

**SUMMARY REPORT
FROM THE SAFMC MACKEREL COMMITTEE MEETING
Raleigh, NC
December 6, 2011**

The Mackerel Committee met on December 6, 2011 in Raleigh, NC. The committee received status reports on:

(1) commercial and recreational catches (whole weight) versus quotas for king and Spanish mackerel:

	Commercial (thru 11/15/11)	Recreational
King Mackerel	1,675,946 (45% of quota)	1,373,408 (22% of quota)
Spanish Mackerel	1,695,982 (47% of quota)	1,033,702 (33% of quota)

(2) Mackerel Amendment 18/EA: The Councils approved the amendment for formal review and implementation at their August meetings. The package was sent to NMFS on 9/26/11; the notice of availability published on 9/29/11 with the comment period ending on 11/28/11, and the proposed rule published on 10/24/11 with the comment period ending on 11/21/11. The final package is being prepared for approval and implementation by NMFS HQ.

Gregg Waugh, SAFMC Staff, reviewed the pending list of items for Amendment 19 and future mackerel frameworks/amendments. The committee was incorrectly informed that the Gulf Council had approved these items for scoping but they have only directed staff to prepare scoping documents. This issue was raised during the committee meeting and it was decided to defer any motions and/or removal of any alternatives until full council. The following list contains the suggested additions and corrections from the committee meeting: (Note: new material shown in yellow.)

AMENDMENT 19 ACTIONS/ALTERNATIVES

Action 1. Permits for Coastal Migratory Pelagic (CMP) species

- a. No Action. Retain a single commercial king mackerel permit and a single commercial Spanish mackerel permit. Retain Gulf and South Atlantic Coastal Migratory Pelagic (CMP) charter/headboat permits.
- b. Create a single commercial cobia permit.
- c. Modify the existing requirements by establishing separate commercial permits for the Atlantic and Gulf group species based on the Gulf and South Atlantic Council boundary.
 - Option i. King Mackerel
 - Option ii. Spanish Mackerel
 - Option iii. Cobia
 - Option iv. Grandfather in all existing permit holders who have historically landed in both areas through issuance of a dual permit; when transferred it becomes either a Gulf or Atlantic permit.
 - Option iv. If separate Atlantic and Gulf permits are approved, establish some limited landings qualifications to obtain the different permits.

- d. Modify the existing requirements by establishing a single CMP charter/headboat permit. Consider separate Gulf and South Atlantic permits separated at the Council boundary.
- e. Modify the existing requirements for separate commercial permits for king mackerel (currently under a moratorium) and Spanish mackerel by establishing a single coastal migratory pelagic permit with endorsements for king mackerel, Spanish mackerel, and cobia while retaining the commercial gill net endorsement for Gulf group king mackerel.
- f. Create separate endorsements for each area that has a quota for a specific area.

Action 2. Potential No Sale Provisions

- a. No Action Status quo - no federal permit requirement for selling CMP species. Proper state-issued permits are required to sell CMP species caught under the bag limit
- b. Prohibit the sale of recreationally caught fish (any fish caught under a bag limit) that are managed under the Coastal Migratory Pelagics FMP
- c. For a person aboard a vessel to be eligible for exemption from the bag limits, to fish under a commercial quota, and to sell king mackerel and Spanish mackerel in or from the EEZ of the Atlantic or Gulf of Mexico, a commercial vessel permit/endorsement for each species taken must have been issued to the vessel and must be on board
- d. For a person aboard a vessel to be eligible to sell cobia in or from the EEZ of the Atlantic or Gulf of Mexico, a commercial vessel permit/endorsement must have been issued to the vessel and must be on board
- e. Allow commercial sale of cobia with either a king mackerel or Spanish mackerel commercial permit/endorsement
- f. Prohibit the sale of bag limit recreationally caught coastal migratory pelagics except for allowing for-hire vessels that possess the necessary state and federal commercial permits to sell coastal migratory pelagics harvested under the bag limit in or from the South Atlantic Council's jurisdiction
- g. Require tournament organizers to obtain a federal permit to sell coastal migratory pelagic fish or prohibit sale of tournament-caught fish
- h. Create a set aside from the recreational ACL for tournament sales. (ensure does not count towards commercial quota; add an estimate of amount sold now for the scoping document)

Action 3. Future participation in the commercial king and Spanish mackerel fisheries

3.1 Elimination of latent permits

3.1.1 In the Gulf group king mackerel gillnet sector

- a. No action
- b. Renew permits for commercial king mackerel gillnet vessels if:
 - Option a. The vessel had average reported landings of at least 20,000 pounds over the years 2001-2009.
 - Option b. The vessel had average reported landings of at least 20,000 pounds in five of the six years 2001-2009.
 - Option c. The vessel had average reported landings of at least 20,000 pounds over the years 2004-2009.
 - Option d. The vessel had average reported landings of at least 20,000 pounds in five of the six years 2004-2009.
- c. Renew permits for commercial king mackerel gillnet vessels if:
 - Option a. The vessel had reported landings of at least 20,000 pounds in at least one of the six years 2004-2009.
 - Option b. The vessel had reported landings of at least 20,000 pounds in at least two of the six years 2004-2009.
 - Option c. The vessel had reported landings of at least 20,000 pounds in at least three of the six years 2004-2009.
 - Option d. The vessel had reported landings of at least 20,000 pounds in at least one of the nine years 2001-2009.
 - Option e. The vessel had reported landings of at least 20,000 pounds in at least two of the nine years 2001-2009.
 - Option f. The vessel had reported landings of at least 20,000 pounds in at least three of the nine years 2001-2009.
- d. Renew permits for commercial king mackerel gillnet vessels if the vessel had reported landings in the fishing year ending June 30, 2009.

3.1.2 In the king mackerel hook-and-line sector

Alternative 1. No action

Alternative 2. Do not renew permits for commercial king mackerel hook and line vessels if:

- Option a. The vessel did not have reported landings of at least 5,000 pounds in at least one of the six years 2004-2009.
- Option b. The vessel did not have reported landings of at least 5,000 pounds in at least two of the six years 2004-2009.
- Option c. The vessel did not have reported landings of at least 5,000 pounds in at least three of the six years 2004-2009.

Alternative 3. Do not renew permits for commercial king mackerel hook and line vessels if:

Option a. The vessel did not have reported landings of at least 5,000 pounds in at least one of the nine years 2001-2009.

Option b. The vessel did not have reported landings of at least 5,000 pounds in at least two of the nine years 2001-2009.

Option c. The vessel did not have reported landings of at least 5,000 pounds in at least three of the nine years 2001-2009.

Alternative 4. Do not renew permits for commercial king mackerel hook and line vessels if the permittee did not have landings:

Option a. In the fishing year ending June 30, 2009.

Option b. In at least one of the five years preceding the June 30, 2009 Control date.

Option c. In at least two of the five years preceding the June 30, 2009 Control date.

3.1.3 In the Spanish mackerel hook and line and cast net sectors

Alternative 1. No action

Alternative 2. Do not renew permits for commercial Spanish mackerel hook and line vessels if:

Option a. The vessel did not have reported landings of at least 2,500 pounds in at least one of the six years 2004-2009.

Option b. The vessel did not have reported landings of at least 2,500 pounds in at least two of the six years 2004-2009.

Option c. The vessel did not have reported landings of at least 2,500 pounds in at least three of the six years 2004-2009.

Alternative 3. Do not renew permits for commercial Spanish mackerel hook and line vessels if:

Option a. The vessel did not have reported landings of at least 2,500 pounds in at least one of the nine years 2001-2009.

Option b. The vessel did not have reported landings of at least 2,500 pounds in at least two of the nine years 2001-2009.

Option c. The vessel did not have reported landings of at least 2,500 pounds in at least three of the nine years 2001-2009.

Alternative 4. Do not renew permits for commercial Spanish mackerel hook and line vessels if the permittee did not have landings:

Option a. In the fishing year ending March 31, 2010.

Option b. In at least one of the five years preceding the March 31, 2010 Control date.

Option c. In at least two of the five years preceding the March 31, 2010 Control date.

3.2 Do not renew commercial permits that were obtained after the 2009 and 2010 control dates

Option a. King mackerel – June 30, 2009

Option b. Spanish mackerel – March 31, 2010

3.3 In order to renew a commercial king mackerel hook and line permit, the permittee must possess two valid permits at the time of transfer (renewal), and only one permit will be reissued, and the other will be retired. Reword to have the 2 for 1 only apply to transfers.

Action 4. Federal Regulatory Compliance

Alternative 1. No action. All vessels with federal commercial king and/or Spanish mackerel permits, as well as CMP charter permits are subject to applicable federal CMP regulations when fishing in the EEZ, and are subject to applicable state CMP regulations when fishing in state waters.

Alternative 2. All vessels with federal commercial king and/or Spanish mackerel permit, as well as CMP charter permits must comply with the more restrictive of state or federal CMP reef fish regulations when fishing in state waters.

Action 5. Modify or Eliminate Income Requirements for Gulf Commercial Coastal Migratory Pelagic Permits

a. No Action – Maintain existing income requirements for Gulf commercial king and Spanish mackerel permits. To obtain or renew a commercial vessel permit for king or Spanish mackerel, at least 25 % of the applicant's earned income, or at least \$10,000, must have been derived from commercial fishing or from charter fishing during one of the three calendar years preceding the application.

b. Establish an income requirement for a commercial vessel permit for cobia, if a cobia permit is established, that is consistent with the requirements for king and Spanish mackerel permits.

c. Eliminate income requirements for commercial king and Spanish mackerel permits.

Alternative 3: Replace the current income requirements with a Coastal Migratory Pelagic landings requirement, such that in one of the two years preceding the application, landings must be greater than:

Option a: 500 lbs of king mackerel, Spanish mackerel, or cobia

Option b: 1,000 lbs of king mackerel, Spanish mackerel, or cobia

Option c: 5,000 lbs of king mackerel, Spanish mackerel, or cobia

Option d: 10,000 lbs of king mackerel, Spanish mackerel, or cobia

Alternative 4: Modify the current income requirements to allow the Gulf or South Atlantic Council to suspend the renewal requirements by passage of a motion specifying: (a) the event or condition triggering the suspension; (b) the duration of the suspension; and (c) the criteria establishing who is eligible for the suspension. The affected Council would then request that the Regional Administrator suspend income requirements according to the terms outlined in the motion.

Action 6. Spanish mackerel gillnet endorsement: (This may fit better under #1 and could be added to 1(d) – with additional discussion)

Establish a Spanish mackerel gillnet endorsement with qualifying poundages for a commercial gillnet endorsement based on the new control dates and average landings during the most recent 5, 10, or 15 years prior to these control dates (March 31, 2010 for Gulf group Spanish mackerel and September 17, 2010 for Atlantic group Spanish mackerel)

- 1) 30,000 pounds
- 2) 20,000 pounds
- 3) 10,000 pounds

Action 7. Dealer Permits

- a. No Action. Do not require a dealer permit to buy CMP species.
- b. Establish a single CMP dealer permit
- c. Establish separate Gulf and Atlantic CMP dealer permits based on the Gulf and South Atlantic Council boundary.
- d. Establish separate king mackerel, Spanish mackerel, and cobia dealer permits.
- e. Require electronic dealer reporting.

Amendment 19 Decisions:

OPTION 1: APPROVE DRAFT SCOPING DOCUMENT FOR CMP (MACKEREL) AMENDMENT 19 FOR SCOPING IN JANUARY/FEBRUARY 2012

OPTION 2: MODIFY ACTIONS/ALTERNATIVES AND APPROVE MODIFIED DRAFT SCOPING DOCUMENT FOR CMP (MACKEREL) AMENDMENT 19 FOR SCOPING IN JANUARY/FEBRUARY 2012

OPTION 3: DIRECT STAFF TO WORK WITH GULF STAFF TO PREPARE SCOPING DOCUMENTS AND BRING BACK TO THE COUNCIL IN MARCH

OPTION 4: OTHERS??

JOINT GULF & SOUTH ATLANTIC FRAMEWORK ACTIONS/ALTERNATIVES

Joint GM/SA Framework Amendment for Size Limits, Bag Limits, Trip Limits, and Quota Modifications

- 1. Change the Gulf group king mackerel commercial trip limit** in the northern and southern subzones of the eastern zone to 1,500 lbs with no step-down. Also, consider changes to the trip limit in the western zone from 3,000 lbs. **Add consideration of a 3,000 pound or higher trip limit for fishermen fishing to the west of Key West.**
- 2. Change the king mackerel size limit.**
 - a) 23 inches
 - b) 22 inches
 - c) No Action (24 inches)

Rationale: in the late winter and early spring we catch predominately smaller kings, a number of which are under size. 23 inches will solve most of the discard problem. 22 inches will virtually eliminate all discards. lowering the size limit substantially reduces discard mortality as the smaller kings are more susceptible to hook mortality.

3a. Retention of 1 king mackerel greater than 50 inches.

Rationale: this was a motion from a recreational fisherman. My concern is how does the average recreational fisherman get a large king in the boat and measured without significantly reducing its chance of survival?

3b. Recreational bag limit: 60 Spanish mackerel recreational boat limit. Was discussed in amendment 18.]

4. Commercial trip limits; Spanish mackerel:

Option 1: April 1st- March 31st, Monday-Friday, 3,500 pounds; weekends 1,500 pounds reduce trip limit to 1,500 pounds when 75% of quota is landed. 500 pound trip limit after quota is caught. This is an adjusted allocation which compensates for estimated catches of 500 pounds per vessel per day to end of season. based on previous 3 year average landings?

Option 2: April 1st- September 30, 3,500 pounds. October 1st-November 30, 5,000 pounds (Monday-Friday, 1,500 pounds weekend) Dec 1-March 31 1,500 pounds. 500 pound set aside.

Option 3: April 1-November 30, 3,000 pounds, December 1, 2,000 pounds until 80% of quota is landed. 500 pounds until quota is caught.

Rationale: the unlimited season is no longer needed. Most fish houses have limited their gillnet vessels to 3,500-5,000 pounds due to quality and marketing concerns. The above options are designed to generate discussion at the scoping level. The seasonal fall gillnet fishery in FL is usually over by mid-November.

5. King mackerel trip limit:

Increase trip limit for the shark driftnet fishery. This option was designed to coincide with a limited access plan for the shark fishery. This option is not appropriate until the number of vessels in the shark driftnet fishery are limited.

6. Eliminate the commercial trip limit reduction at 75% of quota for the Gulf eastern zone, southern subzone.

7. State by State quotas for Atlantic Migratory Group king mackerel, Spanish mackerel, and cobia. [Mackerel chair, Ben Hartig, has requested a presentation at the March South Atlantic Council meeting on state by state quotas.]

1) allocations by individual states.

2) split the king and Spanish mackerel commercial allocations into a combined NC/SC and GA/FL state commercial quotas.

(NOAA GC checking to see if this can be done in framework or move it to Amendment 19 or 20. Directed staff to get with NC to determine how to move forward with an alternative whereby NC would monitor a quota for NC.)

8. Recreational Spanish Mackerel Bag Limit. Reduce the bag limit from 15 to 10 per person. (Add a table showing reductions from 15 to 1.)

9. Seasonal/Regional Atlantic Spanish Mackerel Bycatch Allowance in pound net fishery. Consider an exemption from the Spanish mackerel size limit (12" FL) or a reduction in the size limit during August in the NC pound net fishery.

Potential Timing for South Atlantic Actions:

1. ~~Public comment at March 5-9, 2011 meeting~~
2. ~~SSC review and input at April 3-5, 2011 meeting~~
3. ~~AP review after SSC~~
4. ~~Final public comment at June 11-15, 2011 meeting~~
5. ~~South Atlantic Council final approval at June or September 2011 meeting~~

Framework Decisions:

OPTION 1: APPROVE DRAFT LIST OF ITEMS & TIMING FOR CMP (MACKEREL) FRAMEWORK AND DIRECT STAFF TO PREPARE DOCUMENT FOR MARCH 2011 MEETING

OPTION 2: MODIFY ACTIONS/TIMING AND APPROVE MODIFIED DRAFT LIST OF ITEMS & TIMING FOR CMP (MACKEREL) FRAMEWORK AND DIRECT STAFF TO PREPARE DOCUMENT FOR MARCH 2011 MEETING

OPTION 3: ADD TO SCOPING MEETINGS IN JANUARY/FEBRUARY 2011

OPTION 4: DIRECT STAFF TO WORK WITH GULF STAFF TO PREPARE A SCOPING DOCUMENT AND BRING BACK TO THE COUNCIL IN MARCH

OPTION 5: OTHERS??