

April 29, 2011

Bob Mahood, Executive Director
SAFMC
4055 Faber Place Drive
Suite 201
North Charleston, SC 29405
Mackamend18comment@safmc.net

The underlying theme of this fishing management plan is to place these stocks in compliance with the reauthorized Magnuson Stevens Act, while allowing fisherman, both recreational and commercial as much uninterrupted yield as possible. The use of landing data makes the chance of accountability measures going into effect very likely due to the lack of new stock assessments.

What fisherman do not want to happen is the black sea bass scenario repeating itself with king mackerel, Spanish mackerel or cobia. I suggest lowering recreational bag limits to ensure a year round fishery in all of the above. When new stock assessments are complete raise the bag limits to whatever the stocks deserve.

I have a few thoughts about cobia. There has been conflicting regulations on cobia between Florida and SAFMC for years. Why not change Federal regulations to match Florida's? This is in favor of the fish and will allow the for-hire and recreational fisherman to fish all year round for cobia. A reduction from two fish per person to one fish per person in the commercial sector is insignificant because of the very low percent of commercial landings. Once again this could be revisited after new stock assessments have been done.

Sincerely,



Brock Anderson
Bottom Dollar Charter Fishing
Port Canaveral, Fl
321 452-1800 (home)
321 536-0802 (cell)

From: [Walter Wilson](#)
To: [MackAmend18Comment](#)
Subject: Amendment 18
Date: Thursday, March 31, 2011 9:11:58 AM

I think we would be better off in doing away with the SAFMC all together. All of you must be bought off by WalMart or somebody similar. Obviously you do not know what you are talking about, are mis-informed, and don't mind losing millions of dollars in revenue for our folks who love fishing. Why don't you all make a personal visit to come fishing with us here in Florida. I offer you a free trip any time you want to go.

From: [Kalaitzis, Patti](#)
To: [MackAmend18Comment](#)
Subject: Another SAFMC Battle
Date: Thursday, March 31, 2011 9:14:39 AM

First closing Red Snapper, Grouper, vermillion snappers and other fisheries made it hard for a lot of recreational fisherman (such as myself) and especially to the charter captains ~ financially and recreationally. Many factors such as drought and fire may lead to a water body being closed for fishing on a temporary basis buy not for months or even years. Now This is too drastic & not truly necessary. I believe if changes need to be made due to establishment in the growth of king Mackerel, Spanish Mackerel, Cobia, Wahoo and Mahi Mahi ~ Dolphin (Dorado) putting pressure to drop this Amendment 18 is a must! If this needs to be put into place than there should be records or documentations backing this implementation of changes of limitations of species on board or per person. My husband & I have lived in Jacksonville for 12-years. We choose Jacksonville, Florida because of the St Johns River, easy access to the ocean & mainly the enjoyment of fishing. I am retired US Navy and have been stationed twice in Jacksonville/Mayport. The people are great and the fishing is AWESOME. By putting pressure to drop Amendment 18 entirely, this would be a detrimental impact to our Florida economic growth especially for Charter boats, recreational fishing (such as ourselves), Sea Tow, Boat US, West Marine, Bait shops, Insurance companies, etc. Our children's future of the great outdoors in the sport of fishing has also a Hugh impact ~ what happen to "Hook the Future". Fishing is a way of life to some, but for us, it's our only get-away. It is truly a great feeling being on the open waters, a breeze in your face, salt water in the air and reeling up a surprise at the end of the line. To us, it is a sense of freedom, hitting the jackpot or the lottery. By putting pressure to drop Amendment 18 should not be the end of the line, there are other alternatives that really need to be looked into & investigated toughly. We need to keep the sport alive not only for us but in our children's eyes. Please reconsider your actions by taking a better look.

Thank you for your patience, time and cooperation in this matter.

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*Patti Kalaitzis* 

Coastal Conservation Association  
Comments on Amendment 18  
to the Coastal Migratory Pelagic Fishery Management Plan  
for the Gulf of Mexico and South Atlantic  
Public Hearings  
April 2011

Good evening, my name is Trip Aukema CCA Florida and I would like to thank the Council for giving us the opportunity to address the wide assortment of actions and alternatives proposed in Amendment 18.

Having said that, we must also express our concern that releasing the 333-page public hearing document on April 5 and scheduling the first public hearing on April 11 is not conducive to obtaining constructive input, if that is the goal of the public hearing process. CCA recognizes the pressure to meet the 2011 deadlines of the Magnuson-Stevens Act to set annual catch limits and other management measures for fisheries that are not undergoing overfishing, but the timeline for these public hearings is simply unreasonable. Allowing less than a week to review the public hearing document is unacceptable and once again casts doubt that the Council is sincere in its efforts to gather and utilize meaningful input from the recreational angling community.

The following testimony has been prepared by Coastal Conservation Association to address proposed Annual Catch Limits (ACLs) and accountability measures (AMs) for king mackerel, Spanish mackerel, and cobia. With regard to the formula the Council uses to set ACLs, CCA commends the Council for its willingness to explore a more reasonable manner of setting limits for an unassessed stock. The previous proposal to set the ACL at the median of the last 10 years landings was fraught with problems. We are more encouraged by the Council's current method of setting the ACL at the level of the third highest landings over the previous 10 years.

**KING MACKEREL**

With regard to Atlantic migratory group king mackerel, the stock was last assessed in SEDAR 16 in 2008. Subsequent Council action set catch limits based on that assessment and the recreational harvest of king mackerel has remained under those limits. As a result, CCA is recommending that there be no changes in the management measures currently in place for king mackerel.

Regarding the need to set an accountability measure for king mackerel as required under the Magnuson-Stevens Act in the event that the recreational sector does go over its ACL at some point in the future, CCA recommends that the Council remedy the overage by modifying the recreational bag limit, rather than enacting closed seasons on king mackerel.

**SPANISH MACKEREL**

CCA believes the most significant consideration for the Council in this fishery is the fact that the recreational sector has been under its limits for the past decade, and therefore we are recommending that there be no changes in the management measures currently in place for

Spanish mackerel. It is also essential to note that while Spanish mackerel currently do not have an accepted, peer-reviewed stock assessment, and are therefore subject to the new Council guidelines described earlier for setting an annual catch limit, a coastal migratory pelagic assessment for king mackerel, Spanish mackerel and cobia is scheduled for 2012.

CCA maintains that for unassessed species, unless there is clear evidence that the stock is declining, the control rule should not limit current harvest. The logical option would be to simply cap the harvest at current levels until data is available through a current assessment. Spanish mackerel are one of the most assessed species in the South Atlantic and there are no indications of trouble with the stock.

#### COBIA

Like Spanish mackerel, cobia is an unassessed species and is subject to the Council's new method of setting the annual catch limit at the level of the third-highest landings over the last 10 years. CCA maintains that for unassessed species, unless there is clear evidence that the stock is declining, the control rule should not limit current harvest. The logical option would be to simply cap the harvest at current levels until data is available through a current assessment.

CCA recognizes that the Council has data indicating that the recreational sector went slightly over its annual catch limit in 2010 but would like to emphasize that the Council's conservative past management of this species has produced a stock that is steadily increasing. We believe this is a situation where the stock is most likely healthy, larger year classes are entering the system and anglers are encountering cobia more often. We encourage the Council to wait for the results of the assessment scheduled for next year before considering any new management measures for cobia.

Thank you for this opportunity to present our comments on these issues.

Coastal Conservation Association  
Comments on Amendment 18  
to the Coastal Migratory Pelagic Fishery Management Plan  
for the Gulf of Mexico and South Atlantic  
Public Hearings  
April 2011

Good evening, my name is Greg Craddock and I would like to thank the Council for giving us the opportunity to address the wide assortment of actions and alternatives proposed in Amendment 18.

Having said that, we must also express our concern that releasing the 333-page public hearing document on April 5 and scheduling the first public hearing on April 11 is not conducive to obtaining constructive input, if that is the goal of the public hearing process. CCA recognizes the pressure to meet the 2011 deadlines of the Magnuson-Stevens Act to set annual catch limits and other management measures for fisheries that are not undergoing overfishing, but the timeline for these public hearings is simply unreasonable. Allowing less than a week to review the public hearing document is unacceptable and once again casts doubt that the Council is sincere in its efforts to gather and utilize meaningful input from the recreational angling community.

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## KING MACKEREL

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Regarding the need to set an accountability measure for king mackerel as required under the Magnuson-Stevens Act in the event that the recreational sector does go over its ACL at some point in the future, CCA recommends that the Council remedy the overage by modifying the recreational bag limit, rather than enacting closed seasons on king mackerel.

## SPANISH MACKEREL

CCA believes the most significant consideration for the Council in this fishery is the fact that the recreational sector has been under its limits for the past decade, and therefore we are recommending that there be no changes in the management measures currently in place for Spanish mackerel. It is also essential to note that while Spanish mackerel currently do not have an accepted, peer-reviewed stock assessment, and are therefore subject to the new Council guidelines described earlier for setting an annual catch limit, a coastal migratory pelagic assessment for king mackerel, Spanish mackerel and cobia is scheduled for 2012.

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CCA recognizes that the Council has data indicating that the recreational sector went slightly over its annual catch limit in 2010 but would like to emphasize that the Council's conservative past management of this species has produced a stock that is steadily increasing. We believe this is a situation where the stock is most likely healthy, larger year classes are entering the system and anglers are encountering cobia more often. We encourage the Council to wait for the results of the assessment scheduled for next year before considering any new management measures for cobia.

Thank you for this opportunity to present our comments on these issues.



April 8, 2011

Comments on Amendment 18 to the Coastal Migratory Pelagics Fishery  
Management Plan

Dear SAFMC,

Overall this amendment is reasonable and achieves the goals without resorting to drastic and unnecessary measures. It is also proactive in nature and attempts to keep healthy fish stocks healthy instead of waiting for a problem to occur. I do have some input on measures to be considered for this and future amendments for Coastal Migratory Pelagic fish.

**King mackerel:** Keep the current bag limits at 3 per person/day from Georgia through New York and 2 per person/day off the east coast of Florida. Keep the minimum size limit for both commercial and recreational fishermen at 24 inches (fork-length). For recreational and charter boats add a 10 per boat limit. King mackerel is not considered good table fare and certainly does not keep when frozen. Many charter vessels encounter them and if they keep their limit this is 18 king mackerel per boat. There is no reason for keeping that many of these fish, they will only be wasted.

**Spanish mackerel:** Change the current allocation of 45% recreational and 55% commercial to 50% recreational and 50% commercial. Reduce the annual commercial quota accordingly. The reduction of the recreational bag limit from 15 to 10 fish per person/day is a good measure. Add a 40 per boat limit for recreational and charter vessels. Spanish mackerel are fished by recreational boats commonly for table fare. I have noticed that in the last 4 years the large schools of 2 plus pound Spanish mackerel that would be in Charleston harbor in July – September have gotten noticeably less frequent.

**Cobia:** Keep the 2 per person/day bag limit and a 33 inch fork-length minimum size limit and add a 6 per boat limit for all recreational and commercial vessels. If this is done this stock should stay healthy for the foreseeable future without spawning season closures. SAFMC should investigate stocking programs paid for by recreational and commercial license fees and/or federal grants. These fish are known to spawn and release well from captivity. These measures would be supported by fishermen and should provide a return on investment into local economies. See the pictures below showing why a boat limit is needed for these, and other fish. When schools of hungry cobia show up at artificial reefs they are susceptible to high fishing pressure. With four or more people in boats out there this can result in 8 to 12 fish per boat being kept. Cobia are not picky eaters and there has been a shift lately with more smaller boats pursuing them.

Thank you for your time and consideration on these issues,



Fowler B. Del Porto



1 six Pack Charter Vessel – 12 Cobia = **TOO MANY!**



1 six Pack Charter Vessel – 6 Cobia = **JUST RIGHT?**

**WELL – It's a good start and I do not think anyone can say this was not a good day of fishing!**

On 4/12/11 11:59 AM, "Del Porto, Fowler" <[DELPORTOF@charleston-sc.gov](mailto:DELPORTOF@charleston-sc.gov)> wrote:

Robert/Kim,

Please see my comments regarding the Coastal Pelagic Management measures and see that they get distributed. I will be unable to make it to the meeting this evening.

I must say I was disappointed that the dolphin bag limit did not get reduced. I and most anglers I know really think that everyone would benefit from a 6 per person and 36 per boat limit. Was there some interest that did not want this? All the anglers I know agree that keeping 60 dolphin in a single trip is too much. If a boat trolls for 6 hours with 6 people they would have to be landing 1 dolphin every 6 minutes to get their limit of 60. That is pretty hard to do unless schools of small slinger dolphin are encountered. This essentially leaves the recreational fleet fishing for dolphin with a limit that exists on paper, but rarely comes into effect when fishing.

The result is that the massive recreational dolphin fishery, one of the most participated in fisheries, if not the most participated in offshore recreational fishery on the entire east coast is essentially still unregulated and faces an inevitable further decline unless a more reasonable limit than 10 per person is enacted soon. I will refer back to my previously submitted statement that no one can say coming home with 36 dolphin was a bad day of fishing.

Fowler B. Del Porto

# DIRECTED SUSTAINABLE FISHERIES, INC.

A Consulting Company

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Bob Mahood, Executive Director  
South Atlantic Fishery Management Council (SAFMC)  
4055 Faber Place Drive, Suite 201  
North Charleston, SC 29405

MackAmend18Comment@safmc.net

Regard: Amendment 18 to the Coastal Migratory Pelagics (CMP) Fishery Management Plan (FMP)

Wednesday April 20, 2011

To: Bob Mahood,

Directed Sustainable Fisheries, Inc., (DSF) would like to submit on behalf of the Atlantic Group hook & line commercial king mackerel fleet this written comment to the SAFMC about proposed actions in the draft Amendment 18 to the CMP FMP.

DSF strongly supports Action 13.3, Preferred Alternative 2 to adopt the SAFMC Scientific & Statistics Committee (SSC) recommended acceptable biological catch (ABC) control rule and establish ABC at 10.46 million pounds (MP).

DSF supports Action 13.4, Preferred Alternative 2 where annual catch limit (ACL) equals optimum yield (OY) and also equals the ABC of 10.46 MP, which is the average of the ABC values for 2011-2013 as recommended by the SSC.

DSF supports Action 13.5a, Preferred Alternative 1 to not specify commercial sector annual catch targets (ACT) for Atlantic migratory group king mackerel.

DSF supports Action 14, Preferred Alternative 2 for the commercial accountability measures (AM) for the Atlantic migratory group king mackerel that is to prohibit harvest, possession, and retention when the quota is met or projected to be met. DSF further supports Preferred Sub-Alternative 3a to payback commercial landings overage regardless of stock status.

On behalf of the Spanish mackerel fishing fleet, DSF supports Action 16.3, Alternative 1, No Action. Do not establish the recommended ABC control rule to set ABC at 5.69 MP since that will cause a reduction of the commercial Spanish mackerel annual quota from approximately 3.62 MP down to 3.13 MP, causing a loss of a half a million pounds of landings per year. This reduction would be a large economic impact to those fishermen's income for the next few years and since Spanish mackerel is such a success story, Status Quo is the only way the SAFMC should choose to manage this stock.

A new stock assessment for Spanish mackerel, and also king mackerel is scheduled for 2012 under the auspices of the SouthEast Data, Assessment and Review (SEDAR 33) process. Hopefully during SEDAR 33, the scientists will be able to set a biomass level for Spanish mackerel, something that SEDAR 17 failed to deliver that contributed to the SSC uncertainty.

*Rusty*

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# DIRECTED SUSTAINABLE FISHERIES, INC.

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Directed Sustainable Fisheries, Inc. (DSF, Inc.)  
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Saltwater Fisheries Consultant  
Shark Specialist  
Deep-Sea Fisherman and Shrimp Boat Captain  
Recreational, For-Hire & Commercial Fishing Life Experience, 1959-2011  
Retired 100-ton United States Coast Guard (USCG) Licensed Sea Captain  
Seafood Coalition (SFC) member  
National Marine Fisheries Service (NMFS) Highly Migratory Species (HMS) Advisory Panel (AP) commercial member  
Atlantic States Marine Fisheries Commission (ASMFC) Coastal Shark (CS) AP Florida (FL) commercial & for-hire recreational member  
Former South Atlantic Fishery Management Council (SAFMC) Marine Protected Area (MPA) AP FL commercial member  
Former NMFS Atlantic Large Whale Take Reduction Team FL member (ALWTRT)  
Former NMFS Bottlenose Dolphin Take Reduction Team FL member (BDTRT)  
Current American Elasmobranch Society (AES) member

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Bob Mahood, Executive Director  
South Atlantic Fishery Management Council (SAFMC)  
4055 Faber Place Drive, Suite 201  
North Charleston, SC 29405

MackAmend18Comment@safmc.net

Regard: Amendment 18 to the Coastal Migratory Pelagics (CMP) Fishery Management Plan (FMP)

Monday April 18, 2011

To: Bob Mahood,

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*Rusty*

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Coastal Conservation Association  
Comments on Amendment 18  
to the Coastal Migratory Pelagic Fishery Management Plan  
for the Gulf of Mexico and South Atlantic  
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Good evening, my name is Scott Green and I would like to thank the Council for giving us the opportunity to address the wide assortment of actions and alternatives proposed in Amendment 18.

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#### KING MACKEREL

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Thank you for this opportunity to present our comments on these issues.

**Florida Saltwater Anglers, Inc.**

2324 Lee Road

Winter Park, Florida 32789

**COASTAL PELAGICS AMENDMENT 18**

On the issues our positions are as follow:

**ACTION 1 – removal of fish from Federal management plans**

We support Preferred Alternative 3. Remove the following species from the Fishery Management Plan in the Atlantic:

Option a. Cero

Sub option ii: In the South Atlantic region

Option b. Little tunny

Sub option ii: In the South Atlantic region

Option c. Dolphin

Sub option ii: In the South Atlantic region

Option d. Bluefish – and amend to include Atlantic waters

**Action 2 (Modify the Framework Procedure) Alternatives**

We support the Broad Framework Procedure

**Action 3. Establish Separate Atlantic and Gulf Migratory Groups of Cobia**

We support Alternative 2. Separate the two migratory groups at the Miami-Dade/Monroe County line.

**Action 13.3**

We support Alternative 1. No Action. Do not establish an ABC Control Rule for Atlantic migratory group king mackerel.

**Action 13.4**

We support Preferred Alternative 2. ACL = OY = ABC = 10.46 million pounds which is the average of the ABC values for 2011-2013 recommended by the SSC.

**Action 19.3 ABC Control Rule and ABC for Atlantic Migratory Group Cobia**

We support Alternative 1. No Action. Do not establish an ABC Control Rule for Atlantic migratory group cobia.

**Action 19.4 (Allocation) Alternatives**

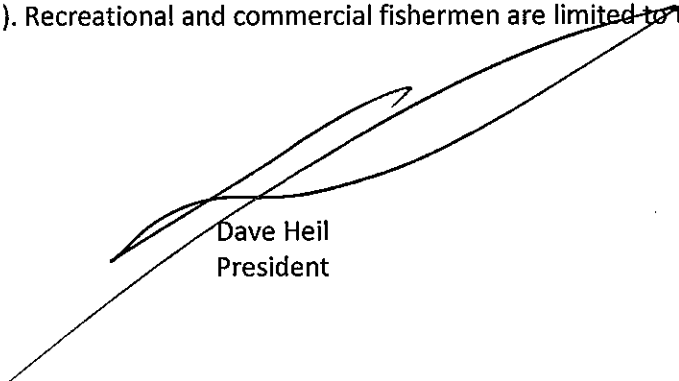
We support Preferred Alternative 3. Define allocations for Atlantic migratory group cobia based upon landings from the ALS, MRFSS, and headboat databases (92% rec/8% comm)

**Action 19.5**

I do not support any of the alternatives; the Annual Catch Limit must be set at 100% Allowable Biological Catch

**Action 21 Management Measures**

We support Preferred Alternative 1 (No Action). Recreational and commercial fishermen are limited to two cobia per person.



Dave Heil  
President

## Too many King Mackerel Permits

The NMFS issued 7 to 8 times the number of King Mackerel permits then they should have in the past. They issued 1770 permits or more when the correct number of permits is 200 to 250. That's 200 permits for both the Gulf and the Atlantic combined commercial quota of seven million pounds.

7,000,000 divided by 35,000 (pounds) is 200 permits. I used to catch over 70,000 pounds a year before my Fishery was over-run by too many fishermen.

Our winter quota is 1.1 million pounds on Florida's East Coast. Divide 17,500 into 1,100,000 and the correct number of permits 63 to 75. 17,500 pounds in a 21 week season is lousy (bad) fishing. Today there are over 250 active King Mackerel permits from Boca Raton to Daytona. That's more than four times the number of permits than there should be in this area.

This too many fishermen, has resulted in the market being flooded in just a few days. This year the price of King on April 1<sup>st</sup> was 3.40 a pound. On April 3<sup>rd</sup> the price was 2.85. The wind blew the next three days, and on the 7<sup>th</sup> of April the price was down to 2.15 a pound. Too many boats had flooded the market in two days! This is during Lent, and the price should have stayed at 3.15 a pound. This cost me about 1,500 that week.

Large schools of King Mackerel are normally about 2 ½ miles long and about ¼ of a mile wide this time of year. You can't fit 130 to 150 boats in this small of an area. This over-crowding is going to result in violence.

The past four years the East Coast has been shut down during March and during February twice. This is a result of way too many king-fishermen.

These closures and low prices caused by too many Fishermen have cost me over 70,000 dollars in the past four years. To add insult to injury, I've had one jack-ass threaten to damage my boat because I'm Pro-IFQ.

This year I expect to lose 30 to 50,000 dollars due to too many King-fishermen. It will only get worse because the NMFS will not correct this problem they created.

Until the NMFS reduces the fleet to a reasonable level I'm going to suggest that the Quota system in use now be replaced with the start and stop dates as follows.

The Gulf Western zone (Tex; La; Miss;) 3,000 pound a day July 1<sup>st</sup> thru Nov 1<sup>st</sup>.

The Fla. Panhandle to Bonita Bch. 1,250 pounds a day July 1<sup>st</sup> thru Dec 15<sup>th</sup>. (The fish show up here the last week of Sept. or the 1<sup>st</sup> week of Oct.) During this time of year our dangerous North East winds are Off-Shore over here. This is the safe place to fish during Oct. and Nov.

The Florida Keys, 1,250 a day Nov. 1<sup>st</sup> thru April 1<sup>st</sup>.

Florida's East Coast. 500 pounds a day Nov. 1<sup>st</sup> thru April 1<sup>st</sup>. (have Fish House take possession of all fish over 500 pounds)

I've been informed that the last Gulf King Mackerel stock assessment says that we are fishing at 25% of MSY. If that is true we can fish the start and stop dates suggested and still be fishing at less than 45% of MSY.

One of the reasons the King Mackerel stocks on the FL. East have increased on a geometric scale (Nov-April) is that sixteen years ago we asked to have our daily catch reduced from 1,000 pounds a day to 50 fish a day.

Prior to this reduction our winter Quota was filled by New Year's Eve, give or take a week.

Fishing at 50 fish a day our winter season lasted until April 1<sup>st</sup>. We were not filling our quota; we didn't care because we were making more money by catching less fish! We were leaving 250,000 pounds or more of our quota survive every year by fishing at 50 fish a day.

Ten years of this conservative fishing that we requested has resulted in an extra 20 to 30 million pounds of fish off our coast during the winter run.

Let us do the math. Start with the 250,000 pounds that we didn't kill. At ten pounds a fish that's 25,000 fish. These fish grow about three pounds a year.  $25,000 \times 3 = 75,000$ .  $75,000 \times 16 = 1,200,000$  (16 years).

Add 1,200,000 to the original 250,000 and these 25,000 fish weigh in at 1.45 million pounds. This is just a fraction of the true number. These fish have spawned two or more times a year for 15 years. They wouldn't have spawned again if we would of killed them back in 1995. Some of their off-spring have spawned four or more times. I'll suggest that these 25,000 fish and their off-spring are about six million pounds strong today.

From 1995 to 2004 we let about 3 million pounds of our quota live because we decided to fish at 50 fish a day. That 3 million pounds and their off-spring are about 30 million pounds strong today. Add that 30 million pounds to the wave of Kingfish the 2004 Hurricane pushed into our Coast, then add the fish that was set aside by the quota system and you have a stock of King Mackerel that's growing on a geometric scale.

Because the fish stocks are in good shape, and because there are four times too many Fishermen over here. We who did great work at rebuilding our fish stocks are being punished at the tune of 20 to 30 grand a season. It gets worse.

In 2009 there were so many new boats fishing in Louisiana that our season lasted 9 short weeks, then this flood of boats filled the Panhandle quota in less than a month.

This year I expect 25 to 30 boats to King-fish in La and the Panhandle that didn't fish over there prior to 2009. This flood of boats will cost me another 30,000 dollars or more this year. This year I expect the Western Zone quota to be filled in seven short weeks. This year there will be so many new boats in Louisiana that we will flood the market in just one trip.

The NMFS is guilty of destroying my fishery with way too many fishermen.

The NMFS is destroying my life with their incompetence.

The National Marine Fishery Service should shut down. They can't manage any fishery.

Daniel C. Kane      Huri-Kane Dan

4-18-2011

## Reduce the Number of boats in the King Mackerel Fishery

There are about 250 to 300 too many King Mackerel Permits in use at this time and more every week are going into use.

If the NMFS can't figure out how to reduce the Fleet to the correct number of participants, here's one way to do it.

Allow everyone that made a living catching King Mackerel prior to 2006 to keep their King Mackerel Permit. The boys that fished for King Mackerel only during the May run should not be considered as making a living King-fishing. Now you have room for about 40 or 50 more boats.

Take the 250 to 300 new King Mackerel fishermen and have a drawing (lottery) to pick the 40 or 50 boats that will stay in the fishery. The ones that are not picked should be paid ten to twenty thousand dollars for their King Mackerel Permit.

DAN KANE

4-18-2011

From: Robert Pelosi [<mailto:rp2fish@bellsouth.net>]

Sent: Tue 4/12/2011 2:45 PM

To: Gregg Waugh

Cc: [togle46@embarqmail.com](mailto:togle46@embarqmail.com)

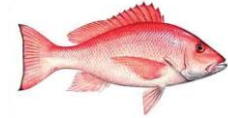
Subject: Re: Fwd: AP Comment

Gregg,

I am worried about the rec cobia quota. We were as you say almost to the ACT & ACL last year and I mentioned the popularity of cobia fishing has exploded on the east coast of Florida. I returned Friday to find a cold current had moved inshore pushing hundreds of cobia to the beach with everything that could float chasing them. They were all taking the federal limit of two since the FWC officers don't enforce the state limit of one. Since the middle of January we have had unusually calm seas and clear clear water making them easy to spot. I would bet the quota will be exceeded this year if the intercepts are being made now on the east coast. I really think the council should go to a 1 fish bag limit for the recreational angler but keep the commercial at two for now.

Bob

# SOUTHEASTERN FISHERIES ASSOCIATION (SFA)



## EAST COAST FISHERIES SECTION (ECFS)

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Bob Mahood, Executive Director  
South Atlantic Fishery Management Council (SAFMC)  
4055 Faber Place Drive, Suite 201  
North Charleston, SC 29405

MackAmend18Comment@safmc.net

Regard: Amendment 18 to the Coastal Migratory Pelagics (CMP) Fishery Management Plan (FMP)

Monday April 25, 2011

To: Bob Mahood,

Southeastern Fisheries Association (SFA) East Coast Fisheries Section (ECFS) would like to submit this written comment on behalf of the SFA ECFS membership to the SAFMC about proposed actions in the draft Amendment 18 to the CMP FMP.

SFA ECFS supports Action 1, Preferred Alternative 3 to remove the following species from the CMP FMP; Option a, Cero mackerel, Suboption ii: In the South Atlantic region. Option b, Little tunny, Suboption ii: In the South Atlantic region.

SFA ECFS supports Action 2, Alternative 3, Preferred Option 1, to adopt the base Framework Procedure to allow SAFMC flexibility to make changes in specific management measures and parameters in a timely fashion, typically in less than a year.

SFA ECFS supports Action 3, Alternative 1, No Action and maintain one group of cobia. Cobia is scheduled to be assessed during 2012 at the SouthEast Data, Assessment and Review (SEDAR 33) process. It would be best to wait for those results before making any changes.

SFA ECFS supports Action 13.3, Preferred Alternative 2 to adopt the SAFMC Scientific & Statistics Committee (SSC) recommended acceptable biological catch (ABC) control rule and establish ABC at 10.46 million pounds (MP).

SFA ECFS supports Action 13.4, Preferred Alternative 2 where annual catch limit (ACL) equals optimum yield (OY) and also equals the ABC of 10.46 MP, which is the average of the ABC values for 2011-2013 as recommended by the SSC.

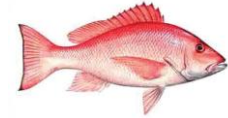
SFA ECFS supports Action 13.5a, Preferred Alternative 1 to not specify commercial sector annual catch targets (ACT) for Atlantic migratory group king mackerel. The commercial ACL allocation percentage of 37.1% of the ABC will yield 3.88 MP annually.

SFA ECFS supports Action 13.5b, Preferred Alternative 4 to specify the recreational sector ACT for Atlantic migratory group king mackerel equals sector ACL[(1-PSE) or 0.5, whichever is greater] and equals 6.18 MP.

SFA ECFS supports Action 14, Preferred Alternative 2 for the commercial accountability measures (AM) for the Atlantic migratory group king mackerel that is to prohibit harvest, possession, and retention when the quota is met or projected to be met. If the recreational sector ACL 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 to not exceed the recreational landings over a range of years. For 2011/12, use only 2011/12 landings. For 2012/13, use the



# SOUTHEASTERN FISHERIES ASSOCIATION (SFA)



## EAST COAST FISHERIES SECTION (ECFS)

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average landings of 2011/12 and 2012/13. For 2013/14 and beyond, use the most recent three-year (fishing years) running average.

SFA ECFS supports Alternative 3, Preferred Sub-Alternative 3a to payback commercial landings overage regardless of stock status.

SFA ECFS supports Alternative 4, Preferred Sub-Alternative 4a to payback recreational landings overage regardless of stock status.

SFA ECFS supports Action 16.3, Alternative 1, No Action. Do not establish the recommended ABC control rule to set ABC at 5.69 MP, down from 7.04 MP since that will cause a reduction of the commercial Spanish mackerel annual quota from approximately 3.85 MP down to 3.13 MP, causing a loss of over 700,000 pounds of landings per year. This reduction would be a large economic impact to those fishermen's earnings for the next few years and since Spanish mackerel is such a success story, and its population near equilibrium, Status Quo is the only way the SAFMC should manage this stock.

A new stock assessment for Spanish mackerel, king mackerel and cobia is scheduled for 2012 under the auspices of the SEDAR 33 process. Hopefully during SEDAR 33, the scientists will be able to set a biomass level for Spanish mackerel, something that SEDAR 17 failed to deliver that contributed to the recent SSC uncertainty with setting an overfishing level (OFL). Reliance upon questionable historic data has led to poor assumptions about the past historic Spanish mackerel stock size and annual catch is wrong and needs correcting in the SEDAR process.

SFA ECFS supports Action 16.4, Alternative 1, No Action where currently total allowable catch (TAC) or ACL equals 7.04 MP based on an ABC of 5.7 MP - 9 MP. ACL should equal OY and equals ABC.

SFA ECFS supports Action 16.5a, Preferred Alternative 1, to not specify commercial sector ACT for Atlantic migratory group Spanish mackerel.

SFA ECFS supports Action 16.5b, Alternative 1, No Action and not specify recreational sector ACT for Atlantic migratory group Spanish mackerel.

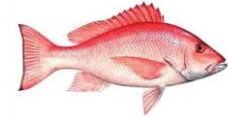
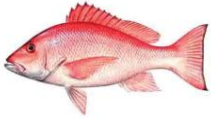
SFA ECFS supports Action 17, Preferred Alternative 2 for the commercial AM for the Atlantic migratory group Spanish mackerel that is to prohibit harvest, possession, and retention when the quota is met or projected to be met. If the recreational sector ACL is exceeded, the Regional Administrator shall publish a notice to reduce the length of the following fishing year by the amount necessary to ensure landings to not exceed the recreational landings over a range of years. For 2011/12, use only 2011/12 landings. For 2012/13, use the average landings of 2011/12 and 2012/13. For 2013/14 and beyond, use the most recent three-year (fishing years) running average. SFA ECFS supports Preferred Sub-Alternative b to reduce the bag limit to ensure the landings do not exceed the recreational sector ACL for the following fishing year.

SFA ECFS supports Alternative 3, Preferred Sub-Alternative 3a to payback commercial landings overage regardless of stock status.

SFA ECFS supports Alternative 4, Preferred Sub-Alternative 4a to payback recreational landings overage regardless of stock status.

SFA ECFS supports Action 18, Alternative 1 No Action and keep the individual bag limit for Spanish mackerel at 15 per person.

# SOUTHEASTERN FISHERIES ASSOCIATION (SFA)



## EAST COAST FISHERIES SECTION (ECFS)

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SFA ECFS supports Action 19.3, Preferred Alternative 5 for Atlantic migratory group Cobia by adopting the GMFMC ABC Control Rule as the SAFMC Interim Control Rule and establish an ABC equal to the mean plus 1.5 times the standard deviation of the most recent 10 years of landings data where ABC equals 1,571,399 pounds whole weight. The SAFMC SSC chose this ABC at their April 2011 meeting.

SFA ECFS supports Action 19.4, Preferred Alternative 3 to define allocations for Atlantic migratory group cobia based upon landings from the ALS, MRFSS and headboat databases. The allocation formula yields 8% commercial and 92% recreational. The commercial and recreational allocation specified for 2011 would remain in effect beyond 2011 until modified.

SFA ECFS supports Action 19.5, Preferred Alternative 2 where  $ACL = OY = ABC$  and using the SAFMC Interim Control Rule, ABC equals 1,571,399 pounds of Atlantic migratory group cobia.

SFA ECFS supports Action 19.6a, Preferred Alternative 1 to not specify commercial sector ACT for Atlantic migratory group cobia. This alternative could yield 125,712 pounds unless the SAFMC staff has not updated the CMP FMP Amendment 18 summary, then it could be higher.

SFA ECFS supports Action 19.6b, Preferred Alternative 4 to set recreational sector ACT equals  $ACL [(1-PSE) \text{ or } 0.5, \text{ whichever is greater.}]$  This alternative could yield 1.2 MP unless the SAFMC staff has not updated the CMP FMP Amendment 18 summary, then it could be higher.

SFA ECFS supports Action 20, Preferred Alternative 3 for the commercial AM for the Atlantic migratory group cobia that is to prohibit harvest, possession, and retention when the quota is met or projected to be met. If the recreational sector ACL 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 to not exceed the recreational landings over a range of years. For 2011/12, use only 2011/12 landings. For 2012/13, use the average landings of 2011/12 and 2012/13. For 2013/14 and beyond, use the most recent three-year (fishing years) running average. SFA ECFS supports Preferred Sub-Alternative b to reduce the bag limit to ensure the landings do not exceed the recreational sector ACL for the following fishing year.

SFA ECFS supports Alternative 4, Preferred Sub-Alternative 4a to payback commercial landings overage regardless of stock status.

SFA ECFS supports Alternative 5, Preferred Sub-Alternative 5a to payback recreational landings overage regardless of stock status.

SFA ECFS supports Action 21, Preferred Alternative 1 for No Action that maintains the recreational and commercial fishermen limit of two cobia per person.

Jimmy Hull, Chairman  
SFA ECFS

From: [ospreycharters@lowcountry.com](mailto:ospreycharters@lowcountry.com) [<mailto:ospreycharters@lowcountry.com>]  
Sent: Tue 4/12/2011 6:23 AM  
To: Gregg Waugh  
Subject: Cobia proposal

Gregg,

I just received an email from Dave Harter citing the proposed reg change reducing the cobia limit from 2 to 1 from April 1 to June 30 and I am in total agreement. I'm also elated to see it covers the offshore wrecks as well since most of the multiple catches per individual happen out there.

Good work and let me know if there is anything I can do to help.

Mike

Capt. Mike Upchurch  
Osprey Charters and Broad River Timber, LLC  
843-908-2325  
[ospreycharters@lowcountry.com](mailto:ospreycharters@lowcountry.com)  
[broadrivertimber@lowcountry.com](mailto:broadrivertimber@lowcountry.com)

**From:** [nick hill](#)  
**To:** [MackAmend18Comment](#)  
**Subject:** mackerel and cobia  
**Date:** Monday, April 25, 2011 6:36:03 PM

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NO CATCH SHARES NO SECTOR ALLOCATIONS.

The whole paragraph in your press release march 24, on the spanish mackerel is evidence of the total disregard for and science or logic or sane decision making process. Everyone that I have let read it thinks is is a joke or a fake document.

Your own data in a publication by NOAA FishWatch states the the spanish are not overfish and the bio-mass has doubled since 1995. This is a link to that page, [http://www.nmfs.noaa.gov/fishwatch/species/spanish\\_mack.htm](http://www.nmfs.noaa.gov/fishwatch/species/spanish_mack.htm).

We do not understand how you can make a decision to reduce the TAC by such a large amount when by your own data it shows that the spawning stock bio-mass is large enough to sustain the current TAC.

The agenda that you have is not science based and we all know that.

We do not know who the mandate is coming from but would like to know.

Amendment 18 is more evidence that your management style has no merit and has an agenda that is more than just protecting the fishery as in you above noted publication is not at all in danger of being over fished.

WHAT THE HELL ARE YOU DOING TO THE FISHING INDUSTRY IN THE USA AND SOUTHEAST.

Nicholas Hill  
4945 ovens ave  
Grant FI 32949  
321-795-1038

**From:** [Will Brown](#)  
**To:** [MackAmend18Comment](#)  
**Subject:** No new Recreational limits  
**Date:** Wednesday, March 30, 2011 1:59:59 PM

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Dear sirs,

As a recreational fisherman, I understand the need for fisheries regulation in order to sustain our valuable fish populations. In North Carolina, last year we enjoyed banner catches of cobia and Spanish mackerel. These species do not appear to be stressed to the casual observer. However king mackerel catches were lower than usual last year for recreational fisherman, but these are primarily a catch and release for most fun fishers.

My biggest issue with any new regulations is that the commercial fishing sector always seems to get lower restrictions. Recreational fisherman can tolerate tighter temporary control, but it seems that the commercial industry still seems to get higher quotas. I know that Spanish mackerel is split 45/55 with the commercial groups getting the majority. This makes no sense, because recreational fisherman give so much more to the local and state economy than the few commercial fisherman that target these fishes. Just check license sales, boat sales, tackle sales, and marina profits. It is easy to see that the huge number of recreational fisherman should have a bigger interest in fisheries regulations. The public's ideals should come before those of the few in the commercial industry. If any tighter regulations are needed for these species, it should first be put on the commercial sector.

Recreational fisherman have always willingly accepted tighter regulations because we see the benefit to fish populations. Commercial fisherman are much more destructive to fish populations, and therefore should be more restricted than the public. I hope that if any tighter regulations are warranted, that you impose those solely on the commercial fishing sector, and let the recreational limits remain the same.

Will Brown  
8813 New Forest Dr  
Wilmington NC 28411

**From:** [Debarr, Devan S CIV USAF AMC USAF MOS/TR](#)  
**To:** [MackAmend18Comment](#)  
**Subject:** Questions on Ammendment 18  
**Date:** Wednesday, March 30, 2011 2:06:20 PM

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I began Commercial Fishing in 2009 after I retired from the USAF and returned home to Fla. I have been trying to obtain a King Mackerel Federal Permit since then. The ones that are for sale are ridiculously expensive (4-10K Per permit). Will there be an opportunity to procure one if an IFQ is set for King Mackerel? It would seem only fair! Since getting started in the commercial fishing business, IFQ's seem to dominate everything. Yet from what I've seen, the people with these permits are getting fat on leasing shares and allocations. I don't believe this was the intent of the IFQ program. All I'm asking for is a chance to get a permit so my business can grow without shelling out thousands for one permit.

Thank You and looking forward to your response;

Mr. Devan S. DeBarr  
Tanker Plans Instructor  
USAF EC MOS Det-1,  
Hurlburt Field, Fl  
850-884-5516  
DSN: 579-5516

**From:** [Kim Iverson](#)  
**To:** [Stan Jarusinski](#)  
**Cc:** [Mike Collins](#); [MackAmend18Comment](#); [Gregg Waugh](#)  
**Subject:** RE: Testimony give at New Bern, NC meetin on 4/11/2011  
**Date:** Tuesday, April 12, 2011 2:14:41 PM

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Captain Jarusinski,

Thank you for taking the time to attend the public hearing in New Bern, NC and for your email. A copy of your comments will be forwarded to all members of the South Atlantic Fishery Management Council and included as part of the Council's administrative record.

Please don't hesitate to contact me if you have any questions.

Kim

Kim Iverson  
Public Information Officer  
South Atlantic Fishery Management Council  
4055 Faber Place Drive, Suite 201  
North Charleston, SC 29405  
843/571-4366 or Toll Free 866/SAFMC-10  
[www.safmc.net](http://www.safmc.net)

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**From:** Stan Jarusinski [mailto:[seajay@ec.rr.com](mailto:seajay@ec.rr.com)]  
**Sent:** Tuesday, April 12, 2011 9:47 AM  
**To:** Kim Iverson  
**Subject:** Testimony give at New Bern, NC meetin on 4/11/2011

Please confirm your receipt.

My name is Capt. Stan Jarusinski, 135 Mill Creek Rd., Stella, NC 28582-9648

I am representing the 6000 members of the Southern Kingfish Assoc. of St. Augustine, FL. that sanctions 50 king mackerel tournaments from N. C. to Tex., a total of 50, 32 on the Atlantic Coast and 18 in the Gulf of Mexico. I have been a member of the SKA for the past 10 years.

The announcement for this meeting stated the following and I quote:

"No additional restrictions would be necessary, the stock is not overfished nor undergoing overfishing.....The allocation for king mackerel would stay the same."

We at the SKA took pride in reading that statement especially because we have been going thru a culture change in our sport in the past 10 years that helped to make these results possible. We were at a crossroad; continue as we have been or conserve and preserve our resource. Your statement validated that we are on the right road, now we know it.

We faced some difficult challenges, the actions taken caused a decrease in our membership and the loss of several tournaments. Here are just some of the changes that were made:

Tournament Sanctions lifted for weighing multiple numbers of fish.  
Except for our National Championship which is a 2 day aggregate, all other tournaments are 1 day, big fish.

The one fish satisfies the requirements for Junior, Lady and Senior Anglers. In the past each category weighed a separate fish.

Banishment of members that gaffed fish while pre-fishing, releasing them to die.

10 pound minimum weight to earn points.

Our members have learned to tail and net unwaded fish for release alive.

Presently the South Atlantic ACL for king mackerel is 3.71 million lbs.....1.38 mil. lbs. for Commercials and 2.33 mil. lbs. for Recreationals.

The SKA is proposing a 3rd category be added, Competition, or whatever name you may choose. Since 99.99% of our members are Recreational fishermen, we also request that 1,000,000 (1 million) lbs. of the Recreational ACL be transferred to this new "Competition" category. This "Competition" ACL to be used only for Charity King Mackerel Tournaments. The amount requested is reasonable when the number of non SKA sanctioned king mackerel tournaments are taken into consideration and when king mackerel are one of the targeted species at numerous tournaments.

Our members can assist in identifying all of these tournaments. When they are identified, it is suggested that they complete the same forms that are submitted by all SKA sanctioned tournaments, identifying every weighed fish. We are willing to assist in any way we can to have this information submitted to the Council or sent to us to include in the data base that we have been working on for the past 16 years. We also welcome you to make use of the scientific information contained in our data base and will gladly furnish information to the Council on an as needed basis.

We will continue to monitor and police king mackerel tournaments to the best of our ability, not only for business purposes but for the numerous charities that are dependent upon our success and the viability of the king mackerel resource. An example of one such tournament is the one that I am the Director of, the Onslow Bay Open KMT in Swansboro, N. C. Our all volunteer tournament has raised \$192,200 in 10 years for KIDS charities such as: underprivileged children, terminally ill, those in need of emergency medical attention, N. C. Special Olympics and orphans. This is just one example of many SKA charity tournaments that have raised millions of dollars and depend on us annually for their support.

Please consider our request for a new ACL "Competition" category and an allotment of 1 mil. lbs. for charity tournaments.

Your contact at the Southern Kingfish Association in St. Augustine, Fl. is the Managing General Partner, Jack Holmes, 904 819 0360.