

**Coastal Migratory Pelagics Advisory Panel
Meeting Summary
Gulf of Mexico Fishery Management Council
Tampa, Florida
November 29, 2016**

9:30 am – 3:00 pm

Discussion of CMP Amendment 29

Action 1

Staff reviewed CMP Amendment 29, which considers allocation sharing options between the commercial and recreational fishing sectors for king mackerel, and modifications to recreational accountability measures. Staff began with Action 1, which considers allocation sharing methods. The Council's preferred alternative is to conditionally transfer 10% of the stock annual catch limit (ACL) to the commercial sector for the following fishing year only, so long as the recreational sector does not land 75% (or more) of its ACL and commercial landings are at least 90% of the commercial ACL in each of the previous two fishing years. If any of the conditions outlined in the Council's preferred alternative are not met, no transfer would occur for the following fishing year.

AP members noted their previous opposition to any reallocation efforts in CMP Amendment 26, which is under review by the Secretary of Commerce. That same amendment also increased the recreational bag limit from two fish per person to three fish for the recreational sector, and analyses indicate that the increased recreational bag limit could increase recreational landings by anywhere from less than one percent to approximately 10%. AP members thought that the change in the bag limit could result in a change in the recreational effort environment, and could lead to more landings for that sector.

The current declining acceptable biological catch (ABC) levels were discussed and questioned. Staff replied that when the ACL is historically not harvested in a fishery, as is thought to have occurred for king mackerel, that a surplus of fish are present in the fishery. This results in ABC levels which permit the harvest of this surplus over time, with harvest levels trending down to an equilibrium level which can be maintained over time. The declining ABC yields assume that the ABC will be harvested each year – if a surplus continues to be left behind, then the declining yield trend will continue.

Some AP members remarked that they were not seeing as many large king mackerel in the fishery as in years past, and did not think there was a surplus of biomass in the fishery. Other AP members contested this observation, commenting that they are seeing what they consider to be sizes and numbers of king mackerel that are typical of recent years. Staff added that food availability and water temperature are thought to be the main drivers which affect king mackerel migratory behavior; however, other environmental factors could also contribute, and AP members thought that a large suite of variables should be investigated to better understand king

mackerel migration patterns.

AP members questioned what increasing the commercial ACL would do with respect to the traveling fishermen concern expressed in previous meetings. Members noted that the number of traveling fishermen from the east coast of Florida has been increasing over the last several years, resulting in concerns from some AP members that more could be enticed to travel if the ACL were increased.

Motion: The CMP AP recommends that the Council select Alternative 1 as the Preferred Alternative.

Alternative 1: No Action – Do not establish a quota sharing system. Maintain the current recreational and commercial allocations for Gulf migratory group king mackerel (68% recreational, 32% commercial).

Motion carried 9 to 1 with 1 abstention.

Action 2

Staff reviewed Action 2 in CMP Amendment 29, which considers modifying the current in-season accountability measure (AM) for recreationally harvested king mackerel. Action 2 was designed with Action 1 in mind. If an alternative in Action 1 besides Alternative 1 were selected as preferred, the combination of the safeguards built into Action 1 and the revised AMs in Action 2 would protect the recreational sector from a seasonal closure during an allocation sharing year as a result of the recreational ACL being met. The Council's current preferred alternative is Alternative 3, which would replace the current in-season AM with a post-season AM, and which would only abbreviate the following recreational fishing season if both the recreational ACL and the stock ACL had been exceeded in the previous fishing season.

AP members asked why a bag limit reduction wasn't considered. Staff explained that the bag limit had just been increased in CMP Amendment 26, and the Council decided not to propose a bag limit reduction as a new accountability measure immediately following such a change in management. The AP expressed support for Action 2, but only if considered independent from Action 1.

Motion: To recommend that the Council's Preferred Alternative in Action 2 be Alternative 3, irrespective of the Council's decision on Action 1.

Gulf Preferred Alternative 3: Replace the current in-season AM with a post-season AM. If both the recreational ACL *and* the stock ACL are exceeded in a fishing year, the length of the following recreational fishing season will be reduced by the amount necessary to ensure the landings do not exceed the recreational ACL.

Motion carried 9 to 1.

Other Business – King Mackerel Size Limit

An AP member questioned whether it would be prudent to increase the size limit of king mackerel to a size at which all of the fish would be mature, thereby ensuring each fish has a chance to reproduce before entering the fishery. Other AP members noted that the stock is healthy, and that increasing the size limit would increase discard mortality of fish under that size limit. The dissenting AP members did not think that a change in the size limit, and in some cases any size limit at all, was necessary at this time.

Other Business – Southern Zone Handline Trip Limit

An AP member remarked that the commercial king mackerel fishermen in the Florida Keys have been trying to have the handline trip limit increased for some time. Changes to the trip limit for the Southern Zone were proposed in a previous amendment; however, the AP recommended to eliminate the trip limit reduction, as opposed to increasing the trip limit. Keys fishermen were said to need the higher trip limit to make fishing for king mackerel profitable. Another AP member asked whether these fishermen were solely king mackerel fishermen, or if they fished for multiple species. An AP member from the Keys replied that they fished for several species. Several AP members recalled that the AP originally voted against this measure in 2013. An AP member produced a list of Keys king mackerel fishermen opposed to increasing the trip limit, which was reviewed by other members of the AP.

Motion: To advise the Council that the AP has considered but rejected the idea of an increased trip limit for king mackerel in the Gulf Southern Zone.

Motion carried 8 to 1 with 1 abstention.

Other Business – Management Proposals

An AP member thought it possible to split the commercial quota throughout the year, thereby resulting in more stable prices and a consistent supply of fish to the market. Other AP members were worried that the current data collection system for tracking commercial landings wasn't accurate enough to prevent overages. In response, they proposed increasing the number of port agents at seafood dealers, and requiring the seafood dealers to report landings to the port agents more frequently once the commercial quota in that zone reaches a certain level.

Motion: To recommend that the Council require that federally permitted seafood dealers report handline landings of king mackerel to NMFS port agents weekly, once king mackerel handline landings are projected to have reached 80% of the ACL in that respective Gulf commercial zone.

Motion carried unanimously.

Other Business – Louisiana Non-compliance with Federal Regulations

AP members commented on the recent decision by the Louisiana Department of Wildlife and Fisheries to permit the landing and sale of king mackerel harvested in state waters through the end of the year. Staff noted that all commercial landings, state and federal, are counted against the commercial quota for that fishing year. AP members were surprised to learn that no measure currently exists which prohibits the sale of king mackerel harvested in state waters when the federal season is closed, as is the case with many reef fish species. There was also concern that a considerable amount of fish could be landed from state waters while the federal season was closed. AP members proposed a payback provision be considered for the commercial sector, thereby reducing any incentive for a state to open its waters to commercial harvest when the federal season is closed. This motion was predicated, however, on the adoption of the AP's previous motion concerning more accurate and timely commercial landings data collection.

Motion: In the event that the Council adopts the motion to improve commercial data timeliness through port agent reporting, the AP then recommends to the Council that if commercial king mackerel handline landings exceed the ACL in a given Gulf zone, there should be a zone specific payback in the following fishing year.

Motion carried unanimously.

Other Business – Research Request

AP members revisited a previous discussion about king mackerel research, and expressed additional concern about the potential effects of the *Deepwater Horizon* oil spill on the stock.

Motion: To request that the Council support comprehensive studies of Gulf king mackerel with respect to their habitat, life history, response to environmental cues, and the effects of the *Deepwater Horizon* oil spill.

Motion carried unanimously.