

FINAL
MEETING REPORT
MACKEREL COBIA ADVISORY PANEL AND COBIA SUB-PANEL
SOUTH ATLANTIC FISHERY MANAGEMENT COUNCIL
Webinar
April 18, 2019

The Mackerel Cobia Advisory Panel (MC AP) and Cobia Sub-Panel (Sub-Panel) met jointly 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 MC AP/Sub-Panel approved motions for recommendations to the Council, but a summary of all viewpoints relevant to each motion/recommendation are included.

AP Members

Ira Laks, Chair
Stephen Swann, Vice Chair
Stephen Donalson
Steve English
Cpt. Skip Feller
Ryan Howard*
Robert Olsen*
Greg Peralta
Gary Robinson
Tom Roller
Keith Bowen
Dr. Chris Elkins
Rusty Hudson
Aaron Kelly
John Mallette*
Brad Phillips*

Cobia Sub-Panel Members

Wes Blow*
Bill Gorham
Bill Weeks*
Patrick Link*
Collins Doughtie*

*Not in attendance.

Council Members

Doug Haymans, Mackerel Committee Chair

South Atlantic Staff

Christina Wiegand, CMP Lead
Julia Byrd
Dr. Chip Collier
John Hadley
Kim Iverson
Cameron Rhodes
Dr. Brian Chevront
Gregg Waugh

The Advisory Panel approved minutes from the April 2017 meeting and the agenda.

Update on recent Coastal Migratory Pelagics amendments

Council staff provided the AP and Sub-Panel an update on recently submitted amendments. CMP Amendment 31 (Atlantic cobia management) was submitted for formal review on July 13, 2018. The proposed rule published November 9, 2018, the final rule published February 19, 2019, and the regulations became effective March 21, 2019. CMP Framework Amendment 6 (King mackerel trip limits) was submitted for formal review on November 9, 2018. The proposed rule published March 27, 2019.

Atlantic king mackerel commercial trip limits in the southern zone during season two

MC AP members have expressed concerns about the low commercial trip limit in the Atlantic Southern Zone during season two (October to the end of February). After reviewing AP concerns at the March 2019 meeting, the Council directed staff to begin work on a framework amendment to address king mackerel commercial trip limits during season two. The Council has requested input from the AP on what trip limits may be appropriate for the fishery.

Council staff presented a summary of current and past commercial trip limits for Atlantic king mackerel in the Atlantic southern zone. The AP provided the following comments:

- The king mackerel fishery is incredibly important to fishermen in Florida and increasing the commercial trip limit as soon as possible is vital for the sustainability of their businesses.
 - With a 50-fish trip limit, vessels are unable to carry crew. This is burdensome on fishermen and is preventing a new generation of fishermen from getting involved in the fishery.
- The king mackerel fishery is well tracked and as a result there isn't much danger in going over the annual catch limit.
- An emergency action would prevent fishermen from being burdened by the low trip limit this season while allowing the Council to continue to look at other options for the future.
 - Increasing the trip limit through emergency action would also provide additional data for consideration when developing CMP Framework Amendment 8.
- All options suggested to the Council during public comment should be considered during development of CMP Framework Amendment 8.
- A trip limit of 100-fish was suggested for season two.
 - Possibly 100-fish or 1250-pounds, whichever comes first.
 - This trip limit would help the smaller fish (if you're catching five-pound fish, you're going to be taking less to the dock with a 100-fish trip limit).
 - Not all fishermen will catch 100-fish every trip, however when the opportunity presents itself, it would be nice for fishermen to be able to make the trip worthwhile. This is especially true when trips are limited due to weather.
- Unused quota from season one rolls over into season two, creating an even higher quota available for harvest.
- The Atlantic king mackerel assessment update will be completed shortly.
 - There has been strong recruitment in recent years, fishermen report seeing a large number of small fish.

- The recreational sector has not come close to their annual catch limit in recent years. In the future the Council might want to consider having a discussion on increasing the recreational bag limit.

The following motions were approved by the MCAP:

MOTION #1: RECOMMEND THAT THE COUNCIL CONSIDER AN EMERGENCY ACTION TO RAISE THE TRIP LIMIT SOUTH OF THE FLAGLER/VOLUSIA TO 75-FISH FOR THE 2019-2020 SEASON.

MOTION APPROVED (9 IN FAVOR, 2 OPPOSED)

MOTION #2: RECOMMEND THAT THE COUNCIL CONTINUE WORK ON FRAMEWORK AMENDMENT 8 CONSIDERING PREVIOUS PUBLIC COMMENT ON POSSIBLE TRIP LIMITS.

MOTION APPROVED (9-IN FAVOR, 3-OPPOSED)

Atlantic Spanish mackerel commercial fishery closures

AP members have expressed concern about increased participation in the commercial Spanish mackerel fishery. Additionally, stakeholders have expressed concerns about early closures in the Atlantic northern zone (NY through NC) and the potential for closures in the southern zone. Both zones closed early during the 2018/2019 season, with the northern zone closing on November 4, 2018 and the southern zone closing on February 5, 2019. During the March 2019 Council meeting the Council reviewed AP concerns and requested input for the AP on ways to address closures in federal waters.

Council staff presented a summary of recent Spanish mackerel landings and current regulations. The AP provided the following comments:

- Participation in the commercial Spanish mackerel fishery has increased substantially. In Florida especially, there are now too many individuals in the fishery resulting in low prices. The goal should be to protect fishermen who are experienced and have been participating in the fishery for a long time. If there are a limited number of fish to catch there should be a limited number of fishermen to catch them.
 - The free-for-all nature of the Spanish mackerel fishery is causing user grouper conflicts.
- The Council should consider a limited access program for the gillnet fishery in the Atlantic southern zone with a control date of five years back.
 - In the southern zone, gillnetting for Spanish mackerel primarily occurs from Cape Canaveral, Florida to Port Salerno, Florida.
- A portion of the Spanish mackerel gillnet fishery takes place in areas subject Atlantic Large Whale Take Reduction Plan regulations. Having inexperienced fishermen operating in these areas with complex regulations could cause problems.
- Permit system similar to limited access for king mackerel gillnet permits in the Gulf southern zone may work for the Atlantic southern zone.
- The Council should work with the states to ensure that they require the federal commercial Spanish mackerel permit to harvest in state waters.

- Would be helpful to know how many fishermen without a permit have Spanish mackerel landings.
- In North Carolina, the commercial Spanish mackerel fishery primarily occurs in state waters. There are concerns about increases in participation because Spanish mackerel is a very easy fishermen to get into and be successful. It will be very important to work with the states on this issue.
 - Suggestion for the state to allow a 500-pound limit if federal waters close to keep state waters open (similar to what occurs in Florida state waters) allowing fishermen to land fish instead of throwing them back.
 - With increasing restrictions in the summer flounder fishery, there is concern that more fishermen are going to be moving into the Spanish mackerel fishery.
- Concerns about recent Spanish mackerel recruitment based on SEAMAP data.

The following motions were approved by the MC AP:

MOTION #3: RECOMMEND THE COUNCIL LOOK INTO WAYS TO MANAGE EFFORT IN THE COMMERCIAL SPANISH MACKEREL FISHERY INCLUDING LIMITED ENTRY AND WORKING WITH THE STATES.

MOTION APPROVED (8-IN FAVOR, 2-OPPOSED)

MOTION #4: RECOMMEND THE COUNCIL CONSIDER A GILLNET ENDORSEMENT FOR THE SOUTHERN ZONE WITH QUALIFYING CRITERIA.

MOTION APPROVED (8-IN FAVOR, 1-OPPOSED)

Coastal Migratory Pelagics Framework Amendment 7

The Gulf migratory group of cobia occurs from Texas to the Florida/Georgia state line. Each Council manages Gulf cobia within their respective jurisdictions. Anglers attending Gulf Council meetings have been reporting a decrease in the presence of cobia and asked the Gulf Council to address this as a potential problem with the status of the Gulf cobia stock. To address those concerns, the Gulf Council developed CMP Framework Amendment 7 and approved it for formal review at their October 2018 meeting. If approved by the Secretary of Commerce, CMP Framework Amendment 7 will increase the recreational and commercial minimum size limit for Gulf cobia from 33 inches fork length (FL) to 36 inches FL in the Gulf Council’s jurisdictional area. Currently, the minimum size limit for Gulf cobia off the east coast of Florida (South Atlantic Council jurisdiction) is 33 inches FL. The Council requested input from the AP regarding the minimum size limit for Florida east coast cobia.

Council staff presented an overview of CMP Framework Amendment 7 and the AP provided the following comments:

- There is no need to make changes to Florida east coast zone cobia regulations until the assessment for Gulf migratory group cobia has been completed.
- Fish off the east coast of Florida tend to be smaller than those in North Carolina and in the Gulf of Mexico.
- Landing large cobia has become challenging if not impossible due to the number of sharks in the area.

- The Council may want to consider aligning federal regulations along the east coast of Florida with regulations in state waters, namely the recreational bag limit (currently 2 per person in federal waters and 1 per person or 6 per vessel in state waters).

The following motion was approved by the MC AP:

MOTION #5: RECOMMEND THE COUNCIL WAIT UNTIL THE GULF COBIA STOCK ASSESSMENT COMPLETE BEFORE MAKING CHANGES TO CURRENT REGULATIONS.

MOTION APPROVED (8-IN FAVOR, 1-OPPOSED)

Citizen Science research priorities

The Citizen Science Program will be updating their Research Priorities later this year which will help guide the projects the Program pursues over the next two years. Julia Byrd provided an overview of the process that will be used to update the Research Priorities document. AP members were asked to volunteer to serve on the Citizen Science Projects Advisory Team that will help develop the draft Citizen Science Research Priorities document. This team will be comprised of a representative (chair or other designee) from each of the SAFMC’s species related Advisory Panels and will meet via webinar 1-2 times per year.

Other Business

Port Meetings for the Mackerel Fisheries:

- There needs to be a comprehensive look at the commercial and recreational king and Spanish mackerel fisheries. Often issues come up with little or no time for in depth discussion. As a result, many of the actions related to the mackerel fisheries have become reactive as opposed to proactive.
- The king and Spanish mackerel fisheries are some of the most important fisheries in the South Atlantic. King mackerel is the most valuable commercial finfish fishery, Spanish mackerel is the third most valuable. In the recreational sector, Spanish mackerel and king mackerel have the second highest and third highest number of directed trips, respectively.¹
 - The king and Spanish mackerel fisheries are the backbone of other fisheries in the area, without mackerels they could not survive.
- It is extremely important that the Council prioritize time to for a full discussion on the future of the king and Spanish mackerel fisheries, including an in-person MC AP meeting this year. This will prevent the management from playing catch up and fixing problems instead of having a secure foundation from which to move forward.
- It is important that the Council prioritize gathering input from stakeholders via port meetings to add depth to conversations on the future direction of the king and Spanish mackerel fisheries.
- Since the CMP FMP is a joint plan with the Gulf of Mexico Fishery Management Council, it would be beneficial to have a liaison from the Gulf Mackerel Advisory Panel attend South Atlantic MC AP meetings and vice versa. Liaisons would be able to provide

¹ This comment is referencing the “Economic Contribution of Fisheries for Species Managed by the South Atlantic Fishery Management Council” report presented to the Council in June 2018, available [HERE](#).

information on what is going on in their respective fisheries. This will prevent surprises when one area wants to move forward with an action that will require approval from both Councils.

The following motion was approved by the MC AP:

MOTION #6: RECOMMEND THE COUNCIL CONDUCT PORT MEETINGS TO GATHER MORE INFORMATION ON THE IMPORTANCE OF THE COMMERCIAL AND RECREATIONAL KING AND SPANISH MACKEREL FISHERIES.
MOTION APPROVED (UNANIMOUS)

For-Hire Bag Limit Sales:

- The Council should not allow bag limit sales of dolphin (or any South Atlantic Council managed species) by dually permitted for-hire and commercial permit holders.
- However, if bag limit sales of dolphin are allowed, for-hire sales should be allowed for all Council managed species, including king and Spanish mackerel.
- It is unfair to allow some vessels access to an additional revenue stream that other vessels in the area will not have access to creating an unfair advantage.
- When bag limit sales were allowed in the past, fishermen along the east coast of Florida sold more king mackerel than dolphin.
- Concerns about HAACP regulations being met.

The following motion was approved by the MC AP:

MOTION #7: RECOMMEND THE COUNCIL NOT CONSIDER FOR-HIRE SALES FOR ANY SAFMC MANAGED SPECIES. IF FOR-HIRE SALES ARE ALLOWED FOR ONE SPECIES IT SHOULD BE ALLOWED FOR ALL SPECIES.
MOTION APPROVED (10 IN FAVOR – 1 ABSTENTION)