

Coastal Migratory Pelagics Advisory Panel Summary

Hilton Tampa Westshore

Tampa, FL

November 30, 2015

9:00 a.m. - 5:00 p.m.

Members Present:

Martin Fisher, Chair
 Gary Jarvis
 Chris Jenkins
 Jeff Mathews
 George Niles
 Mike Nugent
 Gene Proulx
 Kelty Readenour
 William Stein
 Ed Walker
 Mike Whitfield
 Bob Woithe

Council Staff

Karen Hoak
 Ryan Rindone
 Doug Gregory

Council Member

Martha Bademan

NMFS-SERO Staff

Sue Gerhart
 Roy Crabtree

Others present

Kari MacLauchlin

The Gulf of Mexico (Gulf) Fishery Management Council’s (Council) Coastal Migratory Pelagics (CMP) Advisory Panel (AP) (hereafter: “Gulf AP”) met on November 30, 2015 at the Hilton Hotel Westshore in Tampa, Florida. The purpose of this meeting was to review the public hearing draft of CMP Amendment 26, and other business as proffered by the Gulf AP. The agenda was modified to include several items under other business and was then approved by the Gulf AP along with the minutes from the March 15, 2015, Gulf AP meeting.

Since the Gulf AP was repopulated by the Council in August of 2015, and this was the first meeting since the membership was renewed, elections were held for the Chair and Vice Chair positions. By acclamation, Martin Fisher was elected as Chair and Tom Marvel (*in absentia*) was elected as Vice Chair.

CMP Amendment 26

CMP Amendment 26 was approved for public hearings by the Council in October of 2015. The amendment addresses king mackerel annual catch limits (ACLs), commercial zone management, allocations, sale provisions, and recreational bag limits.

Action 1 - Adjust the Management Boundary for Gulf of Mexico (Gulf) and Atlantic Migratory Groups of King Mackerel

Staff described the current management boundaries used to manage Gulf and Atlantic migratory groups, and the proposed changes to those boundaries as used by the most recent stock assessment (SEDAR 38). The Gulf AP decided to maintain the position it established at its previous meeting, and made the following recommendation:

Motion: In Action, 1, to accept Alternative 3 as preferred.

Gulf Council Preferred Alternative 3: Establish a single year-round boundary for separating the Gulf and Atlantic migratory groups of king mackerel at the Miami-Dade/Monroe county line. The Gulf Council would be responsible for management measures in the mixing zone. **(Gulf and South Atlantic AP Recommended)**

Motion carried unanimously.

A member of the South Atlantic Council staff was introduced at this point, and reviewed Actions 2 through 5.

Action 2-1 - Revise the Acceptable Biological Catch (ABC) for Atlantic Migratory Group King Mackerel

South Atlantic Council staff described how the SEDAR 38 stock assessment showed that the Atlantic migratory group is healthy, and noted the revised population benchmarks from the assessment. The South Atlantic Scientific and Statistical Committee (SSC) provided acceptable biological catch (ABC) recommendations based upon three recruitment scenarios (high, medium, and low). The South Atlantic CMP AP suggested that a large recruit class of small fish is coming into the Atlantic, and recommended Alternative 2. It was noted that Atlantic recreational landings have been below their ACL in recent years. The Gulf AP then made the following recommendation:

Motion: In Action 2-1, to accept Alternative 2 as the preferred.

Alternative 2: Revise the ABC for Atlantic king mackerel for 2016/17 through 2019/20 based on the ABC levels recommended by the SSC for ABC under a high recruitment scenario. **(South Atlantic AP Recommended)**

Motion carried unanimously.

Action 2-2 - Revise ACLs, Commercial Quotas, and Recreational ACT for Atlantic Migratory Group King Mackerel

South Atlantic Council staff described recent trends in sector landings for Atlantic king mackerel. Gulf AP members thought there may be merit in a more conservative ACL, such as the one favored by the South Atlantic SSC (equilibrium yield of 12.7 million pounds [mp], Alternative 3). Such a conservative ACL was not thought to be likely to affect either fishing sector, since neither of the Atlantic fishing sectors have landed their allocation in recent years. The Gulf AP thought that using the equilibrium was, in a way, a form of constant catch, which may help protect the stock in the event there is an issue with recruitment in the Atlantic migratory group. The Gulf AP then made the following recommendation:

Motion: In Action 2.2, to accept Alternative 3 as the preferred.

Alternative 3: Establish $ACL = OY = \text{Deterministic equilibrium yield at } F_{30\%SPR} = 12.7 \text{ mp}$ for fishing years 2016/17 through 2019/20. **(Recommended by the South Atlantic SSC)**

Motion carried 9 to 2.

Action 3 - Incidental Catch of Atlantic Migratory Group King Mackerel Caught in the Shark Gillnet Fishery

South Atlantic Council staff described the small coastal shark gillnet fishery, noting its small size (typically five vessels or less) and the small amount of bycatch of king mackerel associated with the fishery (typically less than 2,600 lbs). Gulf AP members questioned why the options for retention of bycatch were set at either two fish or three fish, depending on which Atlantic commercial zone in which a commercial shark angler was fishing. South Atlantic Council staff noted that those retention limits reflected the recreational bag limits in the concurrent regions. The Gulf AP then made the following recommendation:

Motion: In Action 3, to select Alternative 3 as the preferred.

Alternative 3: Allow retention and sale of Atlantic king mackerel caught with gillnet as incidental catch in the gillnet portion of the commercial shark fishery for any vessel with a valid shark directed commercial permit AND valid federal king mackerel commercial permit. The king mackerel must be sold to a dealer with the Southeast federal dealer permit. For shark gillnet trips in the Southern Zone, no more than 2 king mackerel per crew member can be on board, and no more than 2 king mackerel per crew member can be sold from the trip. For shark gillnet trips in the Northern Zone, no more than 3 king mackerel per crew member can be on board, and no more than 3 king mackerel per crew member can be sold from the trip. **(South Atlantic AP Recommended)**

Motion carried unanimously.

Action 4 - Establish Commercial Split Seasons for Atlantic Migratory Group King Mackerel in the Southern Zone

South Atlantic Council staff reviewed the use of split seasons as a management tool for other species under the South Atlantic Council's jurisdiction, and why it was being recommended for king mackerel in the Atlantic Southern Zone. Landings in that zone are highest between March and August, decrease substantially from August through November, and then increase again from November through the end of February. The South Atlantic CMP AP recommended Alternative 2, which would allocate the Atlantic Southern Zone quota into two quotas: 60% to the period March 1 - September 30 (season 1) and 40% to the period October 1 – February 28 (season 2). The Gulf AP was apprehensive of the idea of a potential closed season in the Atlantic because they thought a closed season could encourage more Atlantic fishermen to travel to the Gulf to fish. South Atlantic Council staff mentioned that some Atlantic commercial king mackerel fishermen had expressed support for a 70%/30% split between the two proposed seasons, but the Gulf AP did not support adding such an

alternative to the amendment. Gulf AP members suggested that if the pace of landings in the Atlantic needed to be reduced, then the South Atlantic Council should consider modifying trip limits. The Gulf AP then made the following recommendation:

Motion: In Action 4, the CMP Advisory Panel recommends Alternative 1 as the preferred.

Alternative 1 (No Action). The commercial fishing year for Atlantic king mackerel is March 1 – February 28. The Southern Zone quota is allocated for the entire fishing year.

Motion carried 9 to 1, with one abstention.

Action 5-1 - Establish Boundaries for the Florida East Coast Management Zone for Atlantic Migratory Group King Mackerel

South Atlantic Council staff reviewed the justification for including the east coast of Florida in the Atlantic migratory group year round, as recommended by SEDAR 38. As such, the South Atlantic Council wished to continue managing the region currently known as the Gulf Florida East Coast Subzone as a separate management area within the Atlantic Southern Zone for purposes of trip limits. Gulf AP members, being unfamiliar with the demographics and preferences of the Atlantic fishermen, decided to mirror the South Atlantic AP's recommendations on Action 5-1:

Motion: In Action 5, 5-1, that Alternative 3, Option 3(b) and Alternative 4, Option 4(a) be the preferred alternatives, based on the season 1 and season 2 dates that are listed in Action 4, Alternatives 3 & 4

Alternative 3: Establish a Florida east coast management zone that exists for season 1 (as designated in Action 4) with boundaries at:

Option 3b: Volusia/Brevard county line and Dade/Monroe county line. **(South Atlantic AP Recommended)**

Alternative 4: Establish a Florida east coast management zone that exists for season 2 (as designated in Action 4) with boundaries at:

Option 4a: Flagler/Volusia county line and Dade/Monroe county line. **(South Atlantic AP Recommended)**

Action 4 -Alternative 3. Allocate the Southern Zone quota for Atlantic king mackerel into two quotas: 60% to the period March 1 – October 31 (season 1) and 40% to the period November 1 – February 28 (season 2).

Action 4-Alternative 4. Allocate the Southern Zone quota for Atlantic king mackerel into two quotas: 50% to the period March 1 – October 31 (season 1) and 50% to the period November 1 – February 28 (season 2).

Motion carried unanimously

Action 5-2 - Establish a trip limit system for the Florida East Coast Management Zone

South Atlantic Council staff described the current trip limit system used in the Gulf Florida East Coast Subzone, and the proposed modifications by the South Atlantic Council. The South Atlantic AP recommended Alternatives 3 and 4, but has not yet selected preferred options from those alternatives. The Gulf AP thought it difficult to recommend a preferred alternative to the Gulf Council without knowing more about where the South Atlantic fishermen stood on the issue. The Gulf AP then made the following recommendation:

Motion: In Action 5, 5-2 (Establish a trip limit system for the Florida East Coast Management Zone) the Gulf AP opts to abstain from recommendations at this time.

Motion carried unanimously.

Action 6 - Modify the ACL for Gulf Migratory Group King Mackerel

Gulf Council staff recounted discussions from the previous Gulf AP meeting (March 2015), noting that the Gulf AP had supported setting the ACL equal to the ABC for the 2015/16 fishing season, and requested that the Science Center provide updated yield projections to the Gulf Council's SSC for re-evaluating the ABC annually. However, since the pace of the amendment is such that it is unlikely to be implemented until possibly January of 2017, Gulf AP members were urged to reconsider their previous motion, as it would leave Gulf king mackerel fishermen without a recommended ACL. Some Gulf AP members questioned why the proposed harvest levels were not greater, citing promises offered by the Council for ACL increases in previous years (2008 and prior). Staff noted that many factors influence stock size, including natural mortality, environmental variability, and landings outside the US (i.e., Mexican waters). The Gulf AP continued to support the idea of annually updating yield projections and ABC recommendations by the Gulf Council's SSC, especially so long as the stock ACL for the Gulf migratory group is not being met. The Gulf AP then made the following recommendation:

Motion: In Action 6, to select Alternative 2 as the preferred.

Gulf Council Preferred Alternative 2: Set the Gulf migratory group king mackerel ACL equal to the ABC recommended by the Gulf Scientific and Statistical Committee (SSC) for 2015-2019. ABC values are in millions of pounds, whole weight:

Year	ABC (mp ww)
2015	9.62
2016	9.21
2017	8.88
2018	8.71
2019	8.55

Motion carried unanimously.

Action 7 - Revise the Commercial Zone Quotas for Gulf Migratory Group King Mackerel

Gulf Council staff reviewed the justification for including the east coast of Florida in the Atlantic migratory group, and described the need to address the commercial zone allocations in the Gulf. Ms. Bademan asked the Gulf AP for rationale behind their decision to proffer and support Alternative 4. Gulf AP members replied that Alternative 4 best represented what they thought to be a fair and equitable compromise for the distribution of the commercial allocation among the zones, based on both historical landings and the history of how the zones were formed. The Gulf AP then made the following recommendation:

Motion: In Action 7, that alternative 4 be the preferred alternative of the CMP AP

Alternative 4: Revise the commercial zone quotas for Gulf migratory group king mackerel as follows: 40% for the Western Zone; 18% for the Northern Zone; 21% for the Southern Zone Handline component; and 21% for the Southern Zone Gillnet component. **(Gulf CMP AP Recommended)**

Motion carried with one opposed.

Action 8 - Revise the Recreational and Commercial Allocations for the Gulf Migratory Group King Mackerel

Gulf Council staff described the 53% increase in recreational landings for the 2014/15 fishing season, most of which are attributable to Florida. Staff remarked that this increase negates the previous assertion that up to 20% of the stock ACL could be reallocated to the commercial sector, while also raising the recreational bag limit to four fish per person per day. The Gulf AP thought that the increase in recreational landings could be further increased by a change in the recreational bag limit, and affirmed their stance that the Council should not change sector allocations. The Gulf AP then made the following recommendation:

Motion: In Action 8, the CMP AP recommends that Alternative 1 be the preferred alternative.

Alternative 1: No action – Maintain the current recreational and commercial allocations for Gulf migratory group king mackerel (68% recreational, 32% commercial). **(Gulf CMP AP Recommended)**

Motion carried with one opposed.

The Gulf AP also recommended the following:

Motion: The CMP AP recommends that if the Council chooses another alternative for Action 8 other than Alternative 1, that the preferred be Alternative 5, Option a.

Alternative 5: Establish a sunset provision for any change in the sector allocations for Gulf migratory group king mackerel. After the predetermined time period, any change in sector allocations would revert back to the allocations specified in the original Coastal Migratory Pelagics Fishery Management Plan for the Gulf of Mexico (68% for the recreational sector and 32% for the commercial sector).

Option a: Sunset any change in sector allocations after a five year period (2016-2020).

Motion carried unanimously.

Action 9 - Modify the Recreational Bag Limit for Gulf Migratory Group King Mackerel

Gulf Council staff reviewed the discussion by the Gulf AP at their last meeting with respect to raising the recreational bag limit for king mackerel. The bag limit analysis provided by the Southeast Regional Office was also reviewed, and the methods used therein explained. Gulf AP members recounted recommending an increase in the recreational bag limit in 2008, which the Gulf Council ultimately did not support. Further, Gulf AP members suggested a general lack of support for raising the recreational bag limit for Gulf king mackerel at this time. The Gulf AP then made the following recommendations:

Motion: In Action 9, that no matter which alternative the Council chooses, that there be no closed season for the recreational sector.

Motion carried unanimously.

Motion: In Action 9, the CMP AP recommends Alternative 2 as the preferred.

Alternative 2: Increase the bag limit to three fish per person per day. **(Gulf CMP AP Recommended)**

Motion carried 9 to 2.

Other Business

Recreational Bag Limits for Gulf Cobia

Gulf AP members remarked about the generally less frequent encounter rates with cobia, and noted that those cobia which were being caught were generally smaller than in past years. Gulf AP members thought it prudent to be proactive in the event that an issue exists with the Gulf's cobia population, especially since a stock assessment is not scheduled in the near future. The Gulf AP then made the following recommendation:

Motion: The CMP AP recommends that cobia be considered a species of high concern by the Gulf Council, and the AP urges the Council to consider reducing the possession limit to one fish per person, per day, as recommended by this AP last March. This limit should sunset in 5 years unless deemed otherwise necessary.

Motion carried unanimously.

Possession of the Recreational Bag Limit of King Mackerel on a Commercial Vessel When the Commercial King Mackerel Season is Closed

The current federal regulations prohibit the possession of the recreational bag limit of king mackerel on a commercial vessel when the commercial king mackerel season is closed, and on a dually permitted for-hire vessel unless that vessel is acting in a charter or headboat capacity [622.384(e)]. Gulf AP members remarked that this rule prevented them from retaining recreationally caught king mackerel for personal consumption on their permitted vessels when fishing as private recreational fishermen. The Gulf AP then made the following recommendation:

Motion: The CMP AP recommends that the Council remove the prohibition on retaining the recreational king mackerel bag limit on a vessel with a commercial king mackerel permit or a dually permitted charter vessel, when the king mackerel commercial season is closed, but while the king mackerel recreational season is open.

Motion carried unanimously.

Modifications to Electronic Reporting

Gulf AP members cited the need for completely electronic reporting for all commercial fisheries. With current technology, Gulf AP members think that fishermen can electronically submit their logbooks when the fish are sold to a dealer, thereby decreasing the amount of time it takes for commercial landings to be compiled for stock assessments. When a “no-fishing” report needed to be submitted, the permit holder could go to a website and fill out the appropriate form as applicable. The Gulf AP then made the following recommendation:

Motion: The CMP AP recommends that the Council develop a dealer based, point-of-sale electronic logbook reporting system for the commercial fishing sector incorporated in the present IFQ reporting system or trip ticket program.

Motion carried unanimously.

Incidental Catch of King Mackerel in the Spanish Mackerel Gillnet Fishery

A Gulf AP member noted the need for a way to sell king mackerel which are infrequently landed in Spanish mackerel gillnets if the zone he is fishing is closed. According to anecdotal information, these bycatch king mackerel do not typically total more than approximately 1,000 lbs per year per Spanish mackerel gillnet fisherman. Other Gulf AP members were concerned that an incidental catch allowance, if too high, could result in a directed bycatch fishery for the more valuable king mackerel. The Gulf AP then made the

following recommendation:

Motion: The CMP AP recommends that the Council allow the retention and sale of the recreational bag limit of king mackerel in the gillnet Spanish mackerel fishery, even when the commercial fishery is closed.

Motion carried 7 to 3.

The meeting was adjourned at 5:00 PM.