

MEETING REPORT
MACKEREL COBIA ADVISORY PANEL
SOUTH ATLANTIC FISHERY MANAGEMENT COUNCIL
Charleston, South Carolina
November 7-8, 2023

The Mackerel Cobia Advisory Panel (AP) met to discuss topics supporting management of the coastal migratory pelagics fishery, including Florida east coast zone cobia, Atlantic Spanish mackerel, and Atlantic king mackerel. Below is a summary of the group’s discussions and recommendations. The AP approved motions for recommendations to the South Atlantic Fishery Management Council (Council), but a summary of all viewpoints relevant to each motion/recommendation are included.

Advisory Panel Members

Ira Laks, Chair
Stephen Donalson, Vice Chair*
Steve English
Keith Bowen*
Rusty Hudson
Aaron Kelly*
John Mallette
Brad Phillips
Thomas Newman
Charlie Locke
Tony Benevento
Chuck Griffin
William Jones
Charles Proudfoot*
William Palmer
Butch Olsen*

Kevin Aman
Ben Shephard, Mid Atlantic*
Chris Ludford, Mid- Atlantic*

Council Members

Tom Roller
Spud Woodward
Trish Murphey

Council Staff

Christina Wiegand, CMP Lead
Myra Brouwer
John Hadley
Julia Byrd
Dr. Judd Curtis
Ashley Oliver
Meg Withers

**AP member not in attendance.*

The Mackerel Cobia AP approved minutes from the April 2023 meeting and the agenda.

Report from the Council’s Mackerel Cobia Committee Chair

Tom Roller, chair of the Council’s Mackerel Cobia Committee, addressed the AP. He provided updates on recent Council discussions relevant to Coastal Migratory Pelagics (CMP), many of which were discussed during the meeting. He thanked the AP members for taking the time to provide the Council with their expert feedback.

Update on Recently Submitted Amendments

At the March 2022 meeting the Council approved CMP Amendment 34 (Atlantic king mackerel catch levels and management measures) for formal review. The document was transmitted to

NMFS on August 5, 2022. The request for comments was posted on January 30, 2023 with comments due by March 31, 2023. The final rule was published on May 9, 2023 with regulations effective June 8, 2023.

Citizen Science Update

Staff presented a brief update on the Council’s Citizen Science Program and active projects highlighting activities that have occurred since the April 2023 Mackerel Cobia AP meeting, including the Citizen Science Program advisory groups, the Citizen Science Program’s Project Idea Portal, Program evaluation and the SMILE project. Additionally, staff shared information on the effort underway to collect additional historic fishing photos for the FISHstory project. AP members provided the following feedback:

- Suggestion to contact the National Marine Fisheries Service (NMFS) permits office to see if they can provide contact information for older for-hire permit holders who may have photos for FISHstory.

‘What It Means to Me’ Outreach Project and BFP MVP

Staff presented information to the Mackerel Cobia AP on a new outreach initiative ‘What It Means to Me,’ which aims to foster positive relationships with the fishing community by filming informal, short conversations with fishermen, focusing on what their fishery means to them. Additionally, staff updated the Mackerel Cobia AP on the Best Fishing Practices Master Volunteer Program (BFP MVP) which is scheduled to start holding workshops in 2024. AP members provided the following feedback:

- Recommendation to ask ‘What It Means to Me’ participants to focus on the area (location) where they actively fish or have fished.
- Ensure that there are both commercial and recreational fishermen participating in project.
- Video format is a great way to present information in an engaging and easily digestible way. It might be helpful to have Council committee reports presented via video.

CMP Framework Amendment 13 (Atlantic Spanish Mackerel Catch Levels)

The SSC met in April 2023 and determined that the stock assessment for Atlantic Spanish mackerel (SEDAR 78) was sufficient for providing stock status and for providing catch level recommendations using model output (but not projections). In June 2023, the SSC chair provided the Council details of the SSC discussion and associated catch level recommendations. The Council directed staff to begin work on a framework amendment to update catch levels, but to hold off on development of a full plan amendment to address management measures until after mackerel port meetings have been completed. Council Staff presented a discussion document with draft action and alternatives for Mackerel Cobia AP discussion. AP members provided the following feedback:

- Allocation between the recreational and commercial sector and the commercial Northern Zone and Southern Zone will need to be addressed.

- There is no need for a buffer between the acceptable biological catch (ABC) and the annual catch limit (ACL).
 - The commercial sector has reliable reporting of Atlantic Spanish mackerel.
 - The recreational annual catch target (ACT) addresses uncertainty in private recreational landings.
- AP members expressed concern about how closures or a reduced bag limit in the commercial and recreational sectors, respectively, may affect dead discard estimates.
- Effort in the recreational sector has increased for Spanish mackerel in recent years with more fishermen getting into the for-hire fishery.
- There needs to be a mechanism to accurately account for private recreational landings and it should be similar to how commercial fishermen are required to report their catch.
 - Permitting of private recreational fishermen will set the framework for future reporting.
 - Getting permits (commercial and for-hire) is an incredibly frustrating process. Permitting for private recreational fishermen (and subsequent reporting) needs to be simple and incentivized in order to be appealing.
 - In order for any permit or reporting effort to be effective, each state will need to require the permit. This is especially important for Atlantic Spanish mackerel because there is a substantial amount harvest in state waters.

MOTION 1: SELECT ALTERNATIVE 2 AS THE MACKEREL COBIA AP’S PREFERRED ALTERNATIVE.

Action 1. Revise the acceptable biological catch, annual optimum yield, total annual catch limit, sector annual catch limits, and commercial zone quotas and for Atlantic migratory group Spanish mackerel.

Alternative 2. Revise the acceptable biological catch for Atlantic migratory group Spanish mackerel and set it equal to the most recent recommendation from the Scientific and Statistical Committee. Revise the total annual catch limit and annual optimum yield for Atlantic migratory group Spanish mackerel and set them equal to the recommended acceptable biological catch. Revise the sector annual catch limits and commercial zone quotas based on current allocation percentages. The recommended acceptable biological catch is inclusive of recreational estimates from the Marine Recreational Information Program’s Fishing Effort Survey.

MOTION APPROVED (11-0-1)

MOTION: CONSIDER A METHOD FOR THE COMMERCIAL AND RECREATIONAL LANDINGS TO BE ACCOUNTED FOR IN THE SAME MANNER.

FAILS FOR LACK OF A SECOND

MOTION 2: REQUEST THE COUNCIL ADD MACKEREL AND COBIA SPECIES TO THE RECREATIONAL PERMIT AMENDMENT (SNAPPER GROUPER AMENDMENT 46).

MOTION APPROVED (9-1-0)

MOTION 3: RECOMMEND THE COUNCIL CONTINUE WORKING ON EVENTUALLY COMING UP WITH A RECREATIONAL REPORTING SYSTEM THAT MIRRORS THE COMMERCIAL REPORTING SYSTEM.

MOTION APPROVED (10-0-0)

Mackerel Port Meetings

Based on recommendations from the Mackerel Cobia AP, the Council directed staff to begin work on a plan to conduct port meetings for king and Spanish mackerel. The purpose of these port meetings will be to gain a comprehensive understanding of the mackerel fisheries to improve management efforts. Port meetings will be conducted in key communities along the Atlantic coast up to the southern end of Massachusetts in cooperation with other councils, the Atlantic States Marine Fisheries Commission, and state agencies. After port meetings have been conducted, staff will develop a final report that includes notes from all conducted port meetings and an analysis identifying patterns and themes among the different meetings. Council staff presented a proposed structure for port meetings and possible meeting locations for Mackerel Cobia AP member feedback.

The Mackerel Cobia AP recommended the following topics be discussed during port meetings:

- How a uniform management structure along the Atlantic coast (state and federal waters) may be achieved.
- How much king and Spanish mackerel are being targeted by locals (recreational) and sold or consumed locally (commercial) versus how much is being targeted by tourists or being sent away from the local area.
- How severe weather (hurricanes) affect the king and Spanish mackerel fisheries.
- The effect of the limited access status of the commercial king mackerel permit.
 - How are businesses choosing to operate under limited entry as the fishery changes.
 - Is there a future for short-term leasing of commercial king mackerel permits, especially considering the seasonal nature of the fishery.
- Recreational permitting and reporting should be discussed with recreational attendees to learn what would be needed for them to be comfortable with such a system.
- Ask attendees if they have noticed a change in who is participating in the commercial and recreational king and Spanish mackerel fisheries.

The Mackerel Cobia AP had the following input on the proposed structure for port meetings:

- Two-hours on a weekday evening is an appropriate amount of time to ask fishermen to attend and actively participate in a port meeting.
- Support for using breakout groups as a way to gather input from attendees.
 - Breakout groups may make individuals feel more comfortable providing input and keep presentations to a minimum.
 - Suggest that staff have a series of prepared questions to help get discussions started.
 - Might need to consider an alternate method if meeting a has very high attendance or very low attendance because breakout groups may cause the meeting to run long or there won't be enough individuals to use breakout groups.
- AP members felt that they would be about to get a couple dozen fishermen to attend port meetings in their areas.
- Recommend using an online registration link to get an estimate of how many fishermen might attend a given port meeting.

- Create an online tool that would allow fishermen to provide input if they are unable to match their local port meeting.
 - Getting information about these port meetings out to fishermen will be incredibly important.
 - Recommendation to reach out to local chambers of commerce and other local organizations to reach underserved communities and fishermen who might not usually participate in the management process.
- Support for providing attendees with a short information sheet for them to reference during the meeting. If possible, providing access to the information sheet in advance of the meeting would be ideal. The sheet should include the following:
 - An introduction to the fishery management process.
 - Most recent stock assessment information for king and Spanish mackerel.
 - Recent commercial and recreational landings trends.

The Mackerel Cobia AP provided the following recommendations for port meeting locations:

- Proposed Florida meeting locations look sufficient, but it was noted that Fort Lauderdale is too far south for most commercial fishing effort for king and Spanish mackerel and will likely have a crowd that leans toward the recreational sector.
 - The September/October time frame would be better than May for holding port meetings in Florida.
- In South Carolina and Georgia, it was recommended that the Council consider having a meeting in Savannah instead of Hilton Head Island. Savannah has a larger recreational component and is more easily accessible to Interstate 95. Georgetown/Murrells Inlet will have attendees, but also may want to consider the Charleston area as Haddrell’s Point Tackle is known for hosting various fishing seminars and events.
- The North Carolina locations hit the three main areas; however, it might be ideal to add a meeting in Wanchese. Both Hatteras and Wanchese have large king and Spanish mackerel fisheries and due to the time and distance fishermen from one community are unlikely to travel to the other community to participate in port meetings.
- Mackerel AP members were not as familiar with the Mid-Atlantic and New England regions but did note that there was a large gap between proposed port meetings in Cape May, New Jersey and Montauk, New York. It was also noted that there is a lot of king and Spanish mackerel fishing happening in Chincoteague, Virginia, and it may be helpful to hold a meeting or two along the Chesapeake Bay.
- All AP members provided specific locations in their communities (Bass Pro Shops, tackle shops, community colleges, etc.) that may be willing to host a port meeting.

Wind Energy Activities in the Southeast Region

At the request of the Council, the Mackerel Cobia AP received a presentation on offshore wind projects in the region: Kitty Hawk and Carolina Long Bay. Representatives from Avangrid (Kitty Hawk project), Duke Energy and TotalEnergies (Carolina Long Bay project) provided information on each project and answered question from the AP. The AP provided the following feedback:

- AP members noted the importance of maintaining transit ability through the leased areas as well as historical fishing grounds, especially for trawling.
- Some concern was expressed about the stability of the sand in the Kitty Hawk South lease area, as well as the currently proposed cable route through Pamlico Sound in North Carolina.
- AP members suggested that any shore-side space used to house vessels needed for maintenance of the wind turbines also include dockage for commercial and for-hire fishing vessels as a way to give back to the fishing industry.
 - It was also noted that improvements to the inlets would also greatly benefit fishermen and make travel to do maintenance on the turbines easier.
- AP members expressed concern that one bad actor or one incident would result in the entire lease being closed to fishing activities. It was noted that the areas would be monitored at all times.
 - There is no mooring or tying up to any of the turbines allowed.
 - Turbines are hurricane resistant.
 - There is a pollution and mechanical failure division, which includes an oil spill response plan.
- Recommendation to work with dive boats and spearfishermen in the Long Bay area to understand how the lease in that area may affect their businesses.

King and Spanish Mackerel Fishing Tournaments

At their December 2022 meeting the Council requested NMFS provide information on king and Spanish mackerel tournament landings over the last ten years and how those landings were accounted for against the annual catch limit. The SEFSC worked with the state agencies to provide these landings to the Council at their June 2023 meeting. The Council requested this information also go to the AP for discussion. Council staff presented this information to the Mackerel AP, along with the current regulations for the sale of tournament caught king and Spanish mackerel. AP members provided the following input:

- King mackerel tournaments have been an important part of recreational fishing in Florida for many years. In the early late 1990s there were thousands of boats participating in individual tournaments but the recession significantly decreased participation and now you only see a few hundred boats.
 - That decrease has been rebounding in recent years, and tournaments are moving to new formats (one-day vs. two-day tournaments, establishing boundaries so large boats cannot outcompete small boats, etc.)
 - Some AP members felt that tournaments have become big business and moved away from the traditional community focus.
 - AP members felt the average weights provided by the SEFSC and state agencies were low.
- Commercial AP members noted that king mackerel tournament sales have a significant impact on the market price fishermen are able to receive for king mackerel. The king mackerel market is sensitive to the number of fish available and when tournament caught fish flood the market the price will drop.

- The drop in price happens overnight, but it can take the market weeks to recover.
- Concern that tournament caught fish are not being handled according to Hazard Analysis Critical Control Point (HAACP) standards and may hurt the reputation of king mackerel as safe seafood for the entire industry.
- It was noted that tournament sales do not incentivize catch and release. However, tournaments are conservation minded and there needs to be something to do with the king mackerel that are landed to prevent any waste.
- Tournaments also increase the number of boats in the water (creating user conflict) because participants will come up early to pre-fish the tournament.
- It was noted that enforcing the sale of tournament caught fish is incredibly challenging and some AP members are concerned that tournament fish are being sold illegally (not through the process designated in the CMP FMP) and that the money from the sale of tournament caught fish is not being donated to charity and/or being used to cover tournament expenses.

MOTION 4: END THE SALE OF TOURNAMENT CAUGHT KING AND SPANISH MACKEREL

MOTION APPROVED (8-1-1)

MOTION 5: ASK THE COUNCIL TO HAVE THE LAW ENFORCEMENT AP DISCUSS ILLEGAL TOURNAMENT SALES OF KING MACKEREL.

MOTION APPROVED (UNANIMOUS).¹

Atlantic King Mackerel Fishery Performance Report

The intent of Fishery Performance Reports (FPRs) is to assemble information from Advisory Panel members' experience and observations on the water and in the marketplace to complement scientific and landings data. The FPRs are provided to the Scientific and Statistical Committee (SSC), the Socio-Economic Panel (SEP), and the Council to assist in their discussions. The Council has recently received public input expressing concern about the Atlantic king mackerel stock. To gain more information, the Council asked that the Mackerel Cobia AP complete an updated FPR for Atlantic king mackerel. Council staff will use notes and meeting minutes to compile information provided into a final FPR document. The FPR will be prepared and ready for Council review prior to the March 2024 Council meeting.

Other Business

Limited Entry for the Coastal Migratory Pelagics For-Hire Fishery

- AP members would like the Council to consider limited entry in the coastal migratory pelagics for-hire fishery.
 - Limited entry would control the expansion of recreational harvest and professionalize the for-hire fleet.

¹ Two advisory panel members had left the meeting to catch a flight when this motion was passed.

- The AP indicated that they would be interested in discussing new and unique structures for a limited entry program (ex. limited leasing, a greenhorn pool, etc.)

MOTION 6: MAKE THE CMP FOR-HIRE PERMIT LIMITED ENTRY.
MOTION APPROVED (UNANIMOUS)

AP RECOMMENDATION: THE AP WOULD LIKE THE COUNCIL TO FORM A WORKGROUP TO DISCUSS LIMITED-ENTRY FOR FOR-HIRE FLEETS. THE WORKGROUP SHOULD INCLUDE FISHERMEN WHO ARE FOR AND AGAINST LIMITED ENTRY, STAFF WITH PERMIT EXPERIENCE, AND FISHERMEN WITH EXPERIENCE OPERATING UNDER A FOR-HIRE LIMITED ENTRY SYSTEM (EX. GULF CMP FOR-HIRE FISHERMEN). THE COUNCIL SHOULD NOT SET OR CHANGE THE CONTROL DATE UNTIL THIS GROUP AS PRODUCED A REPORT FOR REVIEW BY THE COUNCIL.