

DRAFT
MEETING REPORT
MACKEREL COBIA ADVISORY PANEL AND COBIA SUB-PANEL
SOUTH ATLANTIC FISHERY MANAGEMENT COUNCIL
Charleston, SC
October 7-8, 2019

The Mackerel Cobia Advisory Panel (MCAP) 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 MCAP 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.

AP Members

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

Council Members

Steve Poland, Mackerel Committee Chair
Jessica McCawley, Council Chair
Chris Conklin
Tim Griner

South Atlantic Staff

Christina Wiegand, CMP Lead
Julia Byrd
Dr. Chip Collier
John Hadley
Allie Iberle
Cameron Rhodes
Dr. Brian Chevront
Gregg Waugh
John Carmichael

*Not in attendance.

The Mackerel Cobia Advisory Panel approved minutes from the April 2019 meeting and the agenda.

Recently Submitted Coastal Migratory Pelagics amendments

Staff briefed the MCAP on the status of CMP Framework Amendment 6, the request for emergency action in the king mackerel fishery, and the control date for the commercial Spanish mackerel fishery. Framework Amendment 6 was submitted for formal review on 11/9/2018 and the final rule published on 9/10/2019 with an effective date of 9/11/2019. The request for emergency action was sent to NMFS on 6/21/2019, the final rule published on 09/27/2019 with an effective date of 10/01/2019. The request to establish a control date for the commercial Spanish mackerel fishery was sent to NMFS on 6/21/2019 and is currently being reviewed at NOAA Headquarters.

CMP Framework Amendment 8 (king mackerel commercial trip limits in the Atlantic southern zone during season two)

At the June 2019 meeting, the Council requested NMFS take emergency action to increase in the commercial trip limit from 50-fish to 75-fish in the Atlantic southern zone, south of the Flagler/Volusia County line, Florida during season two of the 2019/2020 commercial fishing year. Framework Amendment 8 will permanently address season two commercial king mackerel trip limits. During their September 2018 meeting, the Council reviewed analysis and selected a preferred alternative.

Staff presented a Framework 8 summary document for the Advisory Panel to review and discuss. The MCAP provided the following comments:

- Can commercial king mackerel fishermen catch 100/150-fish per trip? Yes, given the right conditions. While not every trip will be able to land amounts of fish that high, when given the opportunity (the fish are biting) it allows fishermen to land a enough fish to make the trip worthwhile as opposed to leaving after a few hours.
- It will importance to balance the need for fishermen to bring in enough fish to make money while at the same time not bringing so many fish to market that the price decreases.

MOTION #1: SELECT ALTERNATIVE 5 (100-FISH, NO STEP UP, SEASON 2) AS THE AP'S PREFERRED ALTERNATIVE.

MOTION APPROVED (11 IN FAVOR, 1 OPPOSED)

Commercial Effort in the Spanish Mackerel Fishery White Paper

During their March and June 2019 meetings the Council reviewed concerns expressed by the MCAP regarding increased participation in the commercial Spanish mackerel fishery and recent closures. The Committee directed staff to prepare a white paper with an analysis of effort in the commercial Spanish mackerel fishery and a discussion of possible avenues to control effort, including: a limited access commercial permit, a limited access gillnet endorsement in the southern zone, and collaboration with state agencies. The Council reviewed the white paper during the September 2019 Council meeting and directed staff to begin work on an amendment to address commercial Spanish mackerel accountability measures and trip limits.

Staff presented the results contained in the white paper and recent Council actions for MCAP discussion.

Comments in support of recent Council actions for the Spanish mackerel fishery (CMP Framework Amendment 9):

- The original allocation for Spanish mackerel (76% commercial, 24% recreational) was the correct allocation because the recreational sector has not caught the amount of poundage that was given to them when Spanish mackerel was reallocated (55% commercial, 45% recreational).
- North Carolina needs approximately 900,000 pounds of fish, the poundage they are currently allocated (662,670 pounds) is insufficient.
 - the Northern Zone receives 20% and the Southern Zone receives 80% of the commercial ACL.
- The current ACL ensures that the fish stock remains abundant and scientists already include buffers to account for uncertainty.
- Given that there is an unutilized portion of Spanish mackerel ACL, a system should be set up that would allow a common pool allocation or there should be an adjustment to allocations.
- Recently, Spanish mackerel have been available in the later part of year. Commercial fishermen are catching them and want to be able to make money off them and reduce discards.
- A few communities in North Carolina (Swan Quarter, Hatteras, Ocracoke, and Engelhard) base half of their year's work on Spanish mackerel. Fishermen don't want to waste the Spanish mackerel they catch, so the closure has made it challenging for the gillnet fleet to work at all.
- It is important that the season in the Northern Zone is extended until there is another stock assessment and, hopefully, an increase in the ACL.
- CMP Framework Amendment 9 seems to be the only solution until long-term solutions like limited entry can be examined.

Comments in opposition of recent Council actions for the Spanish mackerel fishery (CMP Framework Amendment 9):

- While the recreational ACL is not being harvested, that poundage is being utilized. For the recreational sector abundance is most important. High abundance ensures that encounter rates remain high and fish are available for a longer period of time, which is especially important during peak fishing season.
- The Spanish mackerel that are not harvested from the recreational ACL provide a buffer in case there were any errors in the stock assessment.
- It is important to compare the economic impact of the recreational and commercial sectors in North Carolina. Though the recreational fishery may catch fewer fish it is possible that they are more important to the economy.
- It might be ideal to wait until after the stock assessment before moving forward with any changes to Spanish mackerel.
- The North Carolina Marine Fisheries Commission was not consulted when the commercial Spanish mackerel fishery was reopened in North Carolina.

- Allowing commercial fishermen to continue to harvest Spanish mackerel after their quota has been met is a slippery slope. The gillnet fishery in North Carolina is large and can be hard to manage.
- More people are getting into the Spanish mackerel fishery, especially with the available southern flounder catch being reduced. Some AP members felt they could not support CMP Framework 9 without a limited access system for the commercial fishery.

General comments the status and management of the Spanish mackerel fishery (CMP Framework Amendment 9):

- There is a need to come up with a management system that will work for both recreational and commercial fishermen.
- In North Carolina, Spanish mackerel are important for the charter fleet, especially during the summer tourist season.
- Spanish mackerel stick around longer when the waters remain warm, which is happening more often. When sink-netting for spots it is easy to catch 500-pounds of Spanish mackerel in just two sets.
- There are two types of Spanish mackerel fishermen, those that directly target Spanish mackerel and base majority of their income on the fishery and those that catch Spanish mackerel when targeting other species like spot.

MOTION #2: RECOMMEND THE COUNCIL MOVE FORWARD WITH REVISING SPANISH MACKEREL ACCOUNTABILITY MEASURES AS PROPOSED IN MOTION 5 FROM THE SEPTEMBER 2019 COUNCIL MEETING

MOTION #5: REVISE SPANISH MACKEREL ACCOUNTABILITY MEASURES SO WHEN THE NORTHERN ZONE COMMERCIAL SECTOR QUOTA IS MET A STEPDOWN TO 500-LBS WILL OCCUR. THE SPANISH MACKEREL FISHERY WILL CLOSE WHEN THE TOTAL ACL (COMMERCIAL AND RECREATIONAL COMBINED) IS MET OR PROJECTED TO BE MET.
MOTION APPROVED (8 IN FAVOR, 5 OPPOSED)

Discussion of Trip Limits Proposed in CMP Framework Amendment 9:

- North Carolina fishermen have indicated that they would like to consider a step-down system similar to the system currently in place in the Southern Zone:
 - For example, a step down to 1,500-pounds once 75% of the Northern Zone quota has been reached and then an additional step down to 500-pounds.
 - If the starting trip limit was lower, it may help prolong the season and ensure it was still open during the spot and croaker gillnet season preventing waste.
 - The state of North Carolina can implement changes in trip limits quickly via proclamation.

MOTION: CONSIDER A TRIP LIMIT IN THE NORTHERN ZONE STARTING AT 3,500 POUNDS WITH A STEP DOWN TO 1,500 POUNDS ONCE 75% OF THE NORTHERN ZONE QUOTA IS REACHED.

SUBSTITUTE MOTION: CONSIDER A TRIP LIMIT IN THE NORTHERN ZONE STARTING AT 3,000 POUNDS WITH A STEP DOWN TO 1,500 POUNDS ONCE 75% OF THE NORTHERN ZONE QUOTA IS REACHED.
(5 IN FAVOR, 3 OPPOSED, 3 ABSENTIONS)

SUBSTITUTE MOTION BECOMES MAIN MOTION

MOTION #3: CONSIDER A TRIP LIMIT IN THE NORTHERN ZONE STARTING AT 3,000 POUNDS WITH A STEP DOWN TO 1,500 POUNDS ONCE 75% OF THE NORTHERN ZONE QUOTA IS REACHED.

MOTION APPROVED (5 IN FAVOR, 3 OPPOSED, 3 ABSENTIONS)

Discussion of Limited Access Systems for Commercial Spanish Mackerel

The Council recognizes the need for long-term solutions to the recent commercial Spanish mackerel closures. At past meetings the MCAP has suggested a limited entry program from the commercial Spanish mackerel fishery and a limited access endorsement for the commercial Spanish mackerel gillnet fishery in the Atlantic southern zone (NC/SC line to the Miami-Dade/Monroe County line, Florida).

The Council requested the MCAP discuss how these systems might be designed and how they might affect the Spanish mackerel fishery.

The MCAP provided the following comments on the need for a limited entry system:

- Limited entry must be considered for the Spanish mackerel because it is expanding rapidly. The Council should take the situation seriously and work closely with the Atlantic states to address commercial effort.
- There is a need to come up with a sustainable level of vessels in the fishery so that there is not a glut in boats that results in waste fish.
- Limited entry would protect profession full time fishermen that are currently in the fishery.
- There should be a gillnet endorsement for Spanish mackerel vessels fishing in the Southern Zone to keep the current number of vessels, which is what the fishery can handle, at a level number.
 - Currently, there are approximately 20 vessels operating in the Southern Zone gillnet fishery.
- Some AP members felt that the market would ultimately adjust to the correct number of fishermen while others felt that it was important to consider that you're regulating fishermen who have been operating their whole life and making it harder for them to do their business.
- Having a federal permit apply in state waters also gives accountability because the must sell to a federal dealer. It would also create a uniform system, requiring everyone to report using the federal commercial logbooks.

The MCAP provided the following comments on the design of a limited entry system:

- There needs to be a mechanism to address vessels that fish only in state waters and do not have a federal Spanish mackerel permit.
 - These vessels may need to be accommodated under a limited entry program.
- The gillnet endorsement in the Southern Zone could offer transferable permits to qualifying vessels (for example, vessels with gillnet landings in the Southern Zone in the last three to five years). Then non-transferable permits could be offered to those vessels with fewer landings/landings over a shorter period of time.

- Ultimately, deciding whether to require a federal Spanish mackerel permit (open access or limited entry) in state waters is up to the individual states/ASMFC.
- Some MCAP members want to avoid a two-for-one system, similar to that seen with snapper grouper permits.
- The Council should consider a greenhorn permit to ensure there is process to allow for new entrants into the fishery.
- The Council should consider system to protect permit rights going forward and assure that permits are actively being used.
 - However, this may become an issue if the set requirement is too stringent. Some fishermen participate in different fisheries throughout the year, or in different fisheries from year to year depending on environmental conditions and what is available. It will be important to maintain some flexibility.

MOTION #4: THE COUNCIL SHOULD CONSIDER THE FOLLOWING WHEN DESIGNED A LIMITED ACCESS PROGRAM FOR THE ATLANTIC COMMERCIAL SPANISH MACKEREL FISHERY:

ITEMS TO CONSIDER FOR LIMITED ENTRY

- ELIGIBILITY REQUIREMENTS TO PROTECT FISHERMEN WHO HAVE BEEN PARTICIPATING FOR A LONG TIME
- WHAT NUMBER OF PERMITS CAN THE SPANISH MACKEREL FISHERY HANDLE (FULL FISHERY AND GILLNET FISHERY IN THE SOUTHERN ZONE)
- POSSIBLE MORATORIUM ON NEW PERMITS
- AVOIDING CONSOLIDATION OF PERMITS
- HOW THE STATES MAY/MAY NOT MODIFY REGULATIONS IF THE FEDERAL PERMIT BECAME LIMITED ACCESS
- METHOD FOR NEW ENTRANTS INTO THE FISHERY
- PROVISIONS TO ADDRESS UNFISHED/UNDERFISHED PERMITS – NEEDS MORE DISCUSSION – WILL INCLUDE BOTH SIDES OF DISCUSSION

MOTION APPROVED (11 IN FAVOR, 1 OPPOSED)

Updated to Fishery Performance Reports for King Mackerel, Spanish Mackerel, and Florida East Coast Cobia

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. With input from the MCAP and Cobia Sub-Panel, FPRs were completed for Florida East Coast cobia in 2017 and king and Spanish mackerel in 2018. During this meeting MCAP members provided updates to the previously completed FPRs. Council staff will use notes and meeting minutes to compile information provided by MCAP into a final FPR document.

Discussion of Concerns in the Recreational Mackerel Fishery

Recent discussions during MCAP and Council meetings have been focused on the commercial king and Spanish mackerel fisheries. The Council would like the MCAP to comment on the current state of the recreational mackerel fisheries and any issues that might be arising.

The MCAP provided the following comments:

- The Council should consider increasing the recreational bag limit off the east coast of Florida from 2-fish per person to 3-fish per person.
 - The rest of the Atlantic coast and the west coast of Florida have a trip limit of 3-fish per person.
- There is a large charter boat fleet off Cape Canaveral, a higher trip limit for king mackerel may cause an increase in overall landings.
 - There is plenty ACL to account for any increase in landings resulting from an increased trip limit.
- There are plenty of king mackerel available, it might be helpful to raise the recreational trip limit across the coast.
 - Only some charter customers may be interested in the increase. Most customers only want to keep one king mackerel. However, those that plane to smoke king mackerel always want to keep the full trip limit.
 - There are two different clientele for charter trips, sport fishermen who want to release whatever they catch and those who want to catch as much as they can to take back home and eat.
- King mackerel needs to be promoted as a both a fun fish to eat and a fun fish to catch.
- The current Spanish mackerel trip limit (15-fish per person) is an appropriate trip limit, but when small fish are caught, they are usually thrown back dead.
 - There is a big bait fishery for Spanish mackerel, but fishermen are unable to have mutilated Spanish mackerel on board.
 - The Council may want to consider revising the minimum size limit.
- In general, it would be good to consider who to better utilize the available recreational ACL, especially considering Framework Amendment 9.
- When making modifications to recreational regulations it will be important to consider changes in landings due to the MRIP revisions.

MOTION #5: INCREASE THE RECREATIONAL KING MACKEREL BAG LIMIT OFF THE EAST COAST OF FLORIDA TO 3 KING MACKEREL PER PERSON
MOTION APPROVED (UNANIMOUS)

Update on the Citizen Science Program's FISHstory Project

Staff presented a brief update on the Council's Citizen Science Program, highlighting activities that have occurred since the Spring 2019 MCAP webinar. Additionally, staff provided an overview and demonstration of the FISHstory pilot project that will launch in early 2020. The FISHstory project will document historic catch and length estimates from the 1940s-1970s from a headboat fleet in Daytona Beach, FL. The project uses an online crowdsourcing platform, Zooniverse, to build an interface that will allow members of the public (e.g. citizens) to be trained to identify species in the photos. A team of species ID experts will help validate the

species identified by citizens. Once species are verified, one key species will be selected for length analysis. A project design team - comprised of scientists, fishermen, and outreach experts – have been developing the FISHstory project interface and training materials in Zooniverse. Staff will provide a demonstration of the FISHstory test project.

The MCAP provided the following comments:

- MCAP were enthusiastic about the FISHstory project and interested in providing additional photos for analysis after the pilot project.
- MCAP members also recommended other citizen science projects for consideration:
 - An app that would allow fishermen to take a picture of every fish that comes up with damage from a shark to help determine how sharks are impacting fisheries.

Other Business

Best Fishing Practices Information

The MCAP was asked to comment on where they seek out information on fishing regulations and fishing practices. The MCAP indicated that they gathered information from the following sources:

- South Atlantic Council and NMFS notifications and emails.
- Word of mouth, talking to other fishermen at tackle shops and over the radio.
 - One person gets the email release regarding new regulations and by the end of the day all commercial fishermen in the area know that regulations have changed.
- Mobile applications such as Fish Rules, Fish ID, or the NMFS website.
- Online message boards, Facebook fishing groups.

Commercial Electronic Reporting

- The Council should make commercial electronic reporting a management priority.
 - One small step would be to have logbooks sent to fishermen in electronic files so that forms could be filled out on the computer and now rewritten multiple times.
 - It would also save a little money if fishermen could fill out logbooks on their phone or computers and then print it out.

King Mackerel Season

- As the Council reviews the king mackerel stock assessment update, it might be helpful to clean up the regulations. For example, the Council could consider a single season that would allow for a step up if, for example, on November 1st if 70% of the commercial ACL has not been harvested.

False Albacore Management Needs

- False albacore (little tunny, bonita) is an important recreational fishery that is currently not managed at the state or federal level.
- In the commercial fishery false albacore are bycatch, but in recent years directed commercial effort has been increased.

- Prices in North Carolina have been around \$1.50/pound during certain times of the year.
- Considering management measures for false albacore might be premature at this point in time. The Council should look into whether or not this fishery needs protective management measures.

MOTION #6: CONSIDER THE ROLE OF LITTLE TUNNY IN RELATION TO KING AND SPANISH MACKEREL AS A POSSIBLE ECOSYSTEM COMPONENT SPECIES OR, IF APPROPRIATE, ADDING THEM TO THE CMP FMP.

MOTION APPROVED (9 IN FAVOR, 2 OPPOSED, 2 ABSTENTIONS)