

**SUMMARY REPORT  
MACKEREL COBIA COMMITTEE  
September 14-15, 2016  
Myrtle Beach, SC**

Following approval of the agenda and minutes of the June 2016 meeting, the Committee received an update on commercial landings for Atlantic king mackerel, Spanish mackerel and cobia from SERO staff. The Committee also received an update on CMP Amendment 26, which was transmitted for formal review on July 7, 2016, and is currently under review at SERO.

Next, SERO staff presented on the process for landings information to go to the Southeast Fisheries Science Center and then to SERO, and then made available to the public. SEFSC staff provided a presentation on the 2015 commercial overage for Atlantic cobia.

Council staff reported on the June and August 2016 Gulf Council meetings and on recent decisions related to cobia by the Atlantic States Marine Fisheries Commission (ASMFC). Rob O'Reilly (Mid-Atlantic Council) briefed the Committee on motions approved at the recent Mid-Atlantic Council meeting, which included a request that the Mackerel Cobia Committee meet as a Committee of the Whole when discussing cobia.

*At this time, the Council chair convened the Mackerel Cobia Committee as a Committee of the Whole.*

**Presentation on South Carolina Cobia**

Mike Denson, SC DNR, provided a presentation on ongoing genetic research and the distinct population segments (DPSs) of the Atlantic cobia identified in Port Royal Sound.

**Framework Amendment 4 (Atlantic cobia)**

Council staff reviewed a summary of public comments received about Framework Amendment 4 during the public hearings and via written correspondence and the online comment form. Next, the Committee reviewed Framework Amendment 4.

**The Committee of the Whole voted on the following motions:**

**MOTION 1.** Change the preferred alternative from Sub-alternative 3c to Sub-alternative 3f (6/vessel) in Action 1-1. APPROVED BY COUNCIL.

**Preferred Alternative 3.** Establish a recreational vessel limit for Atlantic cobia.

**Preferred-Sub-alternative 3c.** 3 fish per vessel per day

**Preferred Sub-alternative 3f.** 6 fish per vessel per day

**MOTION 2.** Remove Action 2 from Framework Amendment 4. APPROVED BY COUNCIL.

Action 2: Modify the fishing year for recreational Atlantic cobia

**Alternative 1 (No Action).** Do not modify the current recreational fishing year of January 1 through December 31.

**Preferred Alternative 2.** Modify the recreational fishing year for Atlantic cobia to be May 1 through April 30.

**Alternative 3.** Modify the recreational fishing year for Atlantic cobia to be June 1 through May 31.

**Alternative 4.** Modify the recreational fishing year for Atlantic cobia to be April 1 through March 31.

**MOTION 3.** Ask staff to work on a plan amendment to change the recreational fishing year for Atlantic cobia.

APPROVED BY COUNCIL.

**MOTION 4.** Select the preferred start date as May 1. (Alternative 2 May 1-Apr 30).

APPROVED BY COUNCIL.

**MOTION 5.** Approve IPT edits in Alternatives 2, 3, and 5 in Action 3.

APPROVED BY COUNCIL.

**Preferred Alternative 2.** If recreational landings, as estimated by the Science and Research Director, exceed the recreational ACL, ~~then during the following fishing year,~~ recreational landings will be monitored for a persistence in increased landings. If necessary, the Regional Administrator shall publish a notice to reduce the length of the following fishing season to ensure that recreational landings meet the recreational annual catch target (ACT) but do not exceed the recreational ACL, based on the recreational landings in the previous year. The length of the recreational season will not be reduced if the Regional Administrator determines, using the best scientific information available, that a reduction is unnecessary. ~~The ACT for 2016 and subsequent fishing years is 500,000 lbs ww, as established in Amendment 20B to the CMP FMP.~~

**Alternative 3.** If recreational landings, as estimated by the Science and Research Director, exceed the recreational ACL, the Regional Administrator shall publish a notice to reduce the recreational ACL in the following fishing year by the amount of the recreational overage. The recreational ACL will not be reduced if the Regional Administrator determines, using the best scientific information available, that a reduction is unnecessary. The ACT would also be adjusted. ~~according to the following formula: recreational sector ACT equals sector ACL[(1 - PSE) or 0.5, whichever is greater].~~

**Alternative 5.** If recreational landings, as estimated by the Science and Research Director, exceed the recreational ACL, ~~then during the following fishing year,~~ recreational landings will be monitored for a persistence in increased landings. If necessary, the Regional Administrator shall publish a notice to reduce the recreational vessel limit for the following fishing year to ensure that recreational landings meet the recreational ACT but do not exceed the recreational ACL, based on the recreational landings in the previous year. The recreational vessel limit will not be reduced if the Regional Administrator determines, using the best scientific information available, that a reduction is unnecessary. ~~The ACT for 2016 and subsequent fishing years is 500,000 lbs, as established in CMP Amendment 20B.~~

**MOTION 6.** Select Alternative 5/Sub-alternative 5b as Preferred in Action 3.

APPROVED BY COUNCIL.

**Alternative 5.** If recreational landings, as estimated by the Science and Research Director, exceed the recreational ACL, recreational landings will be monitored for a persistence in increased landings. If necessary, the Regional Administrator shall publish a notice to reduce the recreational vessel limit for the

following fishing year to ensure that recreational landings meet the recreational ACT but do not exceed the recreational ACL, based on the recreational landings in the previous year. The recreational vessel limit will not be reduced if the Regional Administrator determines, using the best scientific information available, that a reduction is unnecessary.

**Sub-alternative 5b.** The Regional Administrator will reduce the recreational vessel limit for the following fishing year only if the stock ACL (commercial ACL and recreational ACL) is exceeded.

**COUNCIL CLARIFICATION:** The AM would be a reduced vessel limit to no less than 2/vessel, and only if stock ACL is exceeded. Reduced vessel limit would be applied before a reduced season length (Preferred Alternative 2).

**MOTION 7.** Add Alternative 5 to Action 4: **Establish a commercial trip limit for Atlantic cobia of 2 fish per person per day or 6 fish per vessel per day, whichever is more restrictive.**

APPROVED BY COUNCIL.

**MOTION 8.** Select Alternative 5 as the preferred in Action 4.

APPROVED BY COUNCIL.

*After the Committee had selected the preferred alternatives for each action and modified the document as necessary, the Council chair convened the full Council to vote on the following motion:*

**MOTION 9.**

Approve Coastal Migratory Pelagics Framework Amendment 4 as modified for Secretarial review, and deem the codified text as necessary and appropriate. Give staff editorial license to make any necessary editorial changes to the document/codified text and give the Council Chair authority to approve the revisions and re-deem the codified text.

APPROVED BY COUNCIL.

*At this time, the Council was recessed by the Council chair, and the Mackerel Cobia Committee was convened by the Committee chair.*

Framework Amendment 5 (revise permit restrictions)

**The Committee voted on the following motions as recommendations to the Council:**

**MOTION 10.** Approved the modified purpose and need statements.

APPROVED BY COMMITTEE. APPROVED BY COUNCIL.

The purpose of this action is to eliminate permit restrictions unique to commercial king and Spanish mackerel permitted vessels.

The need for this action is to standardize vessel permit restrictions applicable after a commercial quota closure, remove restrictions on recreational fishing, and reduce the potential for regulatory discards in the king mackerel and Spanish mackerel components of the CMP fishery.

**MOTION 11.** Approve the IPT recommendations for the language in the alternatives.

APPROVED BY COMMITTEE. APPROVED BY COUNCIL.

**Alternative 1:** No Action –Persons aboard a vessel with a federal commercial permit for king or Spanish mackerel **may not fish for or retain the recreational bag limit** if commercial harvest for the species is closed (i.e., the species, migratory group, zone, subzone, or gear is closed) except when that vessel also holds the applicable federal for-hire permit (Gulf Charter/Headboat CMP permit, Historical Captain Gulf Charter/Headboat CMP permit, or Atlantic Charter/Headboat CMP permit) and is operating in a for-hire capacity.

**Gulf Preferred Alternative 2:** Remove the restriction on fishing for and retaining the recreational bag limit of king mackerel on a vessel with a federal commercial permit for king mackerel when the vessel is on a recreational trip and commercial harvest of king mackerel in that zone is closed.

**Gulf Preferred Alternative 3:** Remove the restriction on fishing for and retaining the recreational bag limit of Spanish mackerel on a vessel with a federal commercial permit for Spanish mackerel when the vessel is on a recreational trip and commercial harvest of Spanish mackerel in that zone (Atlantic) or region (Gulf) is closed.

**MOTION 12.** Select Alternative 2 and 3 under Action 1 as the South Atlantic Preferreds.  
APPROVED BY COMMITTEE. APPROVED BY COUNCIL.

**MOTION 13.** Approve Coastal Migratory Pelagics Framework Amendment 5 for Secretarial review, and deem the codified text as necessary and appropriate. Give staff editorial license to make any necessary editorial changes to the document/codified text and give the Council Chair authority to approve the revisions and re-deem the codified text.  
APPROVED BY COMMITTEE. APPROVED BY COUNCIL.

Amendment 29 (Gulf king mackerel allocations)

**The Committee voted on the following motions as recommendations to the Council:**

**MOTION 14.** Approved the modified Purpose and Need statements.  
APPROVED BY COMMITTEE. APPROVED BY COUNCIL.

***Purpose for Action***

The purpose of this amendment is to consider changes to the recreational and commercial allocations for Gulf migratory group king mackerel and the recreational accountability measure.

***Need for Action***

The need for this amendment is to achieve optimum yield while ensuring overfishing does not occur in the coastal migratory pelagics (CMP) fishery, thereby increasing social and economic benefits of the CMP fishery through sustainable and valuable harvest of king mackerel.

**MOTION 15.** Approve Alternatives 1-3 in Action 1.  
APPROVED BY COMMITTEE. APPROVED BY COUNCIL.

## Action 1 – Gulf Migratory Group King Mackerel Quota Sharing

**Alternative 1:** No Action – Do not establish a quota sharing system. Maintain the current recreational and commercial allocations for Gulf of Mexico migratory group king mackerel (68% recreational, 32% commercial).

**Alternative 2:** Conditionally transfer a certain percentage (*Options 2a-2d*) of the allocation to the commercial sector in the next fishing year, if the minimum recreational landings threshold is not met (*Options 2e-2g*). If the commercial sector does not land at least 90% of its ACL, this transfer will not occur. Landings data from two years prior will be used to determine allocation transfers.

*Conditional Quota Transfer (MUST CHOOSE ONE):*

**Option 2a:** Conditionally transfer 5% from the stock allocation to the commercial allocation.

**Option 2b:** Conditionally transfer 10% from the stock allocation to the commercial allocation.

**Option 2c:** Conditionally transfer 15% from the stock allocation to the commercial allocation.

**Option 2d:** Conditionally transfer 20% from the stock allocation to the commercial allocation.

*Recreational ACL Minimum Threshold (MUST CHOOSE ONE), if the recreational sector landings are:*

**Option 2e:** less than 50% of its ACL.

**Option 2f:** less than 65% of its ACL.

**Option 2g:** less than 75% of its ACL.

**Alternative 3:** If the stock ACL is not harvested in a fishing year, the [Gulf Council's] Scientific and Statistical Committee (SSC) will be convened to consider increasing the acceptable biological catch (ABC) for the following fishing year only. If the SSC recommends increasing the ABC, the amount of the increase (in pounds) would be added to the ACL of the sector which harvested its ACL (within 10%) in the previous fishing year. Consideration of an ABC adjustment by the SSC would only be requested if a minimum percentage of the stock ACL was not harvested in a given fishing season (*Options 3a-3c*). If one of Options 3a, 3b, or 3c is not chosen as preferred, and the stock ACL has not been landed, then the SSC will consider raising the ABC in any year when the stock ACL is not harvested:

*Remaining Stock ACL Threshold (CHOOSE ONE):*

**Option 3a:** At least 15% of the stock ACL remains unharvested.

**Option 3b:** At least 20% of the stock ACL remains unharvested.

**Option 3c:** At least 25% of the stock ACL remains unharvested.

**MOTION 16.** Approve Alternatives 1-3 in Action 2.

APPROVED BY COMMITTEE. APPROVED BY COUNCIL.

## Action 2 – Adjust the Recreational Accountability Measure for Gulf Migratory Group King Mackerel

**Alternative 1:** No Action – Retain the in-season recreational accountability measure (AM). If recreational landings reach or are projected to reach the recreational ACL, the bag limit will be reduced to zero for the remainder of the fishing year.

**Alternative 2:** Replace the current in-season AM with a post-season AM. If the recreational ACL is exceeded in any fishing year, the length of the following fishing season will be reduced by the amount necessary to ensure the landings do not exceed the ACL.

**Alternative 3:** Replace the current in-season AM with a post-season AM. If both the recreational ACL *and* the stock ACL are exceeded in a fishing year, the length of the following recreational fishing season will be reduced by the amount necessary to ensure the landings do not exceed the recreational ACL.

---

**TIMING AND TASKS**

- 1) Finalize Framework Amendment 4 for formal review.
- 2) Prepare Framework Amendment 5, Amendment 29, and Amendment 30 (formerly Action 2 in Framework Amendment 4) for the Gulf Council meeting in October.

**MOTION 17. ADOPT TIMING AND TASK MOTION. APPROVED BY COUNCIL.**