



MEETING REPORT

South Atlantic Mackerel Advisory Panel

February 3, 2016
Cocoa Beach, FL

The King Mackerel and Spanish Mackerel Advisory Panel (AP) met to discuss (A) Coastal Migratory Pelagics (CMP) Joint Amendment 26 and (B) the Charter boat and Headboat Reporting Amendment. The AP reviewed each amendment and provided recommendations for the Council to consider at their March 2016 meeting.

AP Members

Ira Laks, AP Chair- *FL/Charter*
Stephen Swann, AP Vice Chair- *FL/Rec*
Mason Bowen- *FL/Commercial*
Steve English- *FL/Commercial*
Skip Feller- *Mid-Atlantic Liaison*
Manuel Herrera - *FL/Commercial*
Deidra Jeffcoat- *GA/Charter*
Bill Kelly- *FL/Commercial*
Robert Olsen- *SC/Charter*
Bill Wickers- *FL/Charter*

AP Members not in attendance

Dick Brame- *NC/Recreational/NGO Seat*
Bill Hickman- *NC/Commercial*
Andy High- *NC/Commercial*
Selby Lewis- *NC/Commercial*
Tom Ogle- *SC/Recreational*
Robert Pelosi- *FL/Recreational*

Council Members

Ben Hartig, Mackerel Committee Chair
Zack Bowen

South Atlantic Council Staff

Kari MacLauchlin
Kim Iverson
Gregg Waugh

Gulf Council Staff

Ryan Rindone

SERO Staff

Sue Gerhart
Karla Gore
Mike Larkin

Approval of Agenda and 2015 Meeting Minutes

The agenda was approved. The minutes from the April 2015 meeting were approved following one change raised by Bill Kelly.

Recent CMP Actions

Council staff provided a status update on recent amendments that the AP had discussed at previous meetings. CMP Framework Amendment 2 implemented changes to Atlantic Spanish mackerel trip limits for the Southern Zone and became effective on August 13, 2015. CMP Amendment 28 included actions to separate the commercial permits and/or the fishery management plan, but each Council has directed staff to stop development of the amendment.

Council staff briefed the AP on recreational landings of Atlantic cobia for 2015. Recreational landings, based on MRIP estimates, were at 241% of the recreational annual catch limit (ACL) for Atlantic cobia by Wave 4 (end of August). The accountability measure for the recreational sector is a shortened season for the subsequent fishing year if the recreational ACL is exceeded and the overall stock ACL is exceeded. The season length will be based on landings from recent years to project when the recreational annual catch target (ACT) will be met. The NMFS Southeast Regional Office (SERO) is currently working on the projections and notice for the 2016 season length.

Additionally, Council staff updated the AP on potential state actions for recreational harvest of cobia in South Carolina state waters. The AP has received presentations on monitoring and changes in the cobia sub-populations around Port Royal Sound. The South Carolina legislature is considering a prohibition on retention from May 1- May 31 and recreational limits of one per person per day or three per boat per day for the rest of the year in state waters south of Edisto Island, SC.

Joint CMP Amendment 26

Council staff reviewed the actions in Amendment 26 with the AP. Approved motions and discussion points are included under each action.

Action 1. Adjust the Management Boundary for Gulf and Atlantic Migratory Groups of King Mackerel
MOTION # 1: THE AP CONTINUES TO SUPPORT ALTERNATIVE 3 AS THE PREFERRED.
APPROVED BY AP.

Preferred Alternative 3: Establish a single year-round boundary for separating the Gulf and Atlantic migratory groups of king mackerel at the Miami-Dade/Monroe county line. The Gulf Council would be responsible for management measures in the mixing zone.

Discussion: The AP unanimously maintained their support of Alternative 3 as the preferred alternative. There was some discussion concerning that bag limit sales from charter trips would still not be allowed in the mixing zone, even if the Gulf Council was responsible for management in that area. Staff clarified that under the current regulatory language, bag limit sales of king mackerel and Spanish mackerel are prohibited—even if from a dually permitted vessel—in the South Atlantic region, regardless of which Council has jurisdiction over the area. The Councils may want to consider addressing management in the Florida Keys to be consistent through the area, particularly because the Gulf Council will be responsible for management throughout the Florida Keys under the current preferred alternative.

Action 2-1. Revise the Acceptable Biological Catch (ABC) for Atlantic Migratory Group King Mackerel
MOTION #2: THE AP ACCEPTS ALTERNATIVE 2 AS THE PREFERRED.
APPROVED BY AP.

Preferred Alternative 2. Revise the ABC for Atlantic Migratory Group King Mackerel for 2016/17 through 2019/20 based on the ABC levels recommended by the SSC for ABC under a high recruitment scenario.

Action 2-2. Revise the ACL and Recreational ACT for Atlantic Migratory Group King Mackerel
MOTION #3: RECOMMEND ALTERNATIVE 2 AS THE PREFERRED.
APPROVED BY AP (1 abstention).

Alternative 2. Revise the ACL and recreational ACT based on the ABC levels selected under Action 2-1. $ACL = OY = ABC$, recreational ACT = [0.5 or (1-PSE), whichever is greater].

Discussion: For both Actions 2-1 and 2-2, the AP maintained the same recommendations as at their last meeting to support of the ABC recommendations under a high recruitment scenario and setting the ACL equal to ABC, to allow for the highest catch levels under the alternatives in Action 2-2.

Several concerns were raised by AP members, particularly that observations on the water, landings for the 2014-15 fishing year, and research conducted by Dr. Peter Barile (as presented at the April 2015 AP meeting) indicate that there are several strong year classes, and that recruitment is high at this time. Some AP members felt that the current Council preferred alternative under Action 2-2 (Alternative 3, $ACL = \text{deterministic equilibrium yield at } F_{30\%SPR} = 12.7 \text{ mp}$) was too restrictive and not necessary. There was also some concern that other stocks (specifically, Gulf king mackerel) for which ACL is set equal to ABC, but under the current Council preferred alternative, the ACL is unnecessarily more conservative. There were some concerns raised about the model and data used for the ACL recommendation from the South Atlantic Scientific and Statistical Committee (SSC), which is Preferred Alternative 3 under Action 2-2.

AP members also pointed out that the stock assessment indicated that the Atlantic king mackerel stock is not overfished and that overfishing is not occurring, which does not support the more conservative alternatives for catch limits, and that there are already buffers in place ($OFL > ABC > ACL$) that eliminate the need for a more conservative ACL under Action 2-2, Preferred Alternative 3.

Action 3. Incidental Catch Allowance of Atlantic Migratory Group King Mackerel Caught in the Shark Gillnet Fishery
MOTION #4: ENDORSE ALTERNATIVE 3 AS THE PREFERRED.
APPROVED BY AP.

Preferred Alternative 3. Allow retention and sale of Atlantic migratory group king mackerel caught with gillnet as incidental catch in the gillnet portion of the commercial shark fishery for any vessel with a valid shark directed commercial permit AND valid federal king mackerel commercial permit. The king mackerel must be sold to a dealer with the Southeast federal dealer permit. For shark gillnet trips in the Southern Zone, no more than 2 king mackerel per crew member can be on board, and no more than 2 king mackerel per crew member can be sold from the trip. For shark gillnet trips in the Northern Zone,

no more than 3 king mackerel per crew member can be on board, and no more than 3 king mackerel per crew member can be sold from the trip.

Discussion: The AP unanimously supported Alternative 3 as the preferred alternative. There were some questions from AP members about the shark gillnet fishery and the current bag limits in place for the Northern and Southern Zone. Staff and other AP members clarified that it is primarily the small coastal shark gillnet fishery, and that Preferred Alternative 3 mirrors the current bag limits in place.

Action 4. Establish Commercial Split Seasons for Atlantic Migratory Group King Mackerel in the Southern Zone

MOTION #5: ACCEPT ALTERNATIVE 2 (60/40) AS THE PREFERRED, BUT THAT THE AP WOULD RECOMMEND 70/30.

APPROVED BY AP.

South Atlantic Preferred Alternative 2. Allocate the Southern Zone quota for Atlantic king mackerel into two split season quotas: 60% to the period March 1 - September 30 (season 1) and 40% to the period October 1 – the end of February (season 2). Any remaining quota from season 1 would transfer to season 2. Any remaining quota from season 2 would not be carried forward. When the quota for the season is met or expected to be met, commercial harvest of king mackerel in the Southern Zone will be prohibited for the remainder of the season.

Discussion: The AP unanimously supported Alternative 2 as the preferred alternative, but also recommended to the Councils to consider adding an alternative in which 70% of the Southern Zone quota would go to the period of March 1 through September 30, and 30% of the quota would go to the period of October 1 through the end of February.

The season dates and percentages in Alternative 2 are based on recommendations from the AP at their April 2015 meeting. The AP discussed the impact of an early closure (if the season quota is met) for season 1 and season 2. One AP member felt that it is more important to have adequate quota for season 2 (and not have a closure in season 2) than for season 1, because prices are better in January/February than over the summer. Another point raised was that leftover quota from season 1 would rollover to season 2, but any leftover quota in season 2 would be unused.

Additionally, the Gulf Mackerel AP recommended Alternative 1 (No Action) as the preferred alternative, which would result in a year-round quota for the Southern Zone. The rationale was to reduce the number of fishermen from the Florida east coast who travel to the Gulf during the year. Based on the Gulf AP recommendation, the Gulf Council also selected Alternative 1 (No Action) as their preferred alternative. Because the South Atlantic Council and the Gulf Council have different preferred alternatives, the amendment cannot move forward until both Councils have the same preferred alternatives.

The AP discussed how the alternatives would affect the traveling fishermen. Some AP members felt that the split season quotas (specifically Alternative 2) mirrored the current system, with the shifting management boundary and different Atlantic and Gulf quotas. It was noted that the split season quotas under Alternative 2 would be more likely to provide access in December, January, and February than under a year-round quota. Additionally, because a year-round quota would be more likely to result in an

early closure that would remove access in December through February, it would more likely that fishermen from the Florida east coast would travel to the Gulf to fish.

Overall, the AP felt that the split season quotas would help reduce the likelihood of closures during important times of the year, and would reduce the number of traveling fishermen going to the Gulf because of a closure on the Florida east coast.

The AP also requested that the analysis consider the years in which the fishery was closed during February or March, which could affect the projected closure dates under each alternative and the options for the ACLs and quotas.

Action 5. Establish Trip Limits for the Southern Zone

MOTION #6: ADOPT ALTERNATIVE 2 AND ALTERNATIVE 4/OPTION 4A AS THE PREFERRED.

- 75 FISH FOR SEASON 1

- 50 FISH FOR SEASON 2 WITH A POSSIBLE STEP-UP TO 75 FISH

APPROVED BY AP.

Alternative 2: In the Southern Zone, the trip limit north of the Flagler/Volusia county line is 3,500 lbs. For the area south of the Flagler/Volusia county line, establish a year-round trip limit of 75 fish for Atlantic king mackerel.

Alternative 4: In the Southern Zone, the trip limit north of the Flagler/Volusia county line is 3,500 lbs. For the area south of the Flagler/Volusia county line, establish a trip limit of 50 fish for season 2 (as designated in Action 4).

Option 4a. Beginning on February 1 and continuing through the end of February--

(1) If 70 % or more of the season 2 quota has been taken, the trip limit is 50 fish.

(2) If less than 70 % of the season 2 quota has been taken, the trip limit is 75 fish.

Discussion: The AP unanimously supported Alternative 2, Alternative 4 and Option 4a as the preferred alternatives and option. These alternatives would set up a system in which the trip limit south of the Flagler/Volusia line would be 75 fish for season 1, and 50 fish for season 2 with a possible increase to 75 fish if 70% of the season 2 quota has not been met during February.

These trip limits are similar to the current trip limit system for fishermen on the Florida east coast. There were some questions about the complexity, but several Florida AP members felt that these alternatives would be the best suited for the Florida east coast.

Action 6. Modify the ACL for Gulf Migratory Group King Mackerel

MOTION #7: ACCEPT ALTERNATIVE 2 AS THE PREFERRED.

APPROVED BY AP.

Preferred Alternative 2: Set the Gulf migratory group king mackerel ACL equal to the ABC recommended by the Gulf Scientific and Statistical Committee for 2015-2019.

Discussion: The AP unanimously supported Alternative 2 as the preferred alternative. The AP discussed concerns about the model and data used to provide the ABC recommendations, and felt that the ABC levels were too conservative and restrictive, since the Gulf king mackerel stock is not overfished and overfishing is not occurring.

Action 7. Revise the Commercial Zone Quotas for Gulf Migratory Group King Mackerel

MOTION #8: RECOMMEND ALTERNATIVE 2 AS THE PREFERRED.

APPROVED BY AP (1 abstention).

Alternative 2: Revise the commercial zone quotas for Gulf migratory group king mackerel by dividing the Florida East Coast Zone's quota into four equal parts, to be added to each of the remaining Gulf commercial zones.

Discussion: The AP recommended Alternative 2 as the preferred alternative, with one abstention. AP members from the Florida Keys felt that Alternative 2 provided the most appropriate allocation to the Gulf Southern Zone.

Action 8. Revise the Recreational and Commercial Allocations of Gulf Migratory Group King Mackerel

MOTION #9: SELECT ALTERNATIVE 4, OPTION 4A AND OPTION 4E AS THE PREFERRED.

APPROVED BY AP (2 opposed).

Alternative 4: Conditionally transfer a certain percentage (*Options a-d*) of the stock ACL to the commercial sector until such a time that recreational landings reach a predetermined threshold (*Options e-g*). If this threshold is met, the recreational and commercial allocations will revert to 68% for the recreational sector and 32% for the commercial sector.

Conditional Quota Transfer

Option a: Transfer 5% of the stock ACL to the commercial sector.

Recreational ACL Threshold

Option e: Revert to the status quo sector allocations if 80% of the adjusted recreational sector ACL is landed.

Discussion: The AP recommended Alternative 4 as the preferred alternative, with two opposed. The discussion included points that the recreational sector ACL had not been met, and that Alternative 4 was an innovative way to address allocations that also provided a system of checks and balances. Some AP members noted that the goal of recreational fishing is not always landing the fish, but more for the fishing opportunity—in that way, it may be more beneficial to not catch the entire recreational ACL. It was also noted that the ACL is a proportion allocated for harvest, and that the other buffers in place (OFL and ABC) are adequate to avoid any negative effects of removing the entire ACL for Gulf king mackerel. There was some concern that there has been an increase in recreational landings of Gulf king mackerel in recent years.

Action 9. Modify the Recreational Bag Limit for Gulf Migratory Group King Mackerel

MOTION #10: RECOMMEND ALTERNATIVE 2 AS THE PREFERRED.

APPROVED BY AP.

Gulf Council Preferred Alternative 2: Increase the bag limit to three fish per person per day.

Discussion: The AP unanimously recommended Alternative 2 as the preferred alternative. There was no discussion due to time constraints.

Atlantic Headboat/Charter Reporting Amendment

Council staff provided an overview of the proposed actions to require weekly electronic reporting for headboats and charter vessels, and location reporting for charter vessels. The proposed requirements would apply to charterboats with federal for-hire permits for coastal migratory pelagics in addition to South Atlantic snapper grouper and South Atlantic dolphin wahoo.

The AP considered the following motion, but it was not approved:

MOTION #11: THE AP RECOMMENDS THE NO ACTION ALTERNATIVES ON ACTIONS 1 THROUGH 3. MOTION FAILED (2 in favor, 4 opposed, and 2 abstentions).

The AP approved the following motion:

MOTION #12: RECOMMEND THAT THE AP NOT MAKE ANY RECOMMENDATION UNTIL AFTER THE SCOPING AND PUBLIC HEARINGS.

APPROVED BY AP (4 in favor, 3 opposed, and 1 abstention).

Discussion: Some AP members were not in support of additional requirements for the for-hire sector. Concerns included that the data may be incorrect; or that the burden would be too great. Other AP members felt that reporting would improve data flow and information about the for-hire sector. With the lack of agreement, the AP approved a motion (with a vote of 4 to 3) to not make a recommendation until after hearings are completed.

Other Business

Steve English requested that Atlantic Spanish mackerel be added to the agenda for the next AP meeting.

The AP was adjourned, and a public hearing immediately followed.