

**MACKEREL COMMITTEE**  
**JEKYLL ISLAND, GA**  
**March 2, 2009**

**I. SEPARATE MACKEREL FMPs?**

- a. **Background** – both Councils have approved motions to develop a separate FMP with alternatives for boundaries and mixing rates (motions from last joint mackerel committee meeting are attached). The most recent SEDAR assessment used a 50% mixing rate and the Stock Synthesis 3 (SS#) model cannot provide separate Status Determination Criteria (SDC) for Gulf and Atlantic Migratory Groups. The best available scientific information suggests the SS3 model should be used, Mexican catch and size/age data should be included, and SDC should be specified for the entire stock of king and Spanish mackerel (not by separate migratory groups). The Councils would then be responsible for dividing the ABC between the two migratory groups and manage them separately as is currently allowed under the FMP.

The current framework allows the Gulf Council to set TAC and management regulations for Gulf king & Spanish mackerel (without the need for South Atlantic Council approval) and for the South Atlantic to set TAC and management regulations for Atlantic king & Spanish mackerel (without the need for Gulf Council approval). In addition, the South Atlantic Council sets the management regulations for the northeastern zone (off Florida) Gulf king mackerel fishery after the allocation has been calculated based on the TAC selected by the Gulf Council. Other changes to the FMP require the approval of both Councils. The Council should consider recommending that the Mexican data be obtained by NMFS and that the next SEDAR assessment use the SS3 model (and data from Mexico) and provide SDC at the stock level for king and Spanish mackerel.

- b. **Decision:** The committee reviewed the following options and recommended that the Councils not develop separate FMPs.
- i. Option 1. No action. Do not develop separate FMPs.
  - ii. Option 2. Develop an amendment to separate the Joint Coastal Migratory Pelagics FMP into a Gulf FMP and a South Atlantic FMP. Guidance on a boundary, mixing rate, and permits (one permit now and would need separate permits) would be necessary. We would need to know how the NMFS SEFSC would view this based on the best available science.
  - iii. Option 3. Others?????

## II. TIMING & CONTENT OF AMENDMENT TO MEET 2011 DEADLINE FOR ACLs & AMs

- a. **Background** – the ACL final rule indicates that for species not undergoing overfishing, the mechanisms and values for ACLs and AMs must be specified in FMPs, FMP amendments, implementing regulations, or annual specifications beginning in 2011 (see Section(2)(A) in the center column on page 3211). This seems to imply that as long as the Councils complete the document and submit the amendment for formal review by December 31, 2011, they will have met the deadline. NMFS and NOAA GC provided guidance that the final rule indicates that the ACL amendment actions should be implemented during the 2011 fishing year.

Species in the fishery management unit are: (i) king mackerel, (ii) Spanish mackerel, and (iii) cobia. Species in the Coastal Migratory Pelagics FMP but not in the fishery management unit are: (i) cero, (ii) little tunny, (iii) dolphin (Gulf of Mexico only), and (iv) bluefish (Gulf of Mexico only). [Note: Bluefish in the Atlantic are managed by the MAFMC, and dolphin in the Atlantic are managed under the Dolphin Wahoo FMP.] The ACL final rule states (see Section (d), third column, near the bottom on page 3204): “As a default, all stocks in an FMP are considered to be “in the fishery,” unless they are identified as EC species (see Section 600.310(d)(5)) through an FMP amendment process.” ACLs and AMs (and other actions) are required for all species “in the fishery”; ACLs and AMs (and other actions) are not required EC species. Therefore, the Councils will need to prepare an amendment to consider designating the species not in the fishery management unit as EC species.

King and Spanish mackerel have been managed with ABC and TAC mechanisms since the original FMP in 1982. It could be argued that these meet the new requirements although an explanation addressing risk and uncertainty would have to be developed. On the other hand, cobia has been managed with a 33 inch fork length or 37 inch total length minimum size limit and a recreational/commercial bag limit of 2 per person per day since Amendment 1 which was implemented in September of 1985. Therefore, an amendment will need to be prepared to set ACL and AM (and other actions) for cobia (and any other species considered “in the fishery”).

- b. **Decision:** The committee reviewed the following options and recommended that the Councils develop a joint amendment to address the new ACL/AM requirements and to evaluate where to put cero, little tunny and Atlantic bonito.

- i. Option 1. No action. Do not develop an amendment to address new requirements for ACLs and AMs.
  - ii. Option 3. Others???
- c. **Draft Timing** – the committee noted that the timing will depend on discussions with the Gulf Council and took no action.
  - i. SSC provides ABC – Gulf SSC has provided their recommendation (see Attachment 1 in the mackerel briefing material). Note: This is the same approach that the South Atlantic SSC attempted to use but NMFS SERO objected and the SSC pulled their recommendation. The South Atlantic SSC may provide their recommendation in June 2009 or December 2009.
  - ii. Options paper considered by both Councils - \_\_\_\_\_
  - iii. Draft Amendment prepared by Gulf staff with assistance from NMFS and South Atlantic staff - \_\_\_\_\_
  - iv. NMFS determines whether EA or EIS and prepares appropriate notices and analyses - \_\_\_\_\_
  - v. Draft Amendment/DEIS or EA ready for public hearings - \_\_\_\_\_
  - vi. Public Hearings - \_\_\_\_\_
  - vii. Review public comments and provide final guidance on document - \_\_\_\_\_
  - viii. Review and approve final document – by South Atlantic Council’s September or December 2011 meeting and the Gulf Councils \_\_\_\_\_.

### III. JOINT COMMITTEE MEETING

- a. **Background** – the last joint committee meeting took place September 18, 2006 in Hilton Head, SC (motions attached). At that time the agreement was to pursue separate FMPs.
- b. **Should we schedule another joint committee meeting?** If yes, should we hold the joint mackerel committee meeting during our June 7-12, 2009 meeting in Stuart, Florida? Or should we schedule a separate joint committee meeting? Or should we meet jointly with a Gulf Council meeting.

**IV. The committee approved the following motions:**

MOTION #1: OPTION 1. NO ACTION. DO NOT DEVELOP SEPARATE FMPS.  
APPROVED BY COMMITTEE

MOTION #2: DIRECT STAFF TO EVALUATE MOVING CERO AND LITTLE TUNNY  
AND ATLANTIC BONITO INTO THE FISHERY MANAGEMENT UNIT OR REMOVING  
THEM FROM THE FISHERY MANAGEMENT PLAN.  
APPROVED BY COMMITTEE

MOTION #3. OPTION 2. DEVELOP A JOINT AMENDMENT TO ADDRESS NEW  
REQUIREMENTS FOR ACLS AND AMS.  
APPROVED BY COMMITTEE

MOTION #4: HOLD A JOINT MACKEREL COMMITTEE MEETING DURING THE  
SAFMC JUNE 2009 MEETING.  
APPROVED BY COMMITTEE

MOTION 5: DIRECT STAFF TO WORK ON THE FOLLOWING ITEMS IN  
PREPARATION FOR THE JUNE 2009 MEETING:

1. SAFMC STAFF CONTACT GULF COUNCIL STAFF TO INFORM THEM  
ABOUT THE SAFMC'S DECISIONS AND OFFER TO HOLD A JOINT  
MACKEREL COMMITTEE MEETING DURING THE SAFMC'S JUNE 2009  
MEETING
2. REQUEST STAFF, WORKING WITH GULF & NMFS STAFF, PREPARE A  
DECISION DOCUMENT TO USE AT THE JOINT MEETING OUTLINING THE  
DECISIONS FOR THE JOINT AMENDMENT.
3. REQUEST CLARIFICATION ON THE COBIA ASSESSMENT.

APPROVED BY COMMITTEE

**SOUTH ATLANTIC/GULF JOINT MACKEREL COMMITTEE MOTIONS**

**SEPTEMBER 18, 2006**

**I. BOUNDARY/MIXING FOR KING MACKEREL**

**MOTION:** SCOPE 3 ALTERNATIVES:

1. NO ACTION
2. DADE/MONROE – NORTH OF LINE 100% ATLANTIC; SOUTH OF LINE 100% GULF
3. MONROE – 100% GULF; VOLUSIA THROUGH DADE – 50/50

APPROVED BY GULF COMMITTEE

APPROVED BY SOUTH ATLANTIC COMMITTEE

**II. BOUNDARY FOR OTHER SPECIES**

**SAFMC COMMITTEE MOTION:** Develop separate CMP FMPs (Action 1A) and establish a fixed boundary at the Dade/Monroe County line on the Florida East Coast to correspond to the Spanish mackerel fixed boundary (Option 3). This boundary applies to cero, cobia, king mackerel, Spanish mackerel, and little tunny; as new species are added, they would be included with this fixed boundary.

APPROVED BY SAFMC COMMITTEE (6/04)

The Committee did not change their position at the 6/06 meeting.

**MOTION:** THE DADE/MONROE COUNTY LINE ON THE FLORIDA EAST COAST APPLIES TO CERO, COBIA, SPANISH MACKEREL, AND LITTLE TUNNY; AS NEW SPECIES ARE ADDED, THEY WOULD BE INCLUDED WITH THIS FIXED BOUNDARY.

APPROVED BY GULF COMMITTEE

### **III. PERMITS**

**MOTION:** INCLUDE IN SCOPING FOR PERMITS TO HAVE 3 OPTIONS:

1. NO ACTION – ONE PERMIT BOTH COUNCIL AREAS
2. SEPARATE PERMIT FOR GULF AND SEPARATE PERMIT FOR ATLANTIC
3. FOR KING MACKEREL, GRANDFATHER IN ALL EXISTING PERMIT HOLDERS WHO HAVE HISTORICALLY LANDED IN BOTH AREAS TO GET A DUAL PERMIT; WHEN TRANSFERRED TO ANOTHER INDIVIDUAL IT BECOMES EITHER A GULF OR ATLANTIC PERMIT

APPROVED BY GULF COMMITTEE

APPROVED BY SOUTH ATLANTIC COMMITTEE

### **IV. SEPARATE FMPs**

**MOTION:** SCOPE A JOINT AMENDMENT TO CREATE TWO SEPARATE COASTAL MIGRATORY PELAGIC FMP'S BASED ON THE THREE ACTIONS WITH THE ALTERNATIVES OUTLINED ABOVE

APPROVED BY SOUTH ATLANTIC COMMITTEE

APPROVED BY GULF COMMITTEE

### **V. REMAINING ISSUES:**

1. **DATA REQUEST TO SEFSC – KING MACKEREL LANDINGS DATA BASE AND RE-RUN SEDAR 5 ASSESSMENT FOR KING MACKEREL USING THE NEW LANDINGS DATABASES**
2. **TIMING FOR SCOPING – DEPENDS ON WHEN WE CAN GET THE LANDINGS DATABASE AND THE RE-RUN ASSESSMENT FROM THE SEFSC**
3. **RICK AND GREGG WORK TOGETHER ON LETTER TO SEFSC WITH COPY TO SERO**