

King Mackerel Gillnet Workshop Summary

**Marriott Beachside
Key West, Florida
January 12, 2015
9:00 AM – 3:00 PM**

Background

The Florida Keys Commercial Fishermen's Association submitted a letter to the Gulf of Mexico Fishery Management Council (Council) in October 2014, detailing the concerns of some of the king mackerel gillnet fishermen in the Southern Zone of the Gulf of Mexico (Gulf). Gillnet fishermen requested a trip limit increase to 45,000 pounds, revised accountability measures, and the ability to purchase and fish commercial king mackerel handline permits. The Council discussed the letter, suggested alternative management strategies to address industry concerns, and recommended holding the workshop to identify solutions with industry participants. The Council's Coastal Migratory Pelagics Advisory Panel will review this summary prior to the Council's March 2015 meeting in Biloxi, Mississippi, at which time the Council will determine the next steps for addressing industry concerns.

Trip Limits

At the Council's October 2014 meeting, staff from the National Marine Fisheries Service (NMFS) expressed concern that a 45,000 pound trip limit would be too high, and could result in the quota for the Southern Zone being met or exceeded before NMFS could close the fishery to prevent a quota overrun. In past years, under the current 25,000 pound trip limit, the season length has ranged from 3 days to no closure prior to the end of the fishing year. However, in the instance when the season did not close, the fish had not migrated far enough south to be economically fished by the gillnet fleet.

A Council member suggested individual fishing quotas (IFQs) as a way to allow for a trip limit greater than the current level, while allowing the fishermen to fish when they want. Fishermen indicated near universal opposition to IFQs, adding that one of the main reasons for requesting the increased trip limit was to reduce the likelihood of being fined for exceeding the trip limit. Due to the nature of fishing with run-around gillnets, it is difficult to precisely estimate the amount of fish in a net. Fishermen indicated it would be highly unlikely to exceed a 45,000 pound trip limit, while the current 25,000 pound trip limit is easy to meet or exceed.

The industry would like the trip limits to be raised to reduce the probability of getting fined for an overage. Often, if a boat has more than the trip limit in its net, another boat can take some of the catch to make sure that neither boat is over the limit. However, if there are no other boats nearby to take some of the catch, then the boat with fish in excess of the trip limit is left in a difficult position. Dumping fish over the side of the vessel is illegal. Fishermen think the increased trip limit will provide them with a buffer between what they can physically catch and what they are permitted to catch.

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The gillnet fleet practices a degree of “self-policing” in that the pilots who direct the fishing vessels to the fish help to monitor and estimate landings as boats retrieve nets. Once the quota is thought to be met, the pilots notify the fishermen and fishing ceases. This practice has been in place for the last two fishing seasons (2013 and 2014). Fishermen think this practice is critical to the fishery, since it can take a few days for NMFS to close the fishery if the quota is met or projected to be met. By “self-policing”, the fishermen can take action to close the fishery ahead of the same notice from NMFS, thereby avoiding exceeding the quota.

Fishermen proposed new accountability measures (AMs) to accompany any increase in trip limits to eliminate any incentive for exceeding the trip limit. The new AMs would reduce the current year’s quota, and the following year’s quota, by the amount of any overage. A working example is shown below:

Trip Limit:	45,000 lbs
2014 & 2015 Quotas:	500,000 lbs
Landed catch from a 2014 trip:	52,000 lbs (<i>7,000 lbs over trip limit</i>)
Revised 2014 Quota:	500,000 lbs – 7,000 lbs = <u>493,000 lbs</u>
Revised 2015 Quota:	500,000 lbs – 7,000 lbs = <u>493,000 lbs</u>

Fishermen want to be certain that no profit could be gained by exceeding the quota. In addition to the payback provision illustrated above, the fishermen expressed a desire to have any quota underages added to the following year’s quota. Staff noted that the ACL cannot be exceeded without triggering AMs. To allow for underages to be added to the following year’s quota, the quota would need to be set below the ACL (use of an annual catch target (ACT) is one method), thereby building in a buffer between the ACL and the year’s allotted quota. Any underage to be added, when combined with the following year’s quota, could not exceed that successive year’s ACL.

Staff suggested adding a 10% buffer to the current trip limit of 25,000 pounds. It was questioned whether a buffer would help avoid fines or simply raise the trip limit by 10%. The same was said about instituting a 5,000 pound “grace allotment” over the trip limit. Landings in run-around king mackerel gillnets can be estimated within a few thousand pounds; however, more precise estimates are not feasible, especially when the net is in the water. Most fishermen think a larger increase in the trip limit is needed to prevent fines. Some fishermen, however, think that increasing the trip limit is not the answer. They equate raising the trip limit to avoid fines to raising the speed limit to avoid speeding tickets. This smaller group of fishermen think that the fines need to be higher to discourage getting close to the trip limit, and that fishermen need to be more proactive about distributing large catches across other boats to stay under the trip limit.

Some fishermen suggested that a 35,000 pound trip limit would constitute a compromise between the current and requested trip limits. The fishermen wanted to vote on the favorability of certain trip limit options, to see where they stood as an industry:

Comparison of Trip Limit Options

	For	Against	Abstain
45,000 vs 25,000	8	5	0
45,000 vs 35,000	8	4	1
35,000 vs 25,000	12	0	1

The vote indicated that fishermen would favor a 45,000 pound trip limit over a 25,000 or 35,000 pound trip limit, but would still prefer a 35,000 pound trip limit over the current trip limit if an increase to 45,000 pounds was not an option.

Gear Modifications

Staff asked fishermen if smaller nets would help prevent trip limit overages. Fishermen replied that the fish can sometimes get strung out over large areas, requiring larger nets to encircle and catch the fish. Shorter nets would limit the ability to get ahead of and around the fish. Additionally, a large amount of fish can be landed in a short length of net, making shorter nets a less-ideal solution. Reducing the cork line to allow the net to sink when an approximate poundage of fish is caught was suggested; however, allowing the net to sink, especially over hard-bottom, can foul the net and result in lost gear and fish.

Other Considerations

Fishermen want to see those permits with no gillnet landings to have their gillnet endorsements revoked. This was an alternative in CMP Amendment 20A (implemented July 2014), and was considered but rejected.

Fishermen supported creating a system whereby a fisherman suspecting themselves of being over the trip limit could call a NMFS port agent prior to landing their catch. The port agent would meet the fisherman at the dock and, if the fisherman was in fact over the trip limit, he would not be fined, and the amount of catch over the trip limit would be excluded from his sale profits. Any profits from the sale of the landed fish over the trip limit would then be given to the proper authorities to donate to charity.

Fishermen suggested a three-strike system for violations for exceeding the bag limit. Such a system would temporarily revoke an offending fisherman’s gillnet endorsement for a period of one year if the requested 45,000 pound trip limit is exceeded. If exceeded a second time, the endorsement would be revoked for a longer period of time. If exceeded a third time, the gillnet endorsement would be permanently revoked.

Fishermen wanted the individual whose name was on the gillnet endorsement to be required to be on board the boat when the boat is gillnet fishing for king mackerel. This was supported by some fishermen to make permit holders more accountable for making sure their boats did not exceed the trip limit. Such a provision would be difficult for those fishermen who hold multiple

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permits with gillnet endorsements to follow.

One fisherman wanted to be able to buy a king mackerel commercial hook-and-line permit to be able to hand-line fish for king mackerel when they are not gillnet fishing. The Council reminded the fishermen that the current system, whereby fishermen are permitted to either gillnet or hand-line, not both, exists to allow for fair access to the fishery.

Council members asked if there were other items to be considered during the workshop and, hearing none, adjourned the workshop.

Participants

Tim Daniels
Tony Paan
Santiago Arencibia
Richard Stiglitz
Richard Palmer

Ronnie Birren
George Niles
Billy Carter
Charles Carter

Mike Birren
Billy Gibson
Ruben Ravela
Ricardo Diaz

Council

Roy Williams
Martha Bademan

Pam Dana

John Sanchez

Staff

Doug Gregory
Sue Gerhart

Ryan Rindone

Emily Muehlstein