SOUTH ATLANTIC FISHERY MANAGEMENT COUNCIL

4055 FABER PLACE DRIVE; SUITE 201
NORTH CHARLESTON, SOUTH CAROLINA 29405
TEL 843/571-4366 FAX 843/769-4520
Toll Free 866-723-6210
Email: safmc@safmc.net Website: www.safmc.net

David M. Cupka, Chairman
Ben Hartig, Vice Chairman

Robert K. Mahood, Executive Director
Gregg T. Waugh, Deputy Executive Director

AP REPORT
Mackerel Advisory Panel Meeting

April 24-25, 2012
Hilton Garden Inn
5265 International Boulevard
North Charleston, SC

AP Members in attendance:	**AP Members not in Attendance:**
Robert Pelosi, Chair	Charles Amory
Ronnie Houck, Jr., Vice-Chair	Zack Bowen
Tim Adams	Richard Diaz
Dick Brame	John Stewart
Jodie Gay	Bill Wickers, Jr.
Andy High	
Ed Holder, Jr.	
Tom Ogle	
Stephen Swann	

Overview

Council staff updated the AP on the recent Scientific & Statistical Committee meeting held April 3-5, 2012. There were no SSC issues/recommendations related to items on the AP's agenda.

Council staff reviewed Mackerel (CMP) Amendments 19 (Permits & Sale) & 20 (Boundaries & Transit) and the draft list of potential items for a Mackerel Framework Amendment. The Mackerel AP provided recommendations on each of these documents (see below).

Finally, Council staff reviewed the timing for meeting with fishermen in the South Atlantic Council's area of jurisdiction to present proposed actions/alternatives in Amendments 19 & 20 and the Framework Amendment. The Mackerel AP provided their recommendation (see below).

List of Recommendations

1. The Mackerel AP stated that it would be better to meet with fishermen during the August public hearings because the Council would then have a clear idea of what was being proposed. Council staff will meet with fishermen during the day, prior to the public hearings to explain what is being proposed in Amendments 19 & 20 and the Framework Amendment should that be approved by the Council.
2. AP REMINDS THE COUNCIL TO LOOK AT THE PORT ROYAL/ST. HELENA SOUND COBIA POPULATION AS BEING A SEPARATE GROUP OF FISH AND THE NEED FOR ADDITIONAL MANAGEMENT

List of Motions

The Mackerel AP provided motions and guidance on the three amendments and their input is shown below under each Action/Alternative for each Amendment:

1. Mackerel (CMP) Amendment 19 (Permits & Sale)

Action 1 – Sale of King and Spanish Mackerel

Alternative 1: No Action - no federal permit requirement to sell king and Spanish mackerel. Sale of king and Spanish mackerel harvested under the bag limit is allowed for persons that possess the necessary state permits. However, if a commercial closure has been implemented, the sale or purchase of king or Spanish mackerel of the closed species, migratory group, subzone, or gear type, is prohibited, including any king or Spanish mackerel taken under the bag limits.

MOTION: MAKE ALTERNATIVE 1 (NO ACTION) THE PREFERRED ALTERNATIVE
TABLE THE MOTION UNTIL LATER AT THIS MEETING

~~**Alternative 2:** For a person to sell king or Spanish mackerel in or from the EEZ of the Atlantic or Gulf of Mexico, those fish must have been harvested aboard a vessel with a commercial vessel permit/endorsement for each species taken.~~

Alternative 3: Prohibit the sale of king and Spanish mackerel caught under the bag limit except for allowing sale by for-hire vessels that possess the necessary state and federal commercial permits to sell CMP species harvested in or from:

Option a. the South Atlantic Council's jurisdiction
Option b. the Gulf Council's jurisdicton.

Prohibition of sale during a commercial closure would apply.

Alternative 4: For a person to sell king or Spanish mackerel in or from the EEZ of the Gulf of Mexico or Atlantic, those fish must have been harvested aboard a vessel with a commercial vessel permit/endorsement for each species taken and prohibit the sale of king or Spanish mackerel caught under the bag limit.

Action 2 – Sale of Cobia

Alternative 1: No Action - no federal permit requirement to sell cobia. Sale of cobia harvested under the possession limit is allowed for persons that possess the necessary state permits. However, if a commercial closure has been implemented, the sale or purchase of cobia of the migratory group, subzone, or gear type, is prohibited, including any cobia taken under the possession limit.

Alternative 2: Create a new commercial cobia permit. For a person to sell cobia in or from the EEZ of the Atlantic or Gulf of Mexico, those fish must have been harvested aboard a vessel with a commercial cobia vessel permit.

Alternative 3: For a person to sell cobia in or from the EEZ of the Atlantic or Gulf of Mexico, those fish must have been harvested aboard a vessel with a commercial vessel king mackerel or Spanish mackerel permit.

Alternative 4: For a person to sell cobia in or from the EEZ of the Atlantic or Gulf of Mexico, those fish must have been harvested aboard a vessel with one or more of the following commercial vessel permits: king mackerel, Spanish mackerel, Gulf reef fish, South Atlantic snapper/grouper, or South Atlantic dolphin/wahoo.
MOTION: MAKE ALTERNATIVE 4 OUR PREFERRED
APPROVED BY AP

Action 3 – Tournament Sale of King Mackerel

Alternative 1: No Action - no federal permit requirement to sell king mackerel caught during a tournament. Sale of king mackerel harvested during a tournament is allowed for tournament organizers that possess the necessary state permits. However, if a commercial closure has been implemented, the sale or purchase of king mackerel of the migratory group, subzone, or gear type, is prohibited, including any king mackerel harvested during a tournament.

Alternative 2: Require tournament organizers to obtain a federal commercial king mackerel permit to sell tournament-caught king mackerel. Prohibition of sale during a commercial closure would apply.

Alternative 3: Prohibit the sale of tournament-caught king mackerel.

Alternative 4: Create a set aside from the recreational king mackerel ACL for tournament sales. Tournament organizers would be required to report all king mackerel harvested during the tournament. ANY SALE PROVISION OF THESE FISH BE LEFT UP TO THE STATE.
MOTION: MAKE ALTERNATIVE 4 WITH THE ADDITIONAL WORDING AS OUR PREFERRED
APPROVED BY AP

Note: Sale or sell means the act or activity of transferring property for money or credit, trading, or bartering, or attempting to so transfer, trade, or barter.

Questions:

How to ID tournaments?

What is level of sale now?

Do States have permits?

Staff will redraft this action.

Action 4 – Elimination of latent endorsements in the Gulf group king mackerel gillnet sector

Alternative 1: No Action – do not eliminate any gillnet endorsements
MOTION: MAKE ALTERNATIVE 1 OUR PREFERRED
APPROVED BY AP

Alternative 2: Renew gillnet endorsements for commercial king mackerel permits if average landings met the threshold (defined below) during:

Option a. All years with data available (2001-2011)

i. Average of all years
ii. Average of the best 10 years of the 11 years
iii. At least one of the 11 years
iv. At least two of the 11 years
v. At least three of the 11 years

Option b. All years before the control date (2001-2009)

i. Average of all years
ii. Average of the best eight of nine years
iii. At least one of the nine years
iv. At least two of the nine years
v. At least three of the nine years

~~Option c. Six years before the control date (2004-2009).~~

~~i. Average of all years~~
~~ii. Average of the best five of six years~~
~~iii. At least one of the six years~~
~~iv. At least two of the six years~~
~~v. At least three of the six years~~

Option d. The threshold for average reported landings would be:

i. 5,000 lbs
ii. 10,000 lbs
iii. 15, 000 lbs
iv. 20,000 lbs.

Note: The Councils must chose one option from a-c AND one option from d.

Alternative 3: Renew permits for commercial king mackerel gillnet vessels only if the vessel had reported landings in:

Option a. The fishing year ending June 30, 2009
Option b. At least one of the five years preceding the June 30, 2009 control date
Option c. At least two of the five years preceding the June 30, 2009 control date

	2001-2009 (Alt 2bi)		2001-2009, drop one year (Alt 2bii)	
Minimum Annual Pounds	**Qualifying Endorsements**	**Non-qualifying Endorsements**	**Qualifying Endorsements**	**Non-qualifying Endorsements**
1	18	5	18	5
1,000	17	6	17	6
5,000	16	7	16	7
10,000	14	9	14	9
15,000	13	10	13	10
20,000	9	14	10	13

	2004-2009 (Alt 2ci)		2004-2009, drop one year (Alt 2cii)	
Minimum Annual Pounds	**Qualifying Endorsements**	**Non-qualifying Endorsements**	**Qualifying Endorsements**	**Non-qualifying Endorsements**
1	18	5	18	5
1,000	16	7	16	7
5,000	16	7	16	7
10,000	14	9	15	8
15,000	13	10	13	10
20,000	11	12	12	11

Number of Years 2001-2009	Endorsements with Landings	Number of Years 2004-2009	Endorsements with Landings
1 out of 9	18	**1 out of 6 (Alt 4b)**	18
2 out of 9	16	**2 out of 6 (Alt 4c)**	15
3 out of 9	15	**3 out of 6**	13
4 out of 9	14	**4 out of 6**	12
5 out of 9	13	**5 out of 6**	10
6 out of 9	11	**6 out of 6**	6
7 out of 9	10		
8 out of 9	6		
9 out of 9	4		

Action 5 – Elimination of latent permits in the king mackerel hook-and-line sector

Alternative 1: No Action – do not eliminate any king mackerel permits

Alternative 2: Renew commercial king mackerel permits if average landings met the threshold (defined below) during:

Option a. All years with data available (1998/1999-2009/2010)

i. Average of all years
ii. Average of the best x years of the **12 years**
iii. At least one of the 12 years
iv. At least two of the 12 years
v. At least three of the 12 years

Option b. Ten years (1999/2000-2008/2009 or 2000/2001-2009/2010)

i. Average of all years
ii. Average of the best nine of **ten years**
iii. At least one of the ten years
iv. At least two of the ten years
v. At least three of the ten years

~~Option c. Five years (2004/2005-2008/2009 or 2005/2006-2009/2010)~~

~~i. Average of all years~~
~~ii. Average of the best four of **five years**~~
~~iii. At least one of the five years~~
~~iv. At least two of the five years~~
~~v. At least three of the five years~~

Option d. The threshold for average reported landings would be:

i. 5,000 lbs
ii. 10,000 lbs
iii. 15, 000 lbs
iv. 20,000 lbs.

Note: The Councils must chose one option from a-c AND one option from d.

Alternative 3: Renew commercial king mackerel permits only if the permit had reported landings in:

Option a. The fishing year ending June 30, 2009
Option b. At least one of the five years preceding the June 30, 2009 control date
Option c. At least two of the five years preceding the June 30, 2009 control date

Note: This control date is for the Gulf; however the permit covers both Gulf and South Atlantic. The South Atlantic control date is September 17, 2010.

NEW ALTERNATIVE 4: DO NOT ALLOW SALE (ALLOW TRANSFER TO FAMILY MEMBERS) OF LATENT PERMITS BUT DO NOT ELIMINATE THEM
MOTION: MAKE NEW ALTERNATIVE 4 OUR PREFERRED
APPROVED BY AP

Threshold to renew In pounds	**3-yr average** 06/07-08/09	07/08-09/10
>0	308	328
≥100	492	489
≥500	708	717
≥1,000	829	833
≥5,000 (Alt3a)	1204	1219
≥10,000 (Alt3b)	1348	1350
≥15,000 (Alt 3c)	1414	1424
≥20,000 (Alt 3d)	1449	1457
During 08/09 (Alt 4a)	301	

~~Action 6 – Passive Reduction of Permits~~

~~**Alternative 1:** No Action – To transfer a commercial king mackerel vessel permit, the permit must be valid or renewable.~~

~~**Alternative 2:** To transfer a commercial king mackerel vessel permit, the permittee must possess two valid or renewable permits at the time of transfer; only one permit would be reissued and the other would be retired.~~

MOTION: SAFMC RECOMMENDS TO GMFMC ACTION 6, ALTERNATIVE 2 TO REDUCE THE NUMBER OF PERMITS
APPROVED BY AP

Action 7 – Federal Regulatory Compliance

Alternative 1: No Action - All vessels with federal commercial king and/or Spanish mackerel permits, as well as CMP charter permits are subject to applicable federal CMP regulations when fishing in the EEZ, and are subject to applicable state CMP regulations when fishing in state waters.
MOTION: MAKE ALTERNATIVE 1 (NO ACTION) OUR PREFERRED
APPROVED BY AP

Alternative2: All vessels with federal commercial king and/or Spanish mackerel permit, as well as CMP charter permits must comply with the more restrictive of state or federal CMP regulations when fishing in state waters.

Action 8 – Modify or Eliminate Income Requirements for Gulf and South Atlantic Commercial Coastal Migratory Pelagic Permits

Alternative 1: No Action – Maintain existing income requirements for Gulf and South Atlantic commercial king and Spanish mackerel permits. To obtain or renew a commercial vessel permit for king or Spanish mackerel, at least 25% of the applicant's earned income, or at least $10,000, must have been derived from commercial fishing or from charter fishing during one of the three calendar years preceding the application.
MOTION: MAKE ALTERNATIVE 1 (NO ACTION) OUR PREFERRED
APPROVED BY AP

Alternative 2: If established in Action 1, establish an income requirement for the cobia permit consistent with the requirements for Gulf and South Atlantic commercial king and Spanish mackerel permits. Maintain existing income requirements for Gulf and South Atlantic commercial king and Spanish mackerel permits.

Alternative 3: Eliminate income requirements for commercial king and Spanish mackerel permits.

Alternative 4: Replace the current income requirements for king and Spanish mackerel (and cobia, if applicable) with a Coastal Migratory Pelagics landings requirement, such that in one of the three years preceding the application, landings must be greater than:

Option a: 500 lbs of coastal migratory pelagic species
Option b: 1,000 lbs of coastal migratory pelagic species
Option c: 5,000 lbs of coastal migratory pelagic species
Option d: 10,000 lbs of coastal migratory pelagic species

NEWAlternative 4: Replace the current income requirements for king and Spanish mackerel (and cobia, if applicable) with a Coastal Migratory Pelagics landings requirement, such that in one of the three years preceding the application, landings must be greater than:

Option a: 500 lbs of ~~CMP & SG SPECIES OR FISH/SHELLFISH OR~~ PERMITTED SALTWATER PRODUCTS
Option b: 1,000 lbs of CMP & SG SPECIES
Option c: 5,000 lbs of CMP & SG SPECIES
Option d: 10,000 lbs of CMP & SG SPECIES

Alternative 5: Modify the current income requirements to allow the Gulf or South Atlantic Council to suspend the renewal requirements by passage of a motion specifying: (a) the event or condition triggering the suspension; (b) the duration of the suspension; and (c) the criteria establishing who is eligible for the suspension. The affected Council would then request that the Regional Administrator suspend income requirements according to the terms outlined in the motion.
Note: **Alternative 5** may be selected alone or with **Alternative 2** and/or **Alternative 4**.

MOTION (WEDNESDAY): AP THINKS THE COUNCIL SHOULD ADDRESS LATENT PERMITS SINCE THIS IS POTENTIALLY A PROBLEM AND THE COUNCIL SHOULD DEFINE WHAT A FULL-TIME COMMERCIAL FISHERMAN IS AND USE THAT TO GIVE PREFERENCE IN ADDRESSING LATENT PERMITS.

APPROVED BY AP

Action 9 – Atlantic Spanish Mackerel Gillnet Endorsement

Alternative 1: No Action – Do not establish a Spanish Mackerel gillnet endorsement
MOTION: MAKE ALTERNATIVE 1 (NO ACTION) OUR PREFERRED
APPROVED BY AP

Alternative 2: Establish a Spanish mackerel gillnet endorsement with qualifying poundages for a commercial gillnet endorsement based on the new control dates and average landings during the most recent 5, 10, or 15 years prior to these control dates
(~~March 31, 2010 for Gulf group Spanish mackerel and~~ September 17, 2010 for Atlantic group Spanish mackerel)

Option a: 30,000 pounds
Option b: 20,000 pounds
Option c: 10,000 pounds

ALTERNATIVE 3: SET UP AN ENDORSEMENT TO DETERMINE THE NUMBER OF PARTICIPANTS USING GILLNETS

2. Mackerel (CMP) Amendment 20 (Boundaries & Transit)

~~**Action 1 - Consider modifications to the existing commercial fishery boundary line between the Gulf group king mackerel eastern zone and western zone (currently set at the Alabama - Florida border [87°31'06"]).**~~

~~**Alternative 1:** No Action - Retain the current boundary between the eastern and western zones at the Alabama/Florida border~~

~~**Alternative 2:** Move the current boundary line between the eastern zone and western zone from the Alabama/Florida border to Cape San Blas, Florida (85°30' w. longitude).~~

~~**Alternative 3:** Move the current boundary line between the eastern zone and western zone from the Alabama/Florida border to 89°30' w. longitude near the mouth of the Mississippi river.~~

Action 2 - Consider retaining or eliminating the northern subzone based on any of the boundaries chosen in Action 1. If eliminated, consider transferring the current allocation percentage to either the eastern or western zone based on any of the boundaries chosen in Action 1.

Alternative 1: No Action – Retain the existing northern and southern subzones and retain the existing allocations for these areas

Alternative 2: Eliminate the northern subzone and add the assigned allocation to the eastern zone based on any of the boundaries chosen in Action 1.

~~**Alternative 3:** Eliminate the northern subzone and add the assigned allocation to the western zone based on any of the boundaries chosen in Action 1.~~

Alternative: Develop alternatives to permit access to the king mackerel fishery by those just north of the Collier/Lee boundary.

Action 3 - Consider modifications to the commercial trip limit in the eastern and western zones ~~based on any of the boundaries chosen in Action 1~~.

Alternative 1: No Action – Retain the existing commercial hook and line trip limit of 3,000 pounds for the western zone and 1,250 pounds for the eastern zone (until 75% of the quota is taken at which time the trip limit reverts to 500 pounds), based on any of the boundaries chosen in Action 1.

~~**Alternative 2:** Retain the existing commercial hook and line trip limit of 3,000 pounds for the western zone and set the trip limit for the eastern zone at 1,500/2,000/2,500 pounds with no step down, based on any of the boundaries chosen in Action 1.~~

Alternative 3: Set the commercial hook and line trip limit for both the eastern and western zones at 1,500/2,000/2,500/3,000 pounds with no step down, based on any of the boundaries chosen in Action 1.

MOTION (WEDNESDAY): SUPPORT ALTERNATIVE 3 FOR 3,000 POUND LANDING LIMIT IN THE SOUTHERN PORTION OF THE EASTERN ZONE FOR KING MACKEREL

APPROVED BY AP

Action 4 - Change the opening date (& fishing year) of the Gulf group king mackerel commercial season for the eastern and/or western zone.

Alternative 1: No Action - the opening date remains at July 1
MOTION: MAKE ALTERNATIVE 1 (NO ACTION) OUR PREFERRED
APPROVED BY AP

Alternative 2: Change the opening date of the Gulf group king mackerel season for the eastern and/or western zone or other subzones from July 1 to September 1.

Alternative 3: Change the opening date of the Gulf group king mackerel season for the eastern and/or western zone or other subzones from July 1 to October 1.

Alternative 4: Change the opening date of the Gulf group king mackerel season for the eastern and/or western zone or other subzones from July 1 to November 1.

Action 5 - Establish a transit provision for fish harvested in the EEZ off Monroe County when the rest of the west coast of Florida is closed.

Alternative 1: No Action - do not establish a transit provision.

Alternative 2: Establish a transit provision for fish harvested in the EEZ off Monroe County when the rest of the west coast of Florida is closed.

MOTION: MAKE ALTERNATIVE 2 OUR PREFERRED
APPROVED BY AP

Action 6 - Restrictions on fishing for king mackerel in multiple zones.

Alternative 1: No Action – vessels with king mackerel commercial vessel permits may fish in any zone of the Gulf or South Atlantic.
MOTION: MAKE ALTERNATIVE 1 (NO ACTION) OUR PREFERRED
APPROVED BY AP

Alternative 2: Require that prior to the beginning of the fishing year, each owner of a permitted commercial king mackerel hook-and-line vessel must identify the zone/subzone in which the vessel will fish during the upcoming fishing year (western zone, Florida east coast subzone, Florida west coast southern subzone, or Florida west coast northern subzone).

Option a: only one zone may be identified
Option b: two zones may be identified

Alternative 3: Require an endorsement to fish in a particular zone or subzone.

Option a: Only one endorsement is allowed at any one time, and it is not transferable during that year.
Option b: No more than two endorsements are allowed at any one time, and they are not transferable during that year.

Action 7 - Set the Gulf and Atlantic migratory group cobia annual catch limits (ACLs).

Alternative 1: No Action –

a. The Gulf migratory group cobia ACL = ABC for Gulf migratory group cobia [1.46 mp based on preferred ABC]. Set a single stock ACL
b. The Atlantic migratory group cobia ACL = OY = ABC (currently 1,571,399 lbs based on the SSC Interim Control Rule; Recreational Sector ACL = 92% = 1,445,687 lbs; Commercial Sector ACL = 8% = 125,712 lbs)
c. The entire Gulf migratory group cobia ACL applies to the Gulf Council jurisdictional area and the South Atlantic migratory group cobia ACL applies to the South Atlantic jurisdictional area.

Alternative 2: The Gulf migratory group cobia ACL = ABC for Gulf migratory group cobia based on the SSC control rule and latest stock assessment. The ABC/ACL for the Gulf migratory group cobia would be divided between the Gulf jurisdictional area and the east coast of Florida based on the options below. A portion of the Gulf group cobia ACL is assigned to the east coast of Florida. The ACL for the Atlantic migratory group cobia = OY = ABC from the SSC based on the most recent stock assessment, plus the ABC/ACL from the Gulf for the east coast of Florida.

Option a: Use 2000-2009 landings to establish the percentage split by subzone.
Option b: Use 2005-2009 landings to establish the percentage split by subzone.
Option c: Use 2007-2009 landings to establish the percentage split by subzone.
Option d: Other years???

Alternative 3: The Gulf migratory group cobia ACL = ABC for Gulf migratory group cobia based on the SSC control rule and latest stock assessment. The ABC/ACL for the Gulf migratory group cobia would be divided between the Gulf jurisdictional area and the east coast of Florida based on the options below. A portion of the Gulf group cobia ACL is assigned to the east coast of Florida. The ACL for the Atlantic migratory group cobia = OY = 90% of the ABC from the SSC based on the most recent stock assessment, plus the ABC/ACL from the Gulf for the east coast of Florida.

Option a: Use 2000-2009 landings to establish the percentage split by subzone.
Option b: Use 2005-2009 landings to establish the percentage split by subzone.
Option c: Use 2007-2009 landings to establish the percentage split by subzone.
Option d: Other years???

Action 8 - Establish state-by-state or regional quotas for Atlantic Migratory Group king mackerel, Spanish mackerel, and cobia.

Alternative 1: No Action - retain one commercial quota each for Atlantic migratory groups of king mackerel, Spanish mackerel, and cobia.
MOTION: MAKE ALTERNATIVE 1 (NO ACTION) OUR PREFERRED
APPROVED BY AP

Alternative 2: Establish commercial quotas for each South Atlantic state for Atlantic migratory groups of king mackerel, Spanish mackerel, and cobia (northern and southern subzones). Establish a commercial quota for: Mid-Atlantic Council area for Atlantic migratory group of king mackerel, Spanish mackerel, and cobia.

Option a: king mackerel
Option b: Spanish mackerel
Option c: cobia

Alternative 3: Establish commercial quotas for three regions: North Carolina/South Carolina and Georgia/Florida for Atlantic migratory groups of king mackerel, Spanish mackerel, and cobia (northern and southern subzones). Establish a commercial quota for: Mid-Atlantic Council area for Atlantic migratory group of king mackerel, Spanish mackerel, and cobia. Option a. king mackerel

Option a: king mackerel
Option b: Spanish mackerel
Option c: cobia

Alternative 4: Establish commercial quotas for three regions: North Carolina and South Carolina/Georgia/Florida for Atlantic migratory groups of king mackerel, Spanish mackerel, and cobia (northern and southern subzones). Establish a commercial quota for: Mid-Atlantic Council area for Atlantic migratory group of king mackerel, Spanish mackerel, and cobia. Option a. king mackerel

Option a: king mackerel
Option b: Spanish mackerel
Option c: cobia

Action 9 – Set annual catch target (ACTs) by sub-zones for Atlantic migratory group cobia.

Alternative 1: No Action – There is no commercial sector ACT for Atlantic migratory group cobia. The recreational sector ACT equals sector ACL[(1-PSE) or 0.5,whichever is greater] (currently 1,184,688 lbs). Note: PSE is the average of the most recent 5 years data available.
MOTION: MAKE ALTERNATIVE 1 (NO ACTION) OUR PREFERRED
APPROVED BY AP

Alternative 2: The commercial sector ACT for the Atlantic migratory group cobia for each subzone (to be determined by Action 7) equals 90% of the subzone ACL. The recreational sector ACT for the Atlantic migratory group cobia subzones (to be determined by Action 7) equals sector ACL[(1-PSE) or 0.5, whichever is greater]. Note: PSE is the average of the most recent 5 years data available.

Action 10 - Specify Accountability Measures (AMs) by sub-zones for Atlantic migratory group cobia.

Alternative 1: No Action:

a. The commercial AM for Atlantic migratory group cobia is to prohibit harvest, possession, and retention when the commercial quota (total ACL x commercial allocation) is met or projected to be met. All purchase and sale is prohibited when the commercial quota is met or projected to be met.
b. The recreational AM for Atlantic migratory group cobia is if the recreational sector quota (total ACL x recreational allocation) is exceeded, the Regional Administrator shall publish a notice to reduce the length of the following fishing year by the amount necessary to ensure landings do not exceed the recreational sector quota for the following fishing year. Compare the recreational ACL with recreational landings over a range of years. For 2011, use only 2011 landings. For 2012, use the average landings of 2011 and 2012. For 2013 and beyond, use the most recent three-year (fishing years) running average. If in any year the ACL is changed, the sequence of future ACLs will begin again starting with a single year of landings compared to the ACL for that year, followed by two-year average landings compared to the ACL in the next year, followed by a three-year average of landings ACL for the third year and thereafter. Only adjust the recreational season length if the Total ACL is exceeded.
c. Commercial payback of any overage. Payback only if overfished - If the commercial sector ACL is exceeded, the Assistant Administrator for Fisheries shall file a notification with the Office of the Federal Register to reduce the commercial sector ACL in the following year by the amount of the overage.
d. Recreational payback of any overage from one year to the next. Payback only if overfished - If the recreational ACL is exceeded, the Assistant Administrator for Fisheries shall file a notification with the Office of the Federal Register to reduce the recreational ACL in the following year by the amount of the overage. The ACT would also be adjusted according to the ACT formula in CMP Amendment 18, Action 19-6. Only deduct overages if the Total ACL is exceeded

Alternative 2: The current commercial and recreational AMs for Atlantic migratory group cobia apply to each of the Atlantic migratory group cobia subzones (as determined by Action 7).

Alternative 3: The current commercial and recreational AMs for Atlantic migratory group cobia apply to each of the Atlantic migratory group cobia subzones (as determined by Action 7) except that the 3-year moving average is replaced by the most recent year's landings.

Action 11. Modify the Framework Procedure

Alternative 1. No Action – do not modify the framework procedure adopted through Amendment 18.

Alternative 2. Modify the framework procedure to include changes to accountability measures (AMs) under the standard documentation process for open framework actions. Accountability measures that could be changed would include:

Inseason AMs

- Closures and closure procedures
- Trip limit reductions or increases
- Designation of an IFQ program as the AM for species in the IFQ program
- Implementation of gear restrictions

Postseason AMs

- Adjustment of season length
- Implementation of a closed season
- Adjustment or implementation of bag, trip, or possession limit
- Reduction of the ACL to account for the previous year overage
- Revoking a scheduled increase in the ACL if the ACL was exceeded in the previous year
- Implementation of gear restrictions
- Reporting and monitoring requirements

Alternative 3. Modify the framework procedure to include changes to accountability measures (AMs) under the standard documentation process for open framework actions. Accountability measures that could be changed would include:

Inseason AMs

- Closure procedures
- Trip limit reductions or increases

Postseason AMs

- Adjustment of season length
- Adjustment of bag, trip, or possession limit

Alternative 4. Modify the framework procedure to include designation of responsibility to each Council for setting regulations for the migratory groups of each species.

Note: Alternative 4 could be selected in addition to Alternative 2 or 3.

3. Draft list of potential items for a Mackerel Framework Amendment

1. Change the Gulf group king mackerel commercial trip limit in the northern and southern subzones of the eastern zone to 1,500 lbs with no step-down. Also, consider changes to the trip limit in the western zone from 3,000 lbs.

2. Change the king mackerel size limit.
a) 23 inches
b) 22 inches
c) No Action (24 inches)
D) REDUCE THE ATLANTIC KING MACKEREL SIZE LIMIT FROM 24 TO 23 INCHES FOR COMMERCIAL ONLY AND ONLY FROM THE GA/FL LINE SOUTH TO THE DADE/MONROE LINE

EXAMINE THE MORTALITY RATE FROM DISCARDS

Rationale: in the late winter and early spring we catch predominately smaller kings, a number of which are under size. 23 inches will solve most of the discard problem. 22 inches will virtually eliminate all discards. lowering the size limit substantially reduces discard mortality as the smaller kings are more susceptible to hook mortality.

3. Retention of 1 king mackerel greater than 50 inches.
Rationale: this was a motion from a recreational fisherman. My concern is how does the average recreational fisherman get a large king in the boat and measured without significantly reducing its chance of survival?

AP CONSENSUS TO LEAVE AS IS

~~[4.2) 60 Spanish mackerel recreational boat limit. Was discussed in amendment 18.]~~

4. Commercial trip limits; Spanish mackerel:

Option 1: April 1st- March 31st, Monday-Friday, 3,500 pounds; weekends 1,500 pounds reduce trip limit to 1,500 pounds when 75% of quota is landed. 500 pound trip limit after quota is caught. This is an adjusted allocation which compensates for estimated catches of 500 pounds per vessel per day to end of season. based on previous 3 year average landings?

Option 2: April 1st- September 30, 3,500 pounds. October 1st-November 30, 5,000 pounds (Monday-Friday, 1,500 pounds weekend) Dec 1-March 31 1,500 pounds. 500 pound set aside.

Option 3: April 1-November 30, 3,000 pounds, December 1, 2,000 pounds until 80% of quota is landed. 500 pounds until quota is caught.

MOTION: ADD NEW OPTION 4 AND MAKE OUR PREFERRED: 3,500 POUNDS UNTIL 75% OF QUOTA CAUGHT, THEN 1,500 POUNDS. AFTER COMPLETE QUOTA CAUGHT, GO TO 500 POUNDS PER TRIP.
APPROVED BY AP

Rationale: the unlimited season is no longer needed. Most fish houses have limited their gillnet vessels to 3,500-5,000 pounds due to quality and marketing concerns. The above options are designed to generate discussion at the scoping level. The seasonal fall gillnet fishery in FL is usually over by mid-November.

5. King mackerel trip limit:
Increase trip limit for the shark driftnet fishery. This option was designed to coincide with a limited access plan for the shark fishery. This option is not appropriate until the number of vessels in the shark driftnet fishery are limited.

AP CONSENSUS TO NOT INCLUDE

IN AMENDMENT 20: ~~4.1.1.5 state king and Spanish mackerel commercial allocations:~~
~~1) allocations by individual states.~~
~~2) split the king and Spanish mackerel commercial allocations into a combined NC/SC and GA/FL state commercial quotas.~~

6. Eliminate the commercial trip limit reduction at 75% of quota for the Gulf eastern zone, southern subzone.

MOTION: ELIMINATE THE INCREASE FROM 50 FISH TO 75 FISH IF 75% QUOTA IS NOT TAKEN BY FEBRUARY IN THE GULF MIGRATORY GROUP EASTERN ZONE, SOUTHERN SUBZONE. KEEP AT 50 FISH IN THAT SUBZONE (NOV 1 – MARCH 31).
APPROVED BY AP

7. CONTROL DATES – AP RECOMMENDS THE COUNCILS BEGIN UPON IMPLEMENTATION DATE OF FINAL REGULATIONS; DON'T GO BACK IN TIME.

8. ITEM TO BE EXAMINED: IF AN INDIVIDUAL WITH A VALID KM PERMIT WANTS TO GET ON ANOTHER VESSEL THAT HAS A VALID KM PERMIT, THEN EACH FISHERMAN WOULD BE ABLE TO RETAIN AND SELL THE LEGAL LIMIT AS IF THEY EACH WERE ON THEIR OWN BOAT
VESSEL BROKEN DOWN
ECONOMICS MAKE IT NECESSARY
STATE OF FL DOING THIS WITH SPOTTED SEA TROUT

9. Other Items???

Attachment 1. Agenda – Mackerel Advisory Panel

AGENDA

Tuesday, April 24, 2012 from 1:30 P.M. – Wednesday, April 25, 2012 at 4:00 P.M.

1. Approval of Agenda – Robert Pelosi, Chair

2. Approval of April 2011 Mackerel AP minutes – Robert Pelosi

3. Update on April 3-5, 2012 SSC meeting – Gregg Waugh

4. Update on recent amendments & assessments
    a. Mackerel Amendment 18/EA (King, Spanish & Cobia) – Gregg Waugh
    b. SEDAR 25 (Spanish Mackerel & Cobia) – Gregg Waugh
    c. AP Discussion & Recommendations – Robert Pelosi

5. Discussion of developing amendments
    a. Mackerel Amendment 19 (Permits & Sale) (**Attachments 1 & 2**)
        i. Overview, Gregg Waugh
        ii. Discussion & Recommendations – Robert Pelosi
    b. Mackerel Amendment 20 (Boundaries & Transit Provisions) (**Attachments 2, 3a & 3b**)
        i. Overview, Gregg Waugh
        ii. Discussion & Recommendations – Robert Pelosi
    c. Mackerel Framework Items (**Attachment 4**)
        i. Overview, Gregg Waugh
        ii. Discussion & Recommendations – Robert Pelosi

6. Other Business – Robert Pelosi

7. Adjourn – Robert Pelosi

Attachments:

1. Mackerel Amendment 19 (Permits & Sale) Options Paper
2. Mackerel Amendments 19 & 20 Scoping Summary

3a. Mackerel Amendment 20 (Boundaries & Transit Provisions) Options Paper

3b. Action 11 Framework for Mackerel Amendment 20

4. Draft List of Framework Items for 2012

Mackerel AP Members:

Robert Pelosi, Chairman
740 S. W. 31st Street
Palm City, FL 34990
772/287-7360 (ph);
772/468-3922 (w)
rp2fish@bellsouth.net
(Rec. — Rod & Reel)
3/84,8/96, 3/00, 3/03, 3/06, 3/10*

Ronnie Houck, Jr., Vice-Chairman
561 Southwest Timber Trail
Stuart, FL 34997
772/283-8219 (ph)
dhouck57@att.net
(Comm.)
11/98, 12/01, 12/04, 6/08, 12/11*

Tim Adams
426 Maple St.
Sebastian, FL 32958
772/473-6580 (ph)
tadams9958@gmail.com
(Comm)
6/08, 12/11*

Charles Amory
101 S. King St.
Hampton, VA 23669
757/722-1915 (ph)
meade@amoryseafood.com (son's email)
(Mid-Atlantic Liaison)
4/93, 8/96, *3/00

Zack Bowen
32 Bull River Bluff Drive
Savannah, GA 31410
912/898-8760 (ph)
fishzack@comcast.net
12/08*

Richen M. "Dick" Brame
Coastal Conservation Association
517 Braddock Street
Wilmington, NC 28409
910/599-5245 (ph)
dbrame55@gmail.com
(NGO) 3/05, 6/08, 12/11*

Richard Diaz
1213 20th Terrace
Key West, FL 33040
305/797-6497 (ph)
diaz8686@gmail.com
(Comm) 12/11*

Jodie Gay
105 Friendly Lane
Hampstead, NC 28443
910/270-3718 (ph); 910/270-4630 (f)
info@bluewatercandylures.com
(Comm.)
12/01, 12/04, 6/08, 12/11*

Joseph A. "Andy" High
452 B Causeway Drive
Wrightsville Beach, NC 28480
910/617-0528 (ph)
andyrlntlss@aol.com
(Comm.) 3/03, 3/06, 3/10*

Edward P. Holder, Jr.
93 Forest Lane
Greenville, SC 29605
epholder@holderelectric.com
864/271-7111 (ph); 864/233-7781 (f)
(Rec.) 3/03, 3/06, 3/10*

Tom Ogle
50 Long Point Drive
Beaufort, SC 29907
843/521-4672 (ph)
togle46@embarqmail.com
(Rec.) 3/03, 3/06, 3/10*

John Bradley Stewart
2622 Aimar Avenue
Savannah, GA 31406
912/354-0369
stewbio@yahoo.com
9/10*

Stephen Swann
332 3rd Street
Atlantic Beach, FL 32233
904/923-0415 (ph); 904/249-8009 (f)
sswann@appliedtm.com
(Rec) 12/11*

Bill Wickers Jr.
161 Key Haven Road
Key West, FL 33040
305/294-9286 (ph)
info@charterboatlindad.com
(Charter)
2/96, 3/00, 3/03, 3/06, 3/10*