but we might have annual catch limits in old units and have to convert back to them. In this instance, with king mackerel, obviously, once we get everything into FES units, we would be monitoring solely based on MRIP-FES numbers going forward.

MR. POLAND: Okay. Thank you for that, Andy. All right. Again, I want to remind the committee that we're on Action 2, and we've got four more actions, and we've had a lot of discussion on this action and the three alternatives presented, and does the committee feel like we want to modify any of these alternatives or add additional alternatives. I think there's a case to be made for considering different reference periods or timeframes for looking at allocation for sector breaks, and how does the committee feel? Does the committee just want to move these three alternatives on to scoping? Andy, go ahead.

MR. STRELCHECK: Thanks, Steve. I did connect with our MRIP Science and Technology team, and they did confirm that we no longer support the 1979 and 1980 data, and so, if we kept with

Alternative 3, you wouldn't have the full time series in order to update the allocation. I don't have specific recommendations, but it seems to make sense that we would replace Alternative 3 and potentially have one or more options under Alternative 3 that could consider different time series for allocating king mackerel.

MR. POLAND: Thank you for that, Andy. Yes, I think that's appropriate, and I would be interested to see what the IPT could bring back as potential reference periods. Does staff feel like they need a little bit more direction on that, or is that sufficient to get started?

MS. WIEGAND: I think, for Alternative 3, it's sufficient. Let me just sort of reiterate, to make sure I'm understanding what the committee wants. What you would like is to take Alternative 3, and, since the 1979 to 1983 data is no longer supported, to look at different time series that might work for allocations.

I am guessing that you may want to consider, and I don't want to put words in the committee's mouth, but long-term time periods, short time periods, a mix between the two, while also considering that both sectors have had some form of a cap since the beginning of the fishery, and caps didn't just start in 2012, and so we would also want to look at when and where those TACs, or ACLs, had been restrictive, and so I just wanted to make sure that what I said is fully encompassing what the committee would like the IPT to look at, in terms of modifying Alternative 3.

MR. POLAND: Christina, that seems appropriate to me, and certainly looking at when there are major changes in the management scheme for this species and sectors and looking at the difference between short-term and long-term relationships, and I think that's a good start. Mr. Sanchez, go ahead.

MR. SANCHEZ: Thank you. Just a follow-up. The point I was really trying to drive home was that, when you can't convert the ABCs to FES, for whatever time series you're looking at, there is a one-sided chance that you're only looking at the landings being converted to FES, and then only one sector benefits, when, had the ABCs also undergone the same conversion for that time series, then, arguably, the commercial sector would have had that increase in ABC as well back then, and they would have probably caught it, and then these allocations might have been a little different, and that's the point that I'm trying to make, when you're only doing this to one side of the equation. Thank you.

MR. POLAND: Thank you for that, John. Is there any other comment on this? We still have a fishing season there highlighted in Alternative 2.

MS. WIEGAND: Just if I could get some guidance from the committee on Alternative 2, and this is going back to that where we're holding the commercial sector stable at, and so, the way I've got it done right now, it's holding them again at the lowest level from the current assessment, making sure that the commercial sector never goes below that 4.7, and so I would like guidance from the council on whether or not you would like to consider Alternative 2, and, if you would like to consider Alternative 2, if you're comfortable with holding the commercial sector at the ACL they are currently at as the lowest, and so making sure they don't go below that 4.7.

MR. POLAND: Any thoughts from the committee? Mel, go ahead.

MR. BELL: I will bite on that. That seems logical to me. Again, you're not going below the lowest level so far, and so it seems reasonable.

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

MS. MCCAWLEY: I just wanted to say that I agree with Mel.

MR. POLAND: All right. Thank you, Jessica. If we move forward with that direction, Christina, then that date would be 2026/2027, if I'm reading that right, or am I reading that backwards?

MS. WIEGAND: Yes, and so it would make sure that it would maintain the current commercial ACL, beginning in that 2026/2027 season.

MR. POLAND: Okay. All right. Let's move to the next action.

MS. WIEGAND: All right. Moving on to the next action, Action 3, which will revise the recreational annual catch target for Atlantic migratory group king mackerel, and this we do need to do, because the annual catch target is used in the accountability measures for king mackerel, and so, in future amendments for other FMPs, when we talk about whether or not you want to remove the ACT, and so, before I go over this, I just wanted to let you know that that is possible for this, but, if we remove the recreational ACT, we would have to also add an action to this amendment to revise the recreational accountability measures, and so I just wanted to note that.

The current ACT is 7.4 million pounds, and it's based on the ACL, one minus the percent standard error, or 0.5, whichever is greater, and so Alternative 2 would just update that based on the most recent assessment, and then there is Alternative 3 and Alternative 4, which look at just setting a buffer to create the ACT at 90 percent of the ACL for Alternative 3 and 85 percent of the sector ACL for Alternative 4.

MR. POLAND: All right. Thank you, Christina. I mean, my thoughts, as far as the ACT and taking it up in an additional action with accountability measures, I'm not leaning that way just yet, even though I recognize that, as a whole, as a council, we really don't utilize ACTs much, but those are my thoughts. Any discussion from the committee on Action 3 and the alternatives presented? Anna, go ahead.

MS. BECKWITH: I don't feel real strongly about ACTs either, and we certainly don't use them. The one opportunity that I remember, just in general, that we could have potentially tied some accountability measures to ACT was the discussion with dolphin, and we decided to not even go in that direction, and so it sounds like the path of least resistance, for the moment, is to leave it as-is, but, in the long run, it seems like it makes sense to start phasing them out, and so I'm fine, and it just depends on the workload and how you guys want to handle it, but I have no strong opinions on keeping it or dumping it.

MR. POLAND: All right. Thank you, Anna. Mel, go ahead.

MR. BELL: Just following all of that, I would say that it does no harm being there, and it's potentially useful in some capacity, and pulling it out at this point might create more of a problem

in moving this along, and then you don't have it, and so, I mean, I would be leaning towards leaving it in there.

MR. POLAND: All right. Thank you, Mel. John Hadley, go ahead.

MR. HADLEY: Christina, please correct me if I'm wrong, but I remember going through some of the accountability measures, in research for dolphin wahoo, and I think the king mackerel accountability measure is linked to the ACT on the recreational side.

MS. WIEGAND: You are correct about that, and so I am not looking at the exact language, but I believe it reads something like the Regional Administrator will reduce the bag limit to achieve the ACT, but not exceed the ACL, and then the ACTs are explicitly listed in the CFRs, and so the AMs are tied directly to the recreational ACT.

MR. POLAND: Okay. Thank you, Christina. Since they're directly -- The ACTs are directly referenced in the CFR, and, if we eventually go with something like Alternative 3 or Alternative 4, then we won't be in this situation where we have to modify it, because it's not referencing a specific poundage, and it's referencing a percentage of the ACL, correct?

MS. WIEGAND: So we still -- You wouldn't need to change the AMs if you change to a percentage of the ACL, but the numbers would just change when they updated the CFR, like they're going to anyway with the updated assessments. The only issue is if you remove the ACT entirely. If you remove the ACT entirely, then we have to revise the accountability measures as well.

MR. POLAND: Okay. What's the pleasure of the committee on the current four alternatives for Action 3? Are these the ones we want to keep for scoping? Do we want to modify any of these? Mel, go ahead.

MR. BELL: I would just take what we've got there and then move with it. I don't see any need to modify them, nor would I know how to modify them appropriately, and so I think you're good with what you've got at this point.

MR. POLAND: All right. Sounds good, Mel. Christina, any additional items for Action 3?

MS. WIEGAND: Nope. If you guys are good with moving forward as-is for the scoping period during public comment on Wednesday, then we will leave it as-is.

MR. POLAND: Sounds good.

MS. WIEGAND: I will scroll us on to Action 4, which looks at increasing the recreational bag and possession limit for Atlantic migratory group king mackerel in the EEZ off of Florida, and so Alternative 1, which is no action, has a two-fish per person daily bag limit specified by Florida for its waters, and I wanted to note that the CFR does explicitly state that the bag limit off of Florida is set to match whatever is specified in Florida state waters, so long as it doesn't exceed five fish per person.

Under Alternative 2, we would remove the language about matching state waters of Florida and just increase the daily bag limit to three fish per person off of Florida, and that would put the east coast of Florida on par with everything north, which is also at three fish per person, as well as Gulf waters, which is three fish per person, and this was a request specific from the Mackerel Cobia AP, and the goal is really to create consistency in trip limits, which is why sort of two alternatives is appropriate for this action.

MR. POLAND: All right. Thank you, Christina. Jessica and then Art. Go ahead.

MS. MCCAWLEY: Thanks. I was just going to say that I support this action and the way that Christina talked about how it's written, and I think that that's a good plan, and she also mentioned that this was supported by the AP.

MR. POLAND: All right. Thank you, Jessica. Art.

MR. SAPP: I am all for putting both of these alternatives out for discussion and everything, but I want to make my voice heard that Alternative 1 should be supported. Nowhere else in our region is there the kind of fishing pressure that there is, especially in south Florida, and two fish is plenty on the recreational side, in my opinion.

MR. POLAND: All right. Thank you, Art. Mel, go ahead.

MR. BELL: I was just going to agree with Jessica and also point out that I think consistency would be nice for enforceability as well, in crossing boundaries.

MR. POLAND: All right. Thank you, everyone. Any additional comments for Action 4? It doesn't sound like it, Christina.

MS. WIEGAND: All right. Well then, I'm going to roll us on down to Action 5, which looks at reducing the minimum size limit for recreational and commercial harvest of Atlantic king mackerel. Currently, under the no action alternative, the minimum size limit is twenty-four inches fork length. Alternative 2 proposes a reduction to twenty-two inches fork length. Alternative 3 would be twenty inches fork length, and then Alternative 4 proposes removing the minimum size limit altogether.

The IPT did want to make a note that, if the council does decide to decrease or remove the size limit, they may want to consider removing the provision that allows commercial fishermen to possess undersized king mackerel in quantities not exceeding 5 percent by weight of the king mackerel onboard, and, again, this was a recommendation from the Mackerel Cobia AP. They noted that young, medium-sized king mackerel are often more desirable and that a lot of smaller king mackerel are released as dead discards.

MR. POLAND: All right. Thank you, Christina. There was a lot of discussion of this at the AP, and a lot of interesting points were raised. Any comment from the committee on any of the alternatives proposed for Action 5? Jessica, go ahead.

MS. MCCAWLEY: I am good with these alternatives. I will point out that twenty is below the 50 percent of females mature, because that's twenty-two inches, and so I still think it's okay for all four of these alternatives to go out to scoping.

MR. POLAND: Okay. Thank you, Jessica. Any additional comments? Andy, go ahead.

MR. STRELCHECK: Thanks, and I had a similar comment to Jessica. Alternative 4 gives me, certainly, pause and concerns, obviously, with having no size limit, and, ultimately, impacts to potentially the spawning stock or recruitment overfishing, if those young, smaller fish are harvested, and so I think it's fine to go out to scoping, but it's something the council will want to weigh when we select preferred alternatives later.

MR. POLAND: All right. Thank you, Andy. Any additional comments? Mel, go ahead.

MR. BELL: I was just going to agree with Andy and Jessica. I think the four took my breath away a little bit, but we can certainly go to scoping with this and then come back and adjust later, if we need to.

MR. POLAND: All right. Thank you, Mel. Any additional comments? I am not hearing any, Christina.

MS. WIEGAND: All right. Well, then I will roll us on to the last action in this amendment, which is Action 6, and this looks at modifying the recreational requirement to land CMP species with heads and fins intact, and so, currently, cutoff or damaged fish may not be caught or landed under the recreational bag limit. They may not be possessed. However, commercial fishermen are allowed to keep cutoff and damaged king and Spanish mackerel, so long as they meet minimum size limits.

Alternative 2 proposes to allow cutoff or damaged fish caught under the recreational bag limit to be possessed and offloaded, and there are sub-alternatives for Atlantic migratory group king mackerel and Atlantic Spanish mackerel.

The IPT did want to note that, additionally, the commercial sector is allowed to keep a maximum of five additional cutoff fish that are not subject to size limits or trip limits, but they cannot be purchased or sold, and they are not counted against their trip limit. The council could consider a similar provision for the recreational sector, but just a note that the current recreational bag limit is already below five fish per person.

We did bring this up, briefly, to the Law Enforcement Advisory Panel, and they didn't provide any comment, but we could always reach out to them, to talk a little bit more in-depth about this action, and, again, this was based off of a recommendation from the advisory panel, noting, particularly with the increase in shark depredation, there is a need to allow landing of cutoff and damaged fish.

MR. POLAND: All right. Thank you, Christina. Jessica, go ahead.

MS. MCCAWLEY: Thanks, Steve. When we went over this, and when we were talking to our law enforcement folks, they actually thought that this was already allowed, and so we looked into the current language, and the current language does not appear to specify who it's for, whether it's

commercial or recreational, and so they had actually been thinking that it already applied to recreational, and so we had a big debate within the FWC about the current language, and so I was hoping that the IPT, or whoever, can look at this and just confirm that the language that's in the books does not allow this already, and, thus, if it doesn't, then this needs to be clarified either way, because it's very confusing, and our law enforcement has been thinking it was allowed.

MS. WIEGAND: Thank you, Jessica. I appreciate you bringing that to my attention. I feel like - I guess I don't have the CFR language in here, but I looked at it and thought it was specific to commercial trip limits, but I will defer to Monica or Shep, if they have any opinion on this, and the IPT will definitely take a closer look, to make sure we're clarifying whether or not this is already legal.

MR. POLAND: Shep, go ahead.

MR. GRIMES: Thank you, Mr. Chairman. I was just going to respond that we'll do that. I have it in front of me, but I don't want to do this on the fly. We'll look at it, and we'll have a position on it, and I guess, if we have the IPT go over it, we can do it next time, or I can provide it later at this meeting, if you want it quicker. Thank you.

MR. POLAND: All right. Thank you for that, Shep. I think, with that point that Jessica raised, I would be more comfortable letting the IPT discuss this action further and come back to us with some additional information. Any other thoughts for Action 6? Spud, go ahead.

MR. WOODWARD: Thank you, Steve. I brought this up before, and I just have to do it, so I can clear my conscience, but we have already, as a council, created a conflict with state law, and this would possibly expand that, where you have state laws that require the fish to be landed head and tail intact, and so that's something we need to be cognizant of, that, if this expands to the recreational fishery, then it could create conflict, where people are legal in federal waters doing one thing, and, when they cross into state jurisdictions -- It will, obviously, be at the discretion of the officer, but they would certainly have grounds for citing someone who is not complying with state law.

MR. POLAND: Thank you for that, Spud, and I think we talked about this in September or December, but we have similar laws, or rules, on the books here in North Carolina that require head and tail intact for any fish that is subject to a size limit, and so I'm not saying that that would create a conflict, but that is something that we would have to look at internally in our state. Dewey, go ahead.

MR. HEMILRIGHT: Thank you. Why wouldn't you just be able, enforcement, to look at a fish and see it's been eaten by a shark and let them keep it or something? I mean, I don't understand. I mean, I know people could maybe cut the fish in half, but that's a straight cut, or a fine cut. I mean, obviously, somebody could -- It might be reaching, but use some commonsense to say, hey, man, look at this thing, and it's been eaten by a shark, and you're allowed to keep it, up to a certain point, and maybe a couple or five or something like that, and it would be a better use, and it would not count against your bag limit, than throwing it back, but, by throwing it back, it would help feed the sharks more, and so that might -- I just think it kind of -- It makes commonsense, but I just think that would be a good idea, is just take a visual of the fish, enforcement, and, yes, it looks

like, to me, that it's shark bitten, and you're allowed two of them, and you go about your day. Thank you.

MR. POLAND: Thank you for that, Dewey, and that's an interesting perspective. I would be interested to hear what law enforcement -- What their take on that would be. Any additional comments on Action 6? I am not hearing any, Christina.

MS. WIEGAND: All right. Well, those are all the actions that are included in this amendment. Like I said, scoping for this amendment is happening during the public comment period for this meeting, and so the public will have an opportunity to comment on what you guys have discussed here on Wednesday. Then, during Full Council, we'll have draft motions to approve the actions and alternatives for inclusion in the amendment, and you can make any modifications that haven't already been made today, based on public comment, as you see fit.

MR. POLAND: All right. Thank you, Christina. We don't need a motion to send this to scoping or anything like that?

MS. WIEGAND: No, and you guys passed a motion at the December meeting to send it to scoping during public comment at this meeting.

MR. POLAND: All right. Perfect. Andy, I see you have your hand up. Go ahead.

MR. STRELCHECK: I wanted to go back to the allocation discussion, briefly, and, with neither sector landing their catch limits, it's really kind of hard for me to discern exactly what allocation changes it would result in, in terms of kind of future harvest. On the recreational side, certainly we're handling the potential availability of additional fish to be caught by changes in bag limits or reductions in size limits but we're not doing anything on the commercial side, and so I'm wondering if there would be interest by the council, or at least asking the advisory panel to weigh-in, on changes to commercial trip limits, and that could provide them an increased ability to harvest their catch limit.

Then the other comment is just kind of more broadly, and I don't know how the dynamics of using different time series of landings will be for setting allocations, but my expectation is that it will be unidirectional, because of the changes to FES, and so it's going to be all going toward the recreational sector and whether or not we would want to give staff direction to consider an alternative that potentially shifts allocation to the commercial sector, based on an underharvest that's occurring in both sectors.

MR. POLAND: Thanks for that, Andy. Christina, and then any thoughts from the committee on that.

MS. WIEGAND: I just wanted to note, related to what Andy was talking about, in terms of actions related to the commercial sector, within the last, I guess, three years, since I've been with the council, the council has moved forward two amendments, CMP Framework Amendment 6 and CMP Framework Amendment 8, I believe are the correct numbers, and both of those increased commercial trip limits off the coast of Florida. If the committee would like, we could also consider increasing commercial trip limits north of Florida, and it's something that we could bring to the

IPT, but I just wanted to note that there have been some changes to increase the commercial trip limits.

MR. POLAND: Thank you, Christina. Jessica, go ahead.

MS. MCCAWLEY: Oh my god. No more commercial trip limit changes. I'm just kidding. If you guys really want to talk about it, we can, but Christina is right that we spent a lot of time on this, and we've done it twice in the recent past, but I'm up for whatever the committee wants to talk about.

MR. POLAND: Thank you, Jessica. I've only been part of this committee for not quite four years yet, and I feel like we have addressed that a few times, just down there in Florida, and I have not heard much interest up in the northern zone about modifying those trip limits. The AP had opportunity to comment to that effect, and they didn't provide much comment to it. Dewey, go ahead.

MR. HEMILRIGHT: Thank you, Steve. Has there been any analysis done, since we're having this discussion, about how many times a trip limit has constrained the catch? That would be probably a quick thing for staff, or maybe somebody, to look at and then bring it back, if there were some constraints there, but I would be curious to know, and is the current trip limit 3,500 pounds, like north of the Florida region or something like that? I am not familiar, exactly.

MS. WEIGAND: Dewey, you're correct. The trip limit is 3,500 pounds north of Florida. Once you get into the State of Florida, the commercial trip limit system becomes quite a bit more complicated. Then, to answer your question, there would have been analysis for Framework 6 and Framework 8 that would have looked at the trip limits off of Florida and at how many trips landed that full trip limit. I don't remember those numbers off the top of my head, but I could look them up, but, again, those would be specific just to the areas we were looking at off of Florida, and I don't believe there's been any recent analysis done on that for the areas north of Florida.

MR. HEMILRIGHT: Well, from listening to the public comment over the last couple of years, it doesn't seem like there's a move to increase, or any comments to increase, it further in the Florida region, but it would be interesting just to see if there's been any constraints of the trip limit north of the Florida region, for the northern half, or whatever the dividing line is, to the north. Thank you.

MR. POLAND: All right. Thank you, Dewey. Any additional comments for Amendment 34? Is that what we've anointed it as now, Christina?

MS. WIEGAND: Yes, it's going to be Amendment 34. I did want to make one quick note about this direction to staff, and it's not necessarily something that needs to have discussion now, but I just want to make the committee aware of it. When going back in time for the king mackerel fishery, we'll need to be conscious, when discussing it, that boundaries have changed over the years. Amendment 26 set the current boundary, which is the Miami-Dade/Monroe County line, but, prior to that, the boundary shifted, based on the season, and so I just want to make you aware of that, and that it may take staff some time to sort of sort through the best way to present this information to the committee, given sort of those changing dynamics that are present in the king mackerel fishery.

MR. POLAND: Okay, and those boundaries changed about 2012?

MS. WIEGAND: Amendment 26 went into effect in May of 2017, I think, and, other changes before that, I would have to go back and look at past amendments and past dates, but the most recent change was May of 2017, I'm fairly certain.

MR. POLAND: Okay. I've got you. All right. Anything else? I am going to say that we move on to the next agenda item, and then we'll have a hard stop at 12:30 and take an hour for lunch and come back. Does that sound good? I heard from our fearless leader, Mel, that that's what his preference was, and so let's move into Amendment 32.

MS. WIEGAND: All right. Next up is Amendment 32, which is Gulf cobia, and I'm going to run through it, but, just so you know, we've also got Dr. Natasha Mendez here to help me out, if there are any questions about some of the discussion that the Gulf had at their last meeting.

Again, just as a quick reminder, this amendment is also addressing an updated stock assessment, with updates to the SEDAR 28 stock assessment for Gulf cobia. Unfortunately, this one was a little less positive than king mackerel. It determined that the Gulf stock was undergoing overfishing. It wasn't overfished, but, if management changes aren't made to curb overfishing, it may become overfished in the future.

Here are the OFL and ABC recommendations from the Gulf SSC, and, again, this does incorporate the new MRIP-FES numbers, and one big thing that I want to note here, since we just discussed this for king mackerel, the ABC has an increasing yield stream for cobia, and so you will see that it starts at about 2.3 million pounds and then increases to 2.7 million pounds by 2023, and so I just want to draw your attention to that, since it is different from what we just talked about for king mackerel.

There are six actions in this amendment, one to address the ABC and ACL, one to address the apportionment between the Gulf zone and the Florida east coast zone, one to update the ACTs, and then Actions 4 and 5, which looks at trip limits and possession limits, and then, finally, Action 6 is going to look at modifying the framework procedure, specifically clarifying which councils are responsible for what type of actions. The goal for this meeting is just going to be to review the purpose and need statement, review the actions and alternatives to be analyzed, and provide any guidance to staff.

Here is very, very tentative timing for CMP Amendment 32. The Gulf and South Atlantic advisory panels will review this amendment at their respective meetings in the coming months, and the Gulf Council will then review this again at their June meeting, as will our council, and, by then, I believe we'll be looking at selecting preferred alternatives. The Gulf Council has already selected a few preferred alternatives for some actions, and I will go over those as well.

Diving right in, here is the purpose and need statement. The purpose of this plan amendment is to consider modifying Gulf cobia catch limits, modify management measures related to size and possession limits, revise the apportionment between the Gulf Zone and the Florida East Coast Zone for cobia, in response to new information on the stock provided in the SEDAR 28 updated stock

assessment, and to clarify language in the CMP framework procedure regarding the responsibilities of the Gulf and South Atlantic Councils for management of Gulf cobia.

The need is to end overfishing of Gulf cobia, as required by the Magnuson-Stevens Act, update existing Gulf cobia catch limits, to be consistent with the best scientific information available and contemporary data collection methods, and to clarify the Gulf and South Atlantic Council's responsibilities in the CMP framework procedure.

MR. POLAND: Thank you, Christina. Any comments on the draft purpose and need statements? It seems like everything was there, to me. No hands.

MS. WIEGAND: All right. Then I will cruise us along to Action 1, which looks at the ABC and ACL, and I want to make a note here, to hopefully avoid any confusion. When I talk about Gulf cobia, I am talking about the entire stock, and so Gulf and Florida. Gulf Zone cobia is just the part of the cobia that's in the Gulf Council's jurisdiction, and then Florida East Coast cobia is the part of cobia that's in our jurisdiction, and so I will try to make sure that I'm being explicit, but that's the language that's going to be used throughout the document. Gulf cobia is the whole stock, and then Gulf Zone and Florida East Coast Zone when we're separating the two, and so hopefully that helps.

Alternative 1, no action, would, again, retain the current OFL, ABC, and ACL that were put in place back in Amendment 20B. Alternative 2, which is the Gulf's current preferred alternative, would modify those catch levels, based on the Gulf SSC's recommendation, including the increasing yield stream between 2021 and 2023.

Alternative 3, on the other hand, would have a constant catch value at that 2021 level, and so the 2.3 you see here in 2021, and it would keep that in place until modified. Just a note, total cobia landings would have exceeded both Alternative 2 and Alternative 3 in every year but two since ACLs were implemented in 2012, and that really illustrates the fact that other management measures may be needed to constrain harvest to the ACL. Just, again, to note, similar to the king mackerel amendment, the sooner the council can choose a preferred alternative for Action 1, the easier subsequent analyses will be for staff.

MR. POLAND: All right. Thank you, Christina. Any comments from the committee? I am going to look heavily towards our Florida contingent, if any of you have comments on any of these proposed actions. All right. I am not seeing any hands raised, Christina, and so do you need us to take any action, or just move on to Action 2?

MS. WIEGAND: Unless you guys wanted to discuss selecting a preferred alternative for this. Again, that will be helpful for analysis, but, otherwise, that's the only action we need you guys to consider.

MR. POLAND: Thank you, Christina. Any interest in selecting a preferred at this time, committee? I am not seeing any, Christina. Jessica, go ahead.

MS. MCCAWLEY: **I move that we select Alternative 2 as the South Atlantic preferred.**

MR. POLAND: Thank you, Jessica. Is there a second?

MR. BELL: Second.

MR. POLAND: Thank you, Mel. Is there discussion? Mel, or is that just a second?

MR. BELL: That was a second, and I was going to suggest that.

MR. POLAND: All right. Thank you, Mel. Art, go ahead.

MR. SAPP: As I was going to suggest that, and so we're good.

MR. POLAND: All right. Good deal. Any more discussion on Action 1? We have a motion to select Alternative 2 as the preferred, and that's also the same preferred that the Gulf Council selected. All right.

MS. WIEGAND: This is Alternative 2 under Action 1 as the preferred.

MR. POLAND: Yes. **Motion to select Alternative 2 under Action 1 as the preferred alternative. Is there any opposition to the motion? Hearing none, the motion stands approved.**

MS. WIEGAND: I will move us on to Action 2, and so this looks at modifying the apportionment between the Gulf Zone and the Florida East Coast Zone, again based on the ACLs that are selected in Action 1, and so Alternative 1 would retain the current stock apportionment of 64 percent to the Gulf Zone and 36 percent to the Florida East Coast Zone, based on the old MRIP numbers. Alternative 2 would retain the current percentages, and so the 64 percent to the Gulf and 36 percent to Florida, and update that apportionment based on the new ACLs selected in Action 1.

Alternative 3 would modify the apportionment to be 63 percent for the Gulf and 37 percent for the Florida East Coast Zone, and that's based on average landings for Gulf cobia from the years 1998 to 2012, and so it updates the currently used time series based on FES numbers. Alternative 4 would allocate 62 percent to the Gulf Zone and 38 percent to the Florida East Coast Zone. That's based on average landings of Gulf cobia from 2001 to 2015, and then Alternative 5 would update the apportionment to 59 percent to the Gulf and 41 percent to Florida, based on the years 2003 to 2019.

Those two time periods for Alternative 4 and Alternative 5 were chosen because they were more recent, but they were still the full fifteen years, a fifteen-year time length, like was originally chosen in the 1998 to 2012 time period, and that time period -- The rationale for that, at that time, was that it included the long-term dynamics of the cobia stock.

It should also be noted that Alternative 4 may be biased, due to recent management changes for Gulf Zone cobia, and then, at their last meeting, the Gulf Council chose Alternative 3 as their preferred, which is the alternative that uses the same time period, but it updates the percentages based on the new FES numbers.

MR. POLAND: All right. Thank you, Christina. Jessica, go ahead.

MS. MCCAWLEY: I have two things. **The first one is I would like to make a motion to choose Alternative 3 under Action 2 as the South Atlantic preferred.** While Christina is typing that, I think that we need to add an action to this document to consider revising the sector allocations just for the Florida East Coast Zone between commercial and recreational for the new FES numbers.

MR. POLAND: All right. Thank you, Jessica. Is there a second for Jessica's motion?

MR. SAPP: Absolutely.

MR. POLAND: All right. Thank you, Art. Let's take care of this motion, and then we'll get back to Jessica's second point. Is there any more discussion, any further discussion, on the selection of preferreds? **The motion reads to choose Alternative 3 under Action 2 as the South Atlantic Council's preferred alternative.** Is your hand still up for comment, Art?

MR. SAPP: Negative. I'm accustomed to them lowering it for me, but I will do it.

MR. POLAND: All right. **Is there any opposition to the motion? Hearing none, the motion stands approved.**

MS. WIEGAND: All right. Well, as always, Jessica is one step ahead of me. The next question I had for the committee was whether or not you guys would like to add an action to this amendment that would address sector allocations for the Florida East Coast Zone.

MR. POLAND: All right. Is there discussion from the committee? Jessica, do you have a -- Mel, go ahead.

MR. BELL: I was going to say that, if Jessica is interested in that, I am interested in that, or at least hearing about it.

MR. POLAND: All right. Thank you, Mel. At this point, Christina, do we need a motion to add that action?

MS. WIEGAND: I can take it as direction to staff, and we can bring back action and alternative language for you to approve.

MR. POLAND: Okay. Jessica, go ahead.

MS. MCCAWLEY: I was going to make a motion, but direction to staff is fine by me.

MR. POLAND: All right. Thank you.

MS. WIEGAND: Would the committee like to provide any guidance, in terms of the actions and alternatives they would like to see the IPT develop?

MR. POLAND: Any input from the committee? I myself am not aware of what the sector allocations currently are.

MS. WIEGAND: I believe they are 8 percent commercial and 92 percent recreational.

MR. POLAND: Jessica, go ahead.

MS. MCCAWLEY: In case it's not obvious, I would like to see an alternative that updates that -- Takes those percentages, but just updates it based on the new FES.

MR. POLAND: Mel, go ahead.

MR. BELL: I was just going to say we follow kind of a similar pattern as we have with other things that we have considered, other fisheries, and particularly utilizing the new FES, and so that makes sense.

MR. POLAND: All right. Is that sufficient direction, Christina?

MS. WIEGAND: We will move forward in the way we have for past allocation alternatives, and I will bring this to the IPT to discuss, and we'll bring you back some actions and alternatives.

MR. POLAND: All right. Thank you.

MS. WIEGAND: If there's nothing else on that, I can move us on down to Action 3. This looks at updating and establishing annual catch targets for the Gulf cobia zones, based, again, on the apportionments that is selected in Action 2. Currently, the Gulf Zone ACT is 90 percent of the ACL, and the Florida East Coast Zone recreational ACT is, again, that one minus the PSE for the recreational landings, or 0.5, whichever is greater.

Alternative 2 would use the Gulf Council's ACL/ACT control rule to calculate the ACTs for both the Gulf Zone and the recreational sector for the Florida Zone. Alternative 3 would establish an ACT for the commercial sector in the Florida East Coast Zone, which we currently do not have, and, again, another note is that, if we do decide to establish a commercial sector ACT for Florida, we will then need to look at modifying the accountability measures for the commercial sector to include that ACT.

MR. POLAND: All right. Thank you, Christina. What's the pleasure of the committee for Action 3? Is there discussion? Jessica, go ahead.

MS. MCCAWLEY: I am not ready to pick a preferred here, and I'm okay that this action and the alternatives are in the document, but I don't think we need to modify the alternatives, but no preferred from me.

MR. POLAND: Okay. It seems appropriate, from my perspective. Any additional comments on Action 3? I am not hearing any, Christina.

MS. WIEGAND: All right. Then let's cruise right along to Action 4. This looks at modifying the Gulf cobia possession limit and/or establishing a trip limit, and I want to make a note here, because the language that we typically use is a little bit different than the language the Gulf typically uses. When they're talking about a trip limit here, I believe they're talking about what we would typically refer to as a vessel limit, and so I just want to make that clear.

Currently, there is a recreational and commercial daily possession limit of two fish per person, regardless of the number or duration of trips for both the Gulf Zone and the Florida East Coast Zone. Alternative 2 would reduce the recreational and commercial daily possession limit to one fish per person, and that would be regardless of the number or duration of trips, and then there are sub-options for the Gulf Zone and the Florida East Coast Zone.

Under Alternative 3, it would create a recreational or commercial daily trip limit, and fishermen may not exceed the per-person daily possession limit, and so the options are two fish, four fish, or six fish, and there are options to include that for the Gulf and for the South Atlantic, and so the structure of this action may be a little complicated, and so, if it's not clear, please let me know, but the purpose is to sort of -- One alternative for the possession limit options for both zones and one alternative to create what we term a vessel limit and then options for the Gulf and for Florida.

Just as a note, because I know this council, back in December, noted that they would like to create consistency among all the regions, and so similar regulations in Florida state waters as well as federal waters, and so the Florida state regulations for the Gulf, I believe, are one per person and two per vessel, and Florida state regulations for the Atlantic side are one per person and six per vessel.

MR. POLAND: All right. Thank you, Christina. Just so I'm clear, instead of taking the possession limit, the trip/vessel limit, up in two actions, they just combined it into one action.

MS. WIEGAND: Exactly. You nailed it.

MR. POLAND: All right. I wanted to make sure that I was clear on that. Jessica, go ahead.

MS. MCCAWLEY: Thanks. A couple of things. Christina is right that FWC, on the Atlantic coast, has something different than what we have in place on the Gulf coast. That's partly because FWC got out in front of the councils when people were talking about concerns about cobia. The concerns were primarily coming from the Panhandle, and so, at the time, the FWC only modified the regulations on the Gulf side of Florida, with the intent that, following the stock assessment, after the council took action, they were intending to make decreases on the Atlantic coast, and so, even though it's different right now, the intent is to match it up in state waters, following the passage of this amendment by both councils.

With that being said, I'm ready to make a motion to choose preferreds for the South Atlantic, and I would move that, under Action 4, we choose Alternative 2b and 3b, Sub-Option i, as our preferreds.

MR. POLAND: All right. Thank you, Jessica. Is there a second for that motion?

MR. BELL: Second.

MR. POLAND: All right. Thank you, Mel. Is there discussion? As I'm reading this --

MS. WIEGAND: I'm sorry, but, Jessica, do I have what you just said correctly?

MS. MCCAWLEY: I think so. It would be 2b, which is the same thing the Gulf chose, and then the same thing on Alternative 3, and we would be choosing two fish for the Florida East Coast Zone, and it looks like that's correct. Then Sub-Option i, I guess.

MS. WIEGAND: Okay, and so we're looking at -- I want to make sure we're clear, and the IPT can go back and sort of wordsmith some of this language that's a little confusing, but the goal is Alternative 2, Option 2b, which would be a one-fish per person limit, and then Alternative 3 would be a two-fish vessel limit for the Florida East Coast Zone, which would then match what the Gulf has chosen.

MS. MCCAWLEY: Yes, that's my intent, but I also agree that this action is -- It's just worded kind of weird, for me, and I think that what they mean is a per-person limit and a vessel limit, but just this whole possession thing is kind of throwing me off.

MR. POLAND: Just so we're clear with the motion on the screen, it looks like it's slightly different than what the Gulf Council preferred, but it's for the Florida East Coast Zone, so that the possession and trip limits match up, and so, okay, that makes sense.

MS. MCCAWLEY: Well, point of order. Do we also need to pick preferreds for the Gulf side? In other words, pick the same exact preferreds for the Gulf and then pick those same preferreds for the Florida East Coast Zone? That's what we've done in the past on these joint amendments.

MS. WIEGAND: Correct, and so I don't know if you want to handle it under two separate motions, and so select our preferred alternatives for the Florida East Coast Zone and then do a second motion to concur with the Gulf Council's preferreds, but you're correct, Jessica, in that each council has to select the same preferreds as the other council.

MR. POLAND: I don't know what would be easier. My feelings are, since we already have a motion on the table that's been seconded, let's dispense with this, and then we can go back for another motion to select the Gulf preferreds, if the committee is fine with that. All right. The motion as it reads, is that how you like it, Jessica?

MS. MCCAWLEY: I'm fine with that if Christina is, and then I can make a second motion when we're done with this one.

MR. POLAND: All right. Thank you, Jessica. I've got a few people in the queue, and so we'll go to Art.

MR. SAPP: Just for discussion, the fishery has changed drastically on Florida's east coast, as well as in the Gulf, from the folks that I've spoken to over there. With this overabundance of sharks, the fish are no longer on the rays and in places where they are real visual, and they don't get to do the beach fishing, and we don't get to do the beach fishing anymore, and so there is a belief that this fishery is in dire straits by the folks that are still trying to fish those older methods, and those of us that are fishing among the sharks are seeing plenty. I would rather not take the drastic reductions on the east coast, but I have a feeling that FWC is going to do it, to be consistent with the Gulf, and so what happens happens, but I just wanted to be heard saying that I don't totally agree with it. Thank you.

MR. POLAND: All right. Thank you for that, Art. Natasha, go ahead.

DR. MENDEZ-FERRER: I wanted to echo what Christina said. This is an action that we will take another look at fixing, or modifying, the language that's included in here. Initially, when we received the direction from the Gulf Council to look at possession limits, it included vessel limits, but, at the time that this draft was developed, the analyses were done based on trips, and so we're going to take a closer look at the data, to reevaluate and see if we can look at the vessel limit.

Then it wasn't a motion, per se, but the Gulf Council, at their January meeting, suggested separating this action and looking at it by sector, and so I think we have a lot to discuss at our next IPT meeting, and I have a feeling where the council wants to go with this, and so hopefully we'll present cleaner language for this action during the next draft.

MR. POLAND: All right. Thank you, Natasha. Anna, go ahead.

MS. BECKWITH: I was just going to agree, and it's been dealt with, but, yes, I thought the language on this one was really confusing, and it took me about five times to read it through it through before I realized what they were, and I assumed it was just Gulf Council language, but I think folks accustomed to vessel and trip limits on our side would have difficulty understanding what we're attempting here, and so it sounds like that's going to be handled. Thanks so much.

MR. POLAND: All right. Thank you, Anna. Any more discussion on the motion we have on the table, on the floor? All right. **If not, is there any opposition to the motion? Hearing none, the motion stands approved.** Jessica, do you have another motion to offer?

MS. MCCAWLEY: Yes, I do. **I move that we approve the two Gulf Council preferreds for the Gulf Zone under Action 4, which would be Option 2a and 3a, Sub-Option i.**

MR. BELL: Second.

MR. POLAND: Second by Mel. I was going to say that I wasn't going to get ahead of myself and make sure the motion was how it needs to be before a second, but I think we know what we're going for, and so Mel seconds the motion.

MS. WIEGAND: All right, and so, to be clear, we would be selecting, as our preferred, concurrent with the Gulf, Alternative 2, Option 2a, and Alternative 3, Option 3a, Sub-Alternative i, which would be a one fish per person possession limit in the Gulf and then a two-fish vessel limit in the Gulf Zone, what we had previously selected for the Florida Zone, and so I wanted to make sure that we're all on the same page at what this action is getting at, or this motion. Excuse me.

MR. POLAND: I am clear. Any more discussion from the committee on the motion? Jessica, go ahead.

MS. MCCAWLEY: I was just going to say that that motion reflects my intent. I'm good.

MS. WIEGAND: Are you good with me removing the words "the two Gulf Council preferred", because there is actually more than two?

MS. MCCAWLEY: **Yes, that's fine.**

MR. POLAND: All right. **The motion on the board is to approve the Gulf Council preferred for the Gulf Zone under Action 4. Any further discussion? Any opposition to the motion? Hearing none, the motion stands approved.**

As I said before we got into this action item, we were going to take a hard stop at 12:30, and it's currently 12:35, and so I know we've got two more actions to review, but I will say let's go ahead and break for lunch and be back in an hour, as long as there's no opposition to that.

MR. BELL: Yes, we can do that, Steve, and then finish up, and then we may -- When we get back, we might even consider the remaining items, and we can have a discussion about that, and maybe we can take some of those to Full Council or something. I don't want to pinch Jessica too hard on Snapper Grouper and that start, and so, yes, let's go ahead and take an hour.

MR. POLAND: All right. Understood. Thank you.

(Whereupon, a recess was taken.)

MR. POLAND: So as not to run too much into the Snapper Grouper Committee, we're going to finish up CMP Amendment 32, and we're going to save Agenda Items 3 and 4 for Full Council, but we will cover the Other Business in this committee, and so, with that, Christina, whenever you're ready, you can start making your way back over to the decision document for Amendment 32.

MS. WIEGAND: All right. Just to bring you all back from lunch and back into Gulf cobia, we just finished talking about the trip limit and vessel limit, and we chose -- We concurred with the Gulf's preferred alternatives and chose preferred alternatives of our own that matched the Gulf's, a one per person bag limit with a two-fish per person vessel limit, and staff will go back in and sort of restructure this action in a way that makes it a bit more readable.

Moving on down from that, we'll hop right into Action 5, which looks at modifying the Gulf cobia minimum size limit, and no action would retain the thirty-six-inch fork length in the Gulf Zone and a thirty-three-inch fork length in the Florida East Coast Zone. Alternative 2, which is the Gulf's preferred alternative, would raise the minimum size limit to thirty-six inches fork length in the Florida East Coast Zone and retain the thirty-six-inch fork length size limit in the Gulf Zone.

Alternative 3 would increase the minimum size limit to thirty-nine inches, and Alternative 4 would increase the minimum size limit to forty-two inches, and, again, there are sub-options underneath those alternatives for the Gulf Zone and the Florida East Coast Zone. Just as a note for this, 50 percent of cobia are sexually mature at thirty-three inches fork length. With that, Steve, I will turn it back over to you for discussion.

MR. POLAND: Thank you, Christina. Any comment from the committee on this?

MS. WIEGAND: Just any discussion of if you guys are comfortable with the current range of alternatives under this action or if you have any modifications you would like to see.

MR. POLAND: I am seeing no hands. Excuse me. Monica, go ahead.

MS. SMIT-BRUNELLO: Just a quick question for Jessica. Jessica, is the FWC considering any changes to the state-water size limits? I know you talked about some changes they got ahead and then will be considering on the possession and trip limit, and that might be helpful to hear.

MR. POLAND: Thank you, Monica. Jessica.

MS. MCCAWLEY: Thanks, Monica. We didn't work on the size limit before, and so we actually did some workshops along the Gulf coast, and I was looking to see if I had that and that I could pull that up easily, but, depending on where you were when we did those workshops, and so St. Pete versus Panhandle, et cetera, as you heard Art talk about how people fish the fish differently, that seemed to have affected the size limit and how people interacted with the various sized cobia.

In St. Pete, they were interacting with them one way, and in the Panhandle another way, and so they weren't really seeing those larger cobia around St. Pete, and I think it just had to do with kind of how they were fishing, and I was also looking through the document, and maybe Christina can remind us, but my understanding is, based on what the cobia assessment found out, that we can't get the needed reduction by just changing the bag limit and the vessel limit. I think that we have to make a change to the size limit, and so, that being said, I believe that the FWC would then come back and consider changes to the size limit for state waters, on the Gulf and the Atlantic side, following the passage of this joint amendment.

I do think that there are issues here, and it is challenging, it seems, because, a lot of times, people are gaffing cobia, plus people interacting with the fishery differently in different parts of the state, but I am willing to make a motion to choose Alternative 2 as the South Atlantic preferred.

MR. POLAND: All right. We'll let Christina get it typed out. Is there a second for the motion?

MR. BELL: Second.

MR. POLAND: All right. There is a second. Any discussion on the motion? **The motion reads to select Alternative 2 under Action 5 as the South Atlantic Council's preferred. Seeing no hands for continued discussion, is there any opposition to the motion? Hearing none, the motion stands approved.** All right, Christina.

MS. WIEGAND: All right. With that, I will move us along to the last action in this amendment, which is not cobia related directly, but it looks at modifying the framework procedure. There are a couple of issues with the current framework procedure. First, there are some references in there to outdated king mackerel management areas, management areas that no longer exist, as well as them being very specific on what the South Atlantic Council can change with respect to Florida cobia.

Right now, as it's written, the only thing the South Atlantic Council can do through the framework procedure, and, thus, unilaterally without approval from the Gulf Council, is change vessel trip limits, closed seasons or areas, and gear restrictions, and that's it. Additionally, there needs to be some clarification, and there is language in there that talks about how, if a management boundary

is set between the Gulf and South Atlantic stocks, if it's set somewhere different than the jurisdictional boundary, then the council will -- Management will be the responsibility of the council within whose management area that zone is located, which is in fact how we do it for cobia, but is not how we do it for king and Spanish mackerel, and so that language needs to be changed.

Alternative 2 looks at making some modifications. First, it would remove this language that specifies that all the South Atlantic Council can do is modify vessel trip limits, closed seasons, or area and gear restrictions for cobia. Instead, it would read that the South Atlantic Council 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 king mackerel.

It would also remove the language that talks about management measures for a specific zone would be the responsibility of the council within whose management area that zone is located, and it will replace it with language that says, "For stocks where a stock assessment indicates a different boundary between the Gulf and Atlantic migratory groups than the management boundary, a portion of the ACL for one migratory group may be apportioned to a zone in the other council's jurisdiction." That would allow us to continue managing cobia as the South Atlantic Council within our jurisdiction along the east coast of Florida, but it would not mandate that we do it that way for king and Spanish mackerel, which we currently do not.

Finally, instead of simply saying that both councils must concur on recommendations that affect both migratory groups, it gets more specific and says both councils must concur on recommendations that affect the whole range for each migratory group. Recommendations specific to each council's jurisdiction, such as the case for Gulf migratory group cobia Gulf Zone or Florida East Coast Zone only need to involve the affected council.

I know this seems a little confusing, and one of the things that staff is working on is putting together some examples to help illustrate this a little bit better, but, essentially, this allows us to manage Florida east coast cobia the same way we've been managing king and Spanish mackerel since my time with the council, and certainly since 2017, when we set that firm boundary, and so, if there are questions about this, I am happy to answer them, and I'll also probably be looking to Natasha to help me out a little bit with this.

MR. POLAND: All right. Thanks for that, Christina. Jessica, go ahead.

MS. MCCAWLEY: Thanks, Steve. I was one of the ones that talked about how confusing this was when we were at the last council meeting. I still think it's confusing, and a little bit less so, and then it sounds like staff is going to work on something that maybe makes it a little bit clearer, but I think that it's better than when we saw the document before, and so I get the intent of it, but it's just a little bit hard to go through all these different examples, and, actually, the comparisons with king mackerel just confuse me more.

MS. WIEGAND: Okay. That's good to now, and I will stop using that comparison, if it's not helpful.

MR. POLAND: All right. Thanks, Jessica. Any more comments? I am a little -- I mean, I get the intent for this, and I try to look at it from the thirty-thousand-foot view, so I don't get as confused, and I think this is the direction that we want to go as a council. Mel, go ahead.

MR. BELL: I was -- Just to simplify this for me, and so we're talking about -- Where it says, "replace with", that new language would come in, but then staff might still do some wordsmithing, to kind of make it even more understandable, and is that where we are right now?

MS. WIEGAND: This is the language that we would actually be formally replacing in the framework procedure. What staff is working on is creating some examples, and it's clear to me, especially based on this conversation, that it's unclear to the council what exactly can be changed through the framework procedure unilaterally, and so what staff is working on is coming up with some examples, to sort of illustrate that a little bit better than it currently is, but this is the language that we would actually be replacing. If there are concerns about this specific language, please let me know.

MR. BELL: I think the language is okay. New examples, that would be great. Thank you.

MR. POLAND: Thank you, Mel. I agree. I think the language is fine, but it's just wrapping -- Just, for me, wrapping my head around it and where it's going to be inserted and making sure that it captures kind of our intent with this. Natasha, go ahead.

DR. MENDEZ-FERRER: I see it on the screen right now, but I was going to refer you guys back to the CMP framework procedure, and so included in that appendix are listed the management measures that can be addressed through the framework procedure, and so it's something that we could discuss with the IPT, about how to include additional examples within the action, but this appendix includes basically the various management actions that can be taken.

What this action is doing is only affecting things that do not apply to -- When we would be doing changes that would affect both councils, for example, or, for example, changes to the ACL would still need to include the Gulf Council in the process, but, with the proposed changes, it would give the South Atlantic more freedom to address management measures that are listed here through the framework, but I do encourage you to take a look at the framework procedure and then give direction to staff if you have any other questions on how to include -- What to include in the action.

MR. POLAND: Thank you, Natasha. Are there any comments from the committee? It sounds like, to me, Christina, we're not to the point that we're comfortable selecting preferreds yet. It seems like Alternative 2 is certainly where we're leaning, and it doesn't seem like the council, or the committee, is ready to select that as preferred at this time. Is there any additional comments to provide the staff on Action 6? Seeing no hands, Christina.

MS. WIEGAND: All right. Well, Natasha and I will take this back to the IPT and discuss a little bit further how we can present this that hopefully makes it a bit more clear what the changes would functionally do and what each council would be allowed to do unilaterally through the framework. I believe Action 6 is the last action in this amendment, and so, unless there's anything else to add related to Amendment 32 and Gulf cobia, that's all I had for this amendment.

MR. POLAND: Okay. Thank you, Christina. As you recall when we started, I had mentioned that we were going to move Agenda Items 3 and 4 over to Full Council, and so all that's left on our agenda for today is to take up Other Business. With that, I will turn it over to Rick DeVictor. Rick, if you're ready, go ahead.

MR. DEVICTOR: Thank you very much. What I thought I would go over is the Spanish mackerel commercial Southern Zone and the series of trip limits that we have in place and what occurred this year. As you all know, the Atlantic migratory group fishing year begins on March 1, and it goes through the end of February for the commercial sector, and the Southern Zone is from the North Carolina/South Carolina state line down to the Miami-Dade/Monroe Florida county line.

We have these series of trip limits that are codified, that these occur each year, and so, when the fishing year starts on March 1, it's 3,500 pounds. Then, after 75 percent of the adjusted quota for the Southern Zone has been reached, or is projected to reach, the trip limit steps down to 1,500, and so that's your first step-down that occurs. Then your next step-down goes to 500 pounds, and that's after 100 percent of the adjusted quota for the Southern Zone has been reached or is projected to be reached. Then that's in place, that 500 pounds, unless you reach -- You have reached the closure, and so it's 500 pounds or you close.

With any in-season measures, we obtain projections from the Science Center in Miami, and we develop an in-season package, and we eventually send it up to Headquarters and the Federal Register. What happened this year is that we heard, in mid-January, that the Science Center received -- A large amount of late landings were received in the month of December, and we had in fact already reached the 1,500-pound trip limit, and we needed to close down as soon as possible.

By the time we heard that we reached that target, we had already met it, and so, at that time, we had worked on an in-season package and sent that on to Headquarters. When that was up in Headquarters, we had actually heard again from the Science Center that now both the 1,500 and 500 triggers were exceeded, and that was, I believe, at the end of January when we heard about that, and so a large amount of landings from the first two weeks of January were received. At that moment, we talked in SERO, and we determined that we weren't going to meet the trip limits and that we would just close the commercial sector on February 3.

We kept in contact with the states, and we talked to the State of Florida and South Carolina, and we talked to states in the Southern Zone about what was going on, because we had heard from fishermen, and they asked us what was going on with those step-downs, because they were tracking it also, and so we sent out the Fishery Bulletin for the closure on February 3, and we stated, in that bulletin, that we were unable to implement any trip limit reductions prior to the commercial quota being harvested.

That's what happened this year, and so we did not put in the 3,500, 1,500, or 500-pound trip limits, due to late landings that were received. In talking with the Science Center, mackerel is particularly tricky, where you will have relatively flat landings, a low level of landings, in the summer, and then they really pick up in the Southern Zone around this time, when these trip limits are scheduled to go into place, and so that adds to the uncertainty of tracking the quota and tracking the trip limit reductions, and, of course, it's problematic when you receive landings that are late and it's a large batch that comes through. That's my quick summary of what happened this year, and I will see if there's any questions.

MR. POLAND: Thank you for that explanation, Rick. Are there any questions for Rick DeVictor on this issue? Dewey, go ahead.

MR. HEMILRIGHT: Thank you, Steve. I was just curious. When you say a large amount, how many pounds is that?

MR. DEVICTOR: I don't have the poundage in front of me. I can tell you that it was a single dealer. When we were waiting on January 26, a single dealer sent in a large amount of landings, but I can find that information for you, Dewey.

MR. HEMILRIGHT: It just always interests me about that. Thank you.

MR. POLAND: Thank you, Dewey. Mel.

MR. BELL: Thanks for briefing us on that, Rick. The concept of the step-down and all, it's a useful tool that we can use to try to maximize things in the fishery and keep them going, but so it's got some limitations, I guess, based on how data flow and the timeliness of data, and do you have any recommendations or any concept of how to -- If we were to try to improve that somehow, or tweak it, or are we just going to have to -- Is this just a constraint of the tool that we have right now, the way it's set up?

MR. DEVICTOR: To just answer that, Steve, I don't know. I think the council, at this point, may want to discuss the purpose of the step-downs and why they were put into place, and I assume it was to slow harvest as you get closer to the quota, and to extend that so that you don't have a closure at a certain point, but, yes, I think you kind of could discuss is it achieving those purposes, and I know, the last couple of years, we've been trending this general way, where we've been -- It's tough. It's tough to put these in place, because they're so close, 3,500 to 1,500 to 500, especially with this type of fishery that's really spiky at that time.

MR. BELL: So, as designed, the tool is perhaps not as useful as we thought it might be.

MR. POLAND: All right. Anything else, Mel? All right. Jessica, go ahead.

MS. MCCAWLEY: I appreciate the information, and so are we suggesting changing this?

MR. POLAND: Rick, do you want to address that? I mean, no motion or no action has been taken yet by the council to change this. I mean, I know we've obligated ourselves to looking comprehensively at the Spanish mackerel fishery, once the assessment is done, and we can put this on the list of issues to address at that time, unless the council feels like this is something that's a little more time sensitive. John Walter, go ahead.

DR. WALTER: Thanks. I guess, if it was a single dealer, it doesn't seem like the system is as broken as that we've got really to have everyone do their part, because it can shut down and affect everybody when a lot of product is being moved through some fairly big dealer, and, if that's the case, then -- We all had challenges this year, with COVID and things like that, but we have to make sure that that's functioning, so that these changes don't become so abrupt, due to late reporting.

MR. POLAND: Yes. Good point, John. Jessica, go ahead.

MS. MCCAWLEY: I guess, like you were mentioning, Steve, I would rather wait until after we take this comprehensive look at the Spanish mackerel fishery and talk about the step-down at that time.

MR. POLAND: Okay. Any further discussion on this? Mel, go ahead.

MR. BELL: I would agree with Jessica on holding on this, but, in the meantime, is there some way we can, through outreach and education, just -- I know folks know what the rules are and the rules they're supposed to follow, and is there anything we can do to enhance that or get that message out there even more to folks, because, as you can see, one dealer can cause that much of an issue, and it's simple matter of, if everybody followed the rules -- Of course, that's true with anything, but I didn't know if there was anything we can do to kind of help ourselves in the meantime.

MR. POLAND: Thanks, Mel. Aren't there weekly reporting requirements for federal dealers? Maybe it's just as simple as just reminding the federal dealers to send their reports in weekly, and this is an example where, if they don't, how it can create issues in the fishery as a whole. Kerry, go ahead.

MS. MARHEFKA: I am someone who has to report weekly, and even I, who know how super important it is, can tell you, especially during the last year, how easy it is to get behind on your weekly reports. I don't know if it's as likely to happen in a large organization, and, I mean, there's just two of us, and so, with everything we're balancing, that's an easy thing to slip through, and so, therefore, you're likely not to get a ton of fish missing, but, even in the bigger groups, I can see how that happens.

We do get an email. We're supposed to report by Tuesday, and then you'll get an email from SAFIS if you haven't reported, but, again, if there's a zillion things going on, I think it's conceivable that maybe one time someone could slip up, and I don't know a way, other than a personal phone call, which would scare the bejesus out of me, if I got a phone call, and so I just don't know if there's the manpower to do that.

MR. POLAND: Thanks, Kerry, and, I mean, I certainly understand stuff gets piled up, and deadlines get missed. I mean, if it came from one dealer, we've acknowledged that this happened this year, and that is something we want to look at during our next mackerel amendment, and, maybe at this point, just move forward with that. If it happens again the following season, then we can revisit the issue. Does that sound like a plan?

MR. BELL: Must be.

MR. POLAND: Was that you, Mel?

MR. BELL: Yes, sir. I'm just saying that you didn't hear anything, and I think that sounds like as good of a plan as any.

MR. POLAND: All right. Anything else? If not, that was the only item of Other Business we had for the Mackerel Cobia Committee. I will -- I don't have any time to yield, and so we can move on to Snapper Grouper. Thanks, everybody.

(Whereupon, the meeting adjourned on March 2, 2021.)

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Amanda Thomas
April 23, 2021

SAFMC March Council Meeting

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