



SOUTH ATLANTIC FISHERY MANAGEMENT COUNCIL

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Dr. Michelle Duval, Chair | Charlie Phillips, Vice Chair
Gregg T. Waugh, Executive Director

AGENDA

Mackerel Cobia Advisory Panel and Cobia Sub-Panel

Crowne Plaza
4831 Tanger Outlet Boulevard
North Charleston, SC

Wednesday, April 19, 2017, 1:30 to 5:00 P.M

Thursday, April 20, 2017, 9:00 A.M. to 5:00 P.M.

Approval of Agenda

Approval of February 2016 Minutes of the Mackerel Advisory Panel

Introductions – Ira Laks

1. Orientation/Refresher on Advisory Panels (**Attachment 1**) – Kim Iverson
2. Update on Recent CMP Amendments – Kari MacLauchlin
3. Cobia
 - A. Atlantic cobia recreational fishing season for 2017 (**Attachment 2**) – Kari MacLauchlin
 - Overview of landings
 - State and ASMFC actions for Atlantic cobia management in state waters
 - B. Criteria for emergency action by NMFS (**Attachment 3**) – Kari MacLauchlin/NOAA General Counsel
 - C. Upcoming SEDAR activities for cobia (**Attachment 4**) – Julia Byrd, SEDAR staff
 - D. Ongoing cobia research (**Attachment 5**) – Mike Denson, SC DNR staff
 - E. Discussion on potential commercial permit requirement for cobia
 - F. Discussion on bag limit for Florida east coast cobia
 - G. Fishery Performance discussion – Kari MacLauchlin

4. Atlantic Spanish Mackerel
 - A. Gillnet mesh size
 - modified minimum gillnet mesh size
 - modify/clarify how gillnet mesh size is measured
 - B. Limited entry for federal Spanish mackerel commercial permit
 - C. Gillnet endorsement (**Attachment 6**)
5. King Mackerel
 - A. Latent effort/permits in the commercial king mackerel fishery (**Attachment 7**)
 - B. Trip limit for hook-and-line Atlantic king mackerel on Spanish mackerel gillnet trips
6. Term Limits for Chair/Vice Chair; Election of Cobia Sub-Panel Chair/Vice Chair
7. Other Business

Adjourn

Mackerel Cobia Advisory Panel

Ira Laks, Chair
 Stephen Swann, Vice Chair
 Stephen Donalson
 Steve English
 Skip Feller
 David Forcinito
 Manuel Herrera
 Ryan Howard
 Bill Kelly
 Selby Lewis
 Robert Olsen
 Greg Peralta
 Gary Robinson
 Tom Roller

Cobia Sub-Panel

Wes Blow
 Bill Gorham
 Howard Ellis, Jr
 Bill Weeks

Attachments

- Attachment 1:** Presentation on the Council Process and Advisory Panels
Attachment 2: Overview of Atlantic cobia 2017 fishing season
Attachment 3: NMFS guidance on emergency action
Attachment 4: SEDAR Project Update March 2017
Attachment 5: SC DNR Presentation of Cobia Research in the Southeast (available at meeting)
Attachment 6: Excerpt on Spanish Mackerel Gillnet Endorsement from CMP Amendment 19, July 2012
Attachment 7: Excerpt on King Mackerel Latent Effort from CMP Amendment 20A

OVERVIEW

Mackerel Cobia Advisory Panel Cobia Sub-Panel

April 19-20, 2017
N. Charleston, SC

1. **Advisory Panel Orientation/Refresher (*Attachment 1*)**
Kim Iverson, SAFMC staff, will provide a presentation on the role of advisory panels (AP) in the Council process.
2. **Recent CMP Actions**
Council staff will brief the AP and Sub-Panel on recent and developing amendments and SAFMC decisions pertaining to king mackerel, Spanish mackerel and cobia.
3. **Cobia**
 - A. *Recreational Atlantic cobia*
Council staff will present an overview of recent landings for recreational Atlantic cobia, in addition to state and federal management for Atlantic cobia. (*Attachment 2*)
 - B. *Emergency Action Criteria- recreational Atlantic cobia*
Council staff/NOAA General Counsel will review NMFS guidance on emergency actions, and the AP and Sub-Panel will discuss concerns and questions from the public about emergency action criteria as it pertains to the recreational Atlantic cobia fishing season for 2017. (*Attachment 3*)
 - C. *Upcoming SEDAR activities for cobia*
SEDAR staff will brief the AP and Sub-Panel on upcoming SEDAR activities for Gulf and Atlantic cobia (*Attachment 4*).
 - D. *Ongoing research for cobia*
Dr. Mike Denson of the South Carolina Department of Natural Resources (SC DNR) will present about ongoing cobia research (*Attachment 5*).
 - E. *Permit requirement for commercial cobia*
The AP and Sub-Panel will discuss a potential commercial permit requirement for harvest of cobia in the Mid-Atlantic and South Atlantic (including Florida east coast). Currently there is no commercial permit requirement to harvest cobia that are sold, but there is a possession limit of 2/person/day.

The Gulf of Mexico and South Atlantic Councils have considered a permit requirement for cobia in past amendments, with the most recent being CMP Amendment 20A (which was approved in Sept 2013). Before removing the action from the amendment (in March 2013), these were the alternatives under consideration:

Gulf Preferred 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 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, those fish must have been harvested on a commercial trip aboard a vessel with a commercial cobia vessel permit.

Option a. The South Atlantic Council's jurisdiction

Option b. The Gulf Council's jurisdiction

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

South Atlantic Preferred 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 under a commercial quota aboard a vessel with at least one of the following commercial vessel permits: king mackerel, Spanish mackerel, Gulf reef fish, South Atlantic snapper/groupers, or South Atlantic dolphin/wahoo.

The South Atlantic Council preferred some kind of commercial permit requirement so that cobia that are sold would be reported. However, the Gulf Council felt that state requirements were sufficient to manage and track cobia that are sold. Eventually the Councils agreed to not consider any type of permit requirement for commercial cobia, and removed the action from consideration in CMP Amendment 20A.

F. *Bag limit for cobia from federal waters off the Florida east coast*

In federal waters off the Florida east coast, the commercial and recreational possession limit for cobia is 2 fish per person per day. Cobia caught in Florida state waters is limited to 1 fish per person per day. The AP and Sub-panel will discuss modifying the bag limit for cobia from federal waters off the Florida east coast.

G. *Discussion on fishery performance*

The Council has requested the AP and Sub-panel discuss the current status of the fishery from their experiences and knowledge.

- Has the cobia fishery in your area changed in recent years, and how has it changed?
- How has seasonal availability and distribution of the fish changed?
- Are there more/less bigger fish? More/less smaller fish?

4. Spanish mackerel

A. Gillnet mesh size

The minimum mesh size for Spanish mackerel gillnets is 3.5 inches (8.9 cm), stretched mesh. The AP and Sub-Panel will discuss revising the minimum mesh size, and also ways to clarify and standardize how mesh size is measured.

B. Commercial Spanish mackerel permits

The federal commercial permit for Spanish mackerel is open access and is required for commercial harvest of Spanish mackerel in the Gulf of Mexico, South Atlantic and Mid-Atlantic. As of January 2017, there are 1,821 valid permits (the number fluctuates between 1,750 and 1,850 permits). State/region is based on the homeport listed for the vessel associated with the permit.

State/Region	# Spanish mackerel commercial permits
NC	255
SC	33
GA	14
FL East	648
FL Keys	340
Gulf (not incl Keys)	463
Mid-Atlantic	61
New England	6
Other	1

The Councils scoped the topic of limited entry for the commercial Spanish mackerel permits in 2012, but decided to not consider it through an amendment. The current Gulf Spanish mackerel annual catch limit has not been met in several years and the Councils did not see a reason to cap the number of permit holders.

Additionally, the Gulf Council proposed separating the FMPs into plan for each region. This would have required that there be a federal commercial king mackerel permit for each region and a Spanish mackerel permit for each region. However, the South Atlantic Council did not wish to develop this amendment, and it was discontinued in August 2015.

The AP and Sub-Panel will discuss current fishery conditions and effort, and if the Council should consider limited entry for the Spanish mackerel commercial permit.

C. Spanish mackerel gillnet endorsement (**Attachment 6**)

The Councils considered a Spanish mackerel gillnet endorsement in CMP Amendment 20A but ultimately decided to remove the action from the amendment. There was lack of support from the public, and concern about fishermen in areas where Spanish mackerel are not abundant every year so those fishermen may not be able to meet landings qualifying criteria. Additionally, if the federal commercial Spanish mackerel permit remains open access, there will be no way to track landings to a permit holder and there

may be individuals who qualify but do not currently hold a Spanish mackerel commercial permit.

The AP and Sub-Panel will discuss current fishery conditions and effort, and if the Councils should consider a gillnet endorsement.

5. King mackerel

A. Latent effort/permits in the king mackerel commercial fishery (Attachment 7)

The federal commercial permit for king mackerel is a limited entry permit and is required for commercial harvest of king mackerel in the Gulf of Mexico, South Atlantic and Mid-Atlantic. As of January 2017, there are 1,302 valid permits (the number fluctuates between 1,300 and 1,400 permits). State/region is based on the homeport listed for the vessel associated with the permit.

State/Region	# Spanish mackerel commercial permits
NC	214
SC	20
GA	9
FL East	496
FL Keys	173
Gulf (not incl Keys)	372
Mid-Atlantic	16
New England	1
Other/Unknown	1

In CMP Amendment 20A, the Councils considered removing king mackerel commercial permits that did not have a specified minimum level of landings. However, a majority of public comment opposed removing any king mackerel commercial permits, and the Councils did not move forward on the action. The action and alternatives considered by the Councils are included in **Attachment 7**.

The AP and Sub-Panel will discuss current fishery conditions and effort, and if the Council should consider action to address latent effort or permits in the king mackerel commercial fishery.

B. Trip limit for hook-and-line Atlantic king mackerel on Spanish mackerel gillnet trips

The AP and Sub-Panel will discuss allowing a trip limit of hook-and-line caught Atlantic cobia (commercial) on Spanish mackerel gillnet trips.

6. Term Limits for Chair/Vice Chair; Election of Cobia Sub-Panel Chair/Vice Chair

The AP and Sub-Panel will discuss specifying term limits for chair and vice chair of the AP and Sub-Panel. The Snapper Grouper AP currently has two-year limits to allow opportunities for members interested in serving as chair or vice chair.

The Cobia Sub-Panel will also elect a chair and vice chair.