

SOUTH ATLANTIC FISHERY MANAGEMENT COUNCIL

MACKEREL COMMITTEE

**Charleston Marriott Hotel
Charleston, SC**

September 13, 2010

SUMMARY MINUTES

Mackerel Committee

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Dr. Carolyn Belcher
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Additional Observers and Participants Attached

The Mackerel Committee of the South Atlantic Fishery Management Council convened in the Topaz Room of the Charleston Marriott Hotel, Charleston, South Carolina, September 13, 2010, and was called to order at 4:00 o'clock p.m. by Chairman George Geiger.

MR. GEIGER: Okay, we've got all the committee members. The first order of business is the approval of the agenda. Is there any objection to the agenda; any changes or modifications to the agenda? Any objection to approving the agenda? Seeing none, the agenda is approved. Approval of the minutes; any changes, corrections or deletions to the minutes? Any objection to approving the minutes? Seeing none, the minutes are approved.

The first order of business is the previous council actions on Draft Mackerel Amendment 18. Gregg, would you take us through those, please. What we're going to do, if I could beg everybody's indulgence, we have a few actions to get through. When we get to each one of these actions, if you're interested in it and you really want to make a comment, I would appreciate if we try this.

Let's raise our hand and make a motion, then let's conduct discussion on the motion and move forward from them rather than thrashing about and trying to figure out what we're doing. Let's come forward with a motion, let's have a discussion on that motion and then move forward. Let's see how that works. I think it will help us get through this. Go ahead, Gregg.

MR. WAUGH: We've got for you Attachment 1, similar to spiny lobster. If you remember, we had a joint meeting, so Attachment 1 has the Joint Gulf and South Atlantic June Mackerel Committee Report. Attachment 2 has the Gulf Council June motions, and then Attachment 3 has our South Atlantic Council motions. We can refer to those.

What we need to resolve – and we have not modified the document and brought it back to you. What we're going to be working from is Attachment 4, which are our options for Amendment 18. The team looked at the alternatives that have been included. We have a lot of alternative management measures. The Gulf does not. Their situation is slightly different than ours.

For the most part for their species, the current catch is below the likely ACLs that they will be specifying, so they don't need to look at a lot of modifications to management measures. However, for us, for king mackerel the catches close to the likely ACLs that will be specified, so perhaps we don't need to look at management changes.

Let me back up a second. The hope is that the two councils working on Amendment 18 – Amendment 18 was focused on meeting these new ACL/AM requirements, and so it is a joint plan. The Gulf would like to have just the smallest number of management measures that are necessary to limit catches to the ACL and meet these new requirements; and then we can look at another amendment to deal with a lot of other issues that we have that have been on our back burner for a while and that the Gulf wants to look at, including modifications to limited entry programs or coming up with catch share programs.

But given that the timing is so short on Amendment 18, we'd like to pare it back to the least number of management regulations that we can. So what the team recommended and what

we've done in this document that we'll be working from is we moved all the management measures to Appendix B. That is a recommendation of the team.

The items that we want to work on at this meeting is to have discussions about which of those management regulations we want to have addressed in Amendment 18 and which ones will be addressed in a future amendment. So coming back now, king mackerel, we're probably okay with our regulations where they are now, our size limits, bag limits and so forth.

For Spanish mackerel, in responding to the new SEDAR information, the ACLs that we're likely to set are going to be below current catches, so perhaps we need to look at changing bag limits, whether you want to change the trip limits. We're not looking at allocations for king and Spanish mackerel because we've already got those in place.

And then when we get to cobia; one, the two councils are splitting that so that is one of the joint actions, but for the portion that we will be managing, our likely ACL is going to be considerably below the current catches, so we need to look at modifying our regulations. Right now there is a two-fish bag limit in place so we need to look at modifying those regulations to ensure that the ACL is not exceeded.

So the way the document is written right now and with the accountability measures – and those deal with setting up accountability measures for how you track it during a season, what you do in-season monitoring and what you do post-season monitoring, but it does not address any management changes. So the one thing we want to spend time talking about here today, because we recognize we don't have a lot of time for the committee, is what level of regulations we want to address in Amendment 18 that are necessary to ensure that the ACLs are not exceeded.

MR. HARTIG: This is not a motion now; this is a question to Gregg. Gregg, give me some sense of the timing of the next amendment, of what we may have to look forward. Because if you go back into a number of these actions, you'll see that they were approved by committees in '04. So, there is a lot of water under the bridge since a lot of this has been discussed, and basically a number of our fishermen are antsy to get some of this stuff in an amendment and approved. Do you have any idea? You don't have to do it now; how about at a later date?

MR. WAUGH: Well, you know our plate is full with snapper grouper amendments, but at the last Gulf meeting they directed staff to begin working on options for another amendment. I can look and pull out their specific – let me pull out their latest measure. and perhaps David remembers, but they are moving forward on an amendment and that would be one likely venue that we could use, Ben.

MR. GEIGER: Gregg, do have a page where all the management actions are listed? I remember seeing them; the ones that were moved to the –

MR. WAUGH: They begin on Page 40; it's Appendix B. If you scroll towards the back of the document so that you're on Page 40 of the document itself, that starts the management actions. That's Appendix B and that starts the management actions for king mackerel, management measures for king mackerel.

MR. GEIGER: All right, so our task here is to go through each of these management actions to see if we want to leave them back here or if there are any that we feel impelled to bring back forward into the document?

MR. WAUGH: Yes.

MR. CURRIN: I would like to recommend – and I'll do this by a motion as per the request from the chairman – that we move back into the document the prohibition of bag limit sales for king mackerel, Spanish mackerel and cobia. Gregg just mentioned and I think it provides more impetus, so we're going to have to probably adjust some bag limits, perhaps trip limits for Spanish mackerel.

Certainly, we're going to have to do something with cobia. There is going to be an allocation and there is going to be a quota. There currently is none. It's likely to be small in the case of cobia; and to prohibit bag limit sales will help the commercial industry, I believe, to some extent by not having those – not recreationally caught but those fish caught by non-permit holders entering the market and counting toward the commercial quota.

MR. GEIGER: All right, we've got a motion; seconded by Mr. Hartig. We've had some discussion. Charlie.

MR. PHILLIPS: Mac, what do you propose they do for the tournament sales on kings since that seems to be a problem moving them anywhere? Do you want to make an exception for this or how are you going to deal with that?

MR. CURRIN: At this point, Charlie, my motion is just to move all those alternatives that deal with bag limit sales, and I believe that includes – there is a set of alternatives that prohibit bag limit sales and there is some in there that prohibit tournament sales as well.

MR. GEIGER: That is correct.

MR. CURRIN: And I guess I would move, if I can, if my seconder will allow it, to move the action regarding cobia bag limits back in as well. I think they're going to be necessary to meet the ACLs, and there may be some others that I've left out, but those are the four that I had on my list before coming to the meeting.

MR. GEIGER: Is that good with the seconder? We've got a motion to add prohibition of bag limit sales of Atlantic Migratory Group King and Spanish Mackerel and cobia to Amendment 18; also add cobia bag limits. Any further discussion? Is there any objection to that motion? Seeing none, that motion carries.

MR. HARTIG: I'm not going to add anything else. I know that we need to keep this as close as possible to the ACL determinations, but one thing we may have staff do is look at what could be done by a regulatory amendment basis, a full amendment, and if there are some options in there that could be done that, and maybe we would want to move in that direction.

MR. GEIGER: I believe we also have framework options, don't we, Gregg, that we can employ?

MR. HARTIG: Framework is what I meant.

MR. GEIGER: All right, I don't see any desire to move anything back into the document. Are we all satisfied? Gregg.

MR. WAUGH: For Spanish, we're going to leave the bag limits where they are even though we're going to be reducing the ACL below catches? Commercially we just track the quota; and once they meet it, we close it. Do we want to look at Spanish bag limits?

MR. GEIGER: The current Spanish bag limit is 15 fish recreational. Mac.

MR. CURRIN: Yes, I would like to have some means of adjusting bag limits so that we can meet the ACL, so I would move that we add the actions to adjust Spanish mackerel bag limits.

MR. GEIGER: All right, we've got a motion on the floor to add actions to adjust the Spanish mackerel bag limits; second by Dr. Chevront. Any discussion? Ben.

MR. HARTIG: Yes, there was an action in the commercial section from the AP to actually track state regulations, which is much more restrictive than the current trip limits we have now, so we may want to include that also in that motion, if that is appropriate.

MR. CURRIN: If it is okay with my seconder, I will include Ben's suggestion in this motion.

MR. GEIGER: Okay, the motion is then to add actions to adjust the Spanish mackerel bag limits and commercial trip limits. Is that good with you, Ben? That's good with Mac and the seconder, Dr. Chevront. Any further discussion of that? Gregg, is that motion clear enough? Any objection to that motion? Seeing none, that motion carries. Mr. Currin.

MR. CURRIN: Thank you, George; and, Gregg, before we leave this, is there anything else that occurred to you that we may have missed that is in that appendix that would allow us some latitude for meeting our ACL objectives that we might need to consider moving back in this?

MR. WAUGH: On cobia right now we've got a two-fish bag limit for everybody; and so if we adjust that, we go down to a one-fish bag limit. I guess then what we would do is how we would discuss that for the recreational sector it would be a one-fish limit and for the commercial sector it would be a one-fish trip limit. I think that has everything covered.

What I will do is as I prepare this committee report is I'll go through that appendix and pull out all the alternatives that meet these two motions, and so we'll have the opportunity to review those at full council. If there is anything else that I identify that perhaps you should consider, that would give us a chance of adding it at full council. I think given we're pretty much okay

with kings, this gives us the ability to address Spanish and cobia, which are the ones where I think we're going to need to look at some management changes. I think we're covered.

MS. SMIT-BRUNELLO: Gregg, I have a question. This amendment is going to split out cobia similarly to the way that kings and Spanish are split out for Gulf and the Atlantic areas; correct?

MR. WAUGH: It has alternatives in there that would separate into two migratory groups at either the council boundary or the Dade/Monroe Line. The Dade/Monroe would be similar to what we use now for Spanish.

MS. SMIT-BRUNELLO: Okay, I just wanted to make sure that there was in fact an action that did that in the sense that it would split it as some designated location.

MR. WAUGH: Yes, there is.

MR. HARTIG: Mr. Chairman, this is probably a question for Gregg. Gregg, you mentioned that the recreational bag limit may go to one and the commercial trip limit may go to one. Well, actually everybody is under the bag limit, so I don't know why you want to be more restrictive on the commercial than the recreational since everybody is fishing under the bag limit.

MR. WAUGH: My intent was just in terms we always talk about bag limits being recreational and trip limits being commercial, and I was just talking about changing that vernacular and not changing the number that the commercial trip limit would be one per person per trip.

MR. HARTIG: Thank you for the clarification.

MR. GEIGER: Okay, anything else? Okay, Gregg, anything else?

MR. WAUGH: The other direction was to look at what could be done via regulatory amendment, and I will check on that for full council and then check with the Gulf on the timing of the next amendment so we know when we might, one, either do a separate regulatory amendment or piggyback with them on their amendment. I will have that for the committee report at full council.

MR. CUPKA: Mr. Chairman, in regards to the Gulf Amendment, at their last meeting the council did direct staff to begin preparing an amendment to the Coastal Migratory Pelagic Plan that would deal with the issue of latent permits. I think staff indicated they could get on that fairly quickly. I don't have a specific date but obviously they're looking ahead to preparing the next amendment; and when that will be, Ben, I just don't know, but they indicated they could move ahead fairly quickly with that, so we'll see.

MR. GEIGER: Okay, thank you. All right, I would note that we did receive a letter from Captain Kelly who wishes to address us in the public comment portion reference mackerel, I believe, Bill, so we will hear from him on mackerel during the public comment portion. That concludes all the business before the council – yes.

MR. WAUGH: Just to touch on the timing – and this is in the overview – what we’re looking at is approving the document for public hearings; the Gulf at their October meeting; the South Atlantic Council at our December meeting; doing the public hearings in the January/February time period; and then reviewing public comment at the Gulf’s February meeting and our March meeting. If we can submit to the secretary at that stage, we will.

We do have the opportunity to follow up – at the Gulf’s April meeting and June meeting would be the next opportunity. The intent would be to submit the document either in April or June. Again, this is to meet the 2011 deadline.

MR. HARTIG: I had one question about cobia and the SSC’s determination of ABC or OFL. Basically we sent that back to them and I did not see where they had reworked cobia in any way. I know there are a number of things that they did relook at and changed their determinations, but cobia was not one of them that remember. Gregg, do you know if they looked at that?

MR. GEIGER: Cobia was not on the agenda at the last meeting so they did not.

MR. HARTIG: Well, when will the SSC meet again?

MR. WAUGH: Their next meeting is November.

MR. GEIGER: All right, that concludes our formal portion of the committee meeting. Is there anything else under other business that anybody wants to bring before the committee? Seeing no other business, we stand adjourned.

(Whereupon, the meeting was adjourned at 4:22 o’clock p.m., September 13, 2010.)

Certified By: _____ Date: _____

Transcribed By:
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October 13, 2010

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PLEASE SIGN IN

So that we will have a record of your attendance at each meeting and so that your name may be included in the minutes, we ask that you sign this sheet for the meeting shown below.

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Charleston, SC
Monday, September 13, 2010

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