

GULF OF MEXICO FISHERY MANAGEMENT COUNCIL
MACKEREL MANAGEMENT COMMITTEE

Doubletree by Hilton Austin Austin, Texas

APRIL 4, 2016

VOTING MEMBERS

- 10 Myron Fischer (designee for Patrick Banks).....Louisiana
- 11 Martha Bademan (designee for Nick Wiley).....Florida
- 12 Leann Bosarge.....Mississippi
- 13 Doug Boyd.....Texas
- 14 Roy Crabtree.....NMFS, SERO, St. Petersburg, Florida
- 15 John Sanchez.....Florida
- 16 David Walker.....Alabama

NON-VOTING MEMBERS

- 19 Kevin Anson (designee for Chris Blankenship).....Alabama
- 20 Jason Brand.....USCG
- 21 Dale Diaz.....Mississippi
- 22 Dave Donaldson.....GSMFC
- 23 John Greene.....Alabama
- 24 Kelly Lucas (designee for Jamie Miller).....Mississippi
- 25 Campo Matens.....Louisiana
- 26 Lance Robinson (designee for Robin Riechers).....Texas
- 27 Greg Stunz.....Texas
- 28 Ed Swindell.....Louisiana
- 29 Roy Williams.....Florida

STAFF

- 32 Steven Atran.....Senior Fishery Biologist
- 33 Douglas Gregory.....Executive Director
- 34 Karen Hoak.....Administrative and Financial Assistant
- 35 Ava Lasseter.....Anthropologist
- 36 Mara Levy.....NOAA General Counsel
- 37 Emily Muehlstein.....Fisheries Outreach Specialist
- 38 Ryan Rindone.....Fishery Biologist/SEDAR Liaison
- 39 Bernadine Roy.....Office Manager
- 40 Carrie Simmons.....Deputy Director

OTHER PARTICIPANTS

- 43 Pam Anderson.....PCBA, Panama City, FL
- 44 Patrick Banks.....LA
- 45 Steve Branstetter.....NMFS
- 46 J.P. Brooker.....Ocean Conservancy, St. Petersburg, FL
- 47 Gary Bryant.....Gulf Shores, AL
- 48 Chris Conklin.....SAFMC

1 Toby Gascon.....Baton Rouge, LA
2 Jim Green.....FL
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6 Bill Kelly.....FKCFA, FL
7 Mark Kinsey.....
8 Ed Lello.....Austin, TX
9 Kari MacLauchlin.....SAFMC
10 Clay Porch.....SEFSC
11 Brandi Reeder.....TPWD
12 Clarence Seymour.....

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14
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PAGE 9: Motion in Action 2-2 to establish Alternative 2 as the Gulf Council's preferred alternative. The motion carried on page 9.

PAGE 19: Motion in Action 4 that the preferred alternative be Alternative 2. The motion carried on page 25.

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PAGE 44: Motion in Action 8 to make Alternative 4, Options b and f the preferred alternative. The motion carried on page 45.

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1 The Mackerel Management Committee of the Gulf of Mexico Fishery
2 Management Council convened at the Doubletree by Hilton Hotel,
3 Austin, Texas, Monday afternoon, April 4, 2016, and was called
4 to order at 2:07 p.m. by Chairman Myron Fischer.

5
6 **ADOPTION OF AGENDA**
7 **APPROVAL OF MINUTES**
8 **ACTION GUIDE AND NEXT STEPS**
9

10 **CHAIRMAN MYRON FISCHER:** I am going to chair the Mackerel
11 Committee meeting today, and so would everyone turn to Tab C?
12 Item I is the Agenda. If any of you all are working off of
13 flash drives, I'm not exactly sure how computers work. I still
14 do paper, but it would probably be also Tab C, Number 1.

15
16 We will review the agenda. Upon review, we will accept a motion
17 for acceptance. We have a motion on the floor to accept the
18 agenda and we have a second. Do we have opposition to the
19 agenda as it's read? Yes, we have opposition.

20
21 **MR. CHRIS CONKLIN:** Thanks. I'm not on the committee, or your
22 council, but the agenda says we're taking final action on the
23 Mackerel Amendment Number 26, and we are not. It's not a final
24 action. I just wanted to clarify that.

25
26 **MS. MARTHA BADEMAN:** It is.

27
28 **MR. CONKLIN:** For this, but not for our council?

29
30 **CHAIRMAN FISCHER:** It's a final action for us. With
31 clarification, Item II on the agenda is Approval of the Minutes,
32 which is Tab C, Number 2. Has everyone gone through their
33 minutes? Did they see any corrections or additions or
34 deletions? Clay.

35
36 **DR. CLAY PORCH:** I'm sorry if I missed it. I'm not on your
37 committee, but I would like to add something to the agenda,
38 under Other Business.

39
40 **CHAIRMAN FISCHER:** Yes, we will go back to Item I and add
41 something under Other Business for Dr. Porch.

42
43 **DR. PORCH:** It's Mexico will be funded by the LME Program to
44 develop their fisheries statistics and participate in a joint
45 assessment of king mackerel in 2017 or 2018.

46
47 **CHAIRMAN FISCHER:** We have a new item under Other Business about
48 Mexican statistics involved in the assessment, briefly. With

1 that addition, and there is no objection to that addition, we
2 will move forward. Did we approve the minutes? We see no
3 changes, and we will accept the minutes as written.

4
5 Now we will go into the Action Guide and the Next Steps, which
6 that is Tab C, Number 3. Ryan, do you want to review where we
7 stand with this amendment and what we have to do, moving
8 forward?

9
10 **MR. RYAN RINDONE:** I certainly can, Mr. Chair. In Tab C, Number
11 3, you guys have your action guide here, and the main agenda
12 item is Number IV, which is Final Action for Coastal Migratory
13 Pelagics Amendment 26. The actionable final draft of that
14 document is Tab C, Number 4. The codified text is Number 4(a).
15 Public comments is Number 4(b) and the Law Enforcement Advisory
16 Panel comments, those will be just quickly verbally summarized
17 by Steven.

18
19 What you guys are going to be looking to do here is to discuss
20 the alternatives that are presented and affirm your current
21 preferreds and pick preferreds where they need to be picked and
22 review the codified text, which you might want to hold off on
23 until you get through any changes in preferreds that you might
24 have this time around, any selection of other preferreds.

25
26 Emily is going to go through the oral and written comments for
27 you, and Steven will go through the Law Enforcement Technical
28 Committee comments. Then, if you guys like the way it sits, you
29 can recommend it for secretarial review.

30
31 **CHAIRMAN FISCHER:** Thank you, Ryan, and, as we discussed just a
32 minute earlier, this is final action. However, it deems to go
33 final, all the preferred alternatives from the Gulf Council and
34 the South Atlantic Council have to match.

35
36 That doesn't mean we agree with the South Atlantic items, but we
37 just do what's best for the Gulf, what we deem best, and we will
38 move forward.

39
40 With all that, Item IV on the agenda is Final Action for Coastal
41 Migratory Pelagics Amendment 26, which includes changes in
42 allocation, stock boundaries, and sale provisions for Gulf of
43 Mexico and Atlantic migratory groups, et cetera, and, Ryan,
44 you're going to take us through this?

45
46 **MR. RINDONE:** I'm going to do it.

47
48 **CHAIRMAN FISCHER:** Thank you.

1
2 **FINAL ACTION FOR CMP AMENDMENT 26: CHANGES IN ALLOCATION, STOCK**
3 **BOUNDARIES, AND SALE PROVISIONS FOR GULF OF MEXICO AND ATLANTIC**
4 **MIGRATORY GROUPS OF KING MACKEREL**
5 **COMMITTEE RECOMMENDATIONS**
6

7 **MR. RINDONE:** Thank you, Mr. Chair. I will go ahead and start
8 at the top, since this is a final action situation, with Action
9 1. If you guys are looking on where to begin, I'm at page 7 in
10 the document. It's Chapter 2, Section 2.1.

11
12 Action 1 would adjust the management boundary for Gulf and
13 Atlantic migratory groups of kingfish, and, right now, the
14 council's current preferred alternative is Alternative 3, which
15 would establish a year-round boundary for separating the Gulf
16 and Atlantic migratory groups of king mackerel at the Miami-
17 Dade/Monroe County line, and the Gulf Council would be the
18 responsible management body for management measures within the
19 mixing zone year-round, and this is currently preferred by both
20 councils and both APs. Mr. Chair.

21
22 **CHAIRMAN FISCHER:** Thank you, Ryan. We've already agreed this
23 is our preferred. Seeing no hands up and no motions to possibly
24 make changes, I think we move forward, Ryan.

25
26 **MR. RINDONE:** All right. I will do it. Action 2 is on page 13,
27 and Action 2 is a two-part action that talks about updating the
28 reference points and revising the ACL and the recreational ACT
29 for Atlantic kingfish, and the two parts of this action, I will
30 begin with Action 2-1, which revises the acceptable biological
31 catch for Atlantic group kingfish.

32
33 Both councils' current preferred alternative here is Alternative
34 2, which would revise the ABC for Atlantic king mackerel for the
35 2016/2017 fishing season through the 2019/2020 fishing season
36 based on the acceptable biological catch levels recommended by
37 the SSC for ABC under the high-recruitment scenario.

38
39 You guys might remember some of our discussions about the
40 variations in recruitment for the Atlantic stock, where it was
41 down in recent years, but a lot of the fishermen have been
42 telling the South Atlantic Council and coming to public comment
43 periods saying that they're seeing a lot of smaller fish. Both
44 councils are in agreement right now that the high-recruitment
45 scenario for the acceptable biological catch is most
46 appropriate, and this is also preferred by both APs. Mr. Chair.

47
48 **CHAIRMAN FISCHER:** Thank you, Ryan, and this is the preferred

1 alternative of both councils, and is that correct?

2

3 **MR. RINDONE:** Yes.

4

5 **CHAIRMAN FISCHER:** Unless there's changes, we will move on.
6 Does anyone want to make a change? Thank you, committee. Ryan,
7 move on.

8

9 **MR. RINDONE:** Thank you, Mr. Chair. Action 2-2 begins on page
10 17, and this would revise the annual catch limits, commercial
11 quotas, and recreational annual catch target for Atlantic group
12 kingfish, and we have a difference in preferred alternatives
13 here.

14

15 The South Atlantic Council's current preferred alternative is
16 Alternative 2, which would revise the ACL and the recreational
17 ACT based on the ABC levels selected under Action 2-1, which is
18 that high-recruitment scenario. Alternative 2 would set the ACL
19 equal to optimum yield, which would be equal to the acceptable
20 biological catch, and the recreational ACT would be equal to
21 half of the ACL or one minus the percent standard error times
22 the ACL, whichever one is greater than that, and this is
23 recommended by the South Atlantic Council and the South Atlantic
24 AP. You can see how the landings shake out for that in Table
25 2.2.2.1.

26

27 **CHAIRMAN FISCHER:** Thank you, Ryan, and this would be reflected
28 in both regions, or is this strictly an Atlantic --

29

30 **MR. RINDONE:** This is just for the Atlantic stock. Currently,
31 the Gulf's preferred alternative is Alternative 3, however, and
32 that would set the ACL equal to the deterministic equilibrium
33 yield at F 30 percent SPR, which is 12.7 million pounds for the
34 projected time period, and this was originally the South
35 Atlantic Council's preferred alternative as well, and they
36 revised it at their last meeting to go from setting the equal to
37 that equilibrium yield to setting it equal to ABC. Again, just
38 as a quick refresher, both the Gulf and the Atlantic stocks of
39 kingfish are not overfished and are not undergoing overfishing,
40 and so that was one of the reasons why the South Atlantic
41 decided to go with ACL equals ABC. Mr. Chair.

42

43 **CHAIRMAN FISCHER:** Thank you. Dr. Crabtree.

44

45 **DR. ROY CRABTREE:** We changed the preferred on this one largely
46 after we had a group of King Mackerel AP members and fishermen
47 who came to the last council meeting. They felt very strongly
48 about it, and, after quite a bit of discussion, we felt like

1 Preferred Alternative 2 was still adequately conservative and
2 was set in a way that shouldn't create a problem for them, and
3 so we changed preferreds to try and accommodate those fishermen.
4

5 **CHAIRMAN FISCHER:** Thank you, Dr. Crabtree. Is there anyone who
6 wants further discussion or is prepared to make a motion to move
7 on this?
8

9 **DR. CRABTREE:** I will move that we establish Alternative 2 as
10 the Gulf preferred.
11

12 **CHAIRMAN FISCHER:** We have a motion by Roy Crabtree for
13 Alternative 2. Do we have a second?
14

15 **MS. BADEMAN:** I'll second it.
16

17 **CHAIRMAN FISCHER:** We have a second. Is there further
18 discussion? Yes, John.
19

20 **MR. JOHN SANCHEZ:** I will support this now in committee, but I'm
21 going to give it some thought, and maybe in full council -- I
22 don't know, but I kind of -- I have been a loud proponent of
23 getting a divorce from the South Atlantic on king mackerel. I
24 think that's a matter of record.
25

26 Once we've established a line at Dade/Monroe and we get that
27 point, I think it's ripe for moving forward and each of us doing
28 our own thing, in the interests of not having to kick things
29 back and forth and back and forth and getting things done in a
30 more efficient manner.
31

32 There is probably some things that in committee I may agree on
33 and I may change my mind a little bit when we get to full
34 council, because there's a couple of items here that when I'm
35 faced with the dilemma of do we do something to be expeditious
36 and get it done or do we do what I believe to be the right
37 thing, I think I'm inclined to err on doing the right thing.
38

39 **CHAIRMAN FISCHER:** Thank you, John. Further comments? Seeing
40 no further comments, we will vote on this item. The motion is
41 on the board that in Action 2-2 to establish Alternative 2 as
42 the Gulf Council's preferred alternative. We are ready to vote.
43 **Any opposed? No opposition and the motion carries.** Dale.
44

45 **MR. DALE DIAZ:** Thank you, Mr. Chair. I'm not on your
46 committee, but, Ryan, I just want to ask a question. I'm trying
47 to clear this up in my mind. Apparently there is some
48 additional fish that will be available to be harvested in the

1 fishery, and the fishing year for king mackerel starts on July 1
2 and ends on June 30 of every year, and is that correct?

3
4 **MR. RINDONE:** For the Western and Southern Zones, that's
5 correct. In the Northern Zone, it begins on October 1 and ends
6 the end of September.

7
8 **MR. DIAZ:** The pace that this document is on, I mean will the
9 fish actually be available in the 2016/2017 year, or will they
10 not be available until the following year? That's my question.

11
12 **MR. RINDONE:** If this document goes final at this meeting, like
13 if you guys are all in agreement on the same preferred
14 alternatives, and you guys submit it for secretarial review, it
15 will take us just a couple of weeks, tops, to get it all dressed
16 up to send over and transmit to the National Marine Fisheries
17 Service.

18
19 From there, there is approximately a six-month time period of
20 additional public comments and responses to those comments and
21 things that have to happen on their end before it can be made
22 into law, and so, whenever you're thinking about how long will
23 it be until this amendment that we've said final action becomes
24 law, take whatever date you said let's go final and add just a
25 touch more than six months, and that's when it would become law.

26
27 From an ACL perspective, in terms of that increase that we've
28 been talking about getting, if it goes final in April, you would
29 be looking at November or December before it becomes law. If
30 it's June, then you're looking at January or February or so. Is
31 that accurate?

32
33 **CHAIRMAN FISCHER:** Do you have further comment, Dale?

34
35 **MR. DIAZ:** A quick follow-up. But will the fish be available in
36 the 2016/2017 year, if everything gets approved by the
37 Secretary? Will they be available at the point it's approved,
38 or will it be the following fishing year before it's recognized?

39
40 **MR. RINDONE:** If the ACL has not been reached, like if the
41 sector ACLs have not been reached, then the Secretary and NMFS
42 can reopen the fishery after it's been closed, but if it has
43 been reached, then that wouldn't be the case.

44
45 Now, if you look at the landings history, the commercial sector
46 hovers right around about 100 percent of their ACL being landed
47 every year, and the recreational sector has been landing under,
48 and so the probability of their being extra fish to catch does

1 exist, but, again, it would just depend on what the landings
2 are, but it is possible.

3

4 **CHAIRMAN FISCHER:** Leann.

5

6 **MS. LEANN BOSARGE:** But I think Dale's question is -- Say in the
7 western Gulf, our season usually closes on, and it depends on
8 our catch rates, but somewhere around October-ish. Maybe we
9 might get into November, and so what he's saying is if that
10 season has been officially closed, if that notice has been sent
11 out, and this document goes final say in December, the end of
12 the year, which will increase the overall quotas for each of the
13 different areas, what is the game plan?

14

15 That excess quota, is there going to be a second season opened
16 up in each one of these different areas throughout the Gulf, or
17 is that quota going to hit July 1 or whatever the opening date
18 is for each of the different areas for that next fishing season?

19

20 **MR. RINDONE:** Yes, you could have a second season, so long as
21 the ACLs haven't already been met. If it goes final between now
22 or June or whatever and the fishery is closed, and then it's
23 implemented as law even as late as January or February, a second
24 season could be opened up at that point, so the Western Zone
25 could begin fishing again on whatever remaining quota that they
26 have, and the same for the Northern Zone and/or the Southern
27 Zone. Again, it's contingent on the ACLs not having been met
28 and NMFS reopening the fishery.

29

30 **CHAIRMAN FISCHER:** Doug Gregory.

31

32 **EXECUTIVE DIRECTOR DOUGLAS GREGORY:** My question is for Dr.
33 Crabtree. Is that decision just up to you as the Regional
34 Director, and does the council need to do anything to emphasize
35 their desire to have a second season if we don't take final
36 action until June, or does it depend on how much fish is
37 available to be taken at that point?

38

39 **DR. CRABTREE:** If we increase the quotas and there is enough
40 fish available to justify opening it up, then presumably we
41 would do that, if there is time available to do it. My
42 assumption would be that if it's possible to reopen the fishery
43 and let them catch the fish that that's what you would want.

44

45 **CHAIRMAN FISCHER:** Yes, John.

46

47 **MR. SANCHEZ:** To that point, given the realm of options and
48 resulting potential increases from whatever we decide to do,

1 about roughly how many additional fish would these increases
2 result to per zone or region or what have you? I would like to
3 get an idea of if we move forward, in the interest of being
4 expeditious and finishing this, what are we doing versus if we
5 don't? How many fish are we really not realizing in an increase
6 because we're delaying this by not being expeditious? Does
7 anybody understand that? Roughly how many more fish per area
8 are we talking about?

9
10 **CHAIRMAN FISCHER:** I wouldn't know who would have the answer.
11 Ryan.

12
13 **MR. RINDONE:** Thank you, Mr. Chair. The tricky side of the
14 equation is the recreational sector, with how the recreational
15 data are collected in the State of Florida, because the Florida
16 East Coast Zone, through Action 1, is now being considered to be
17 part of the Atlantic stock.

18
19 The landings from that zone are going to be more variable than
20 the commercial landings, which are fixed by zone ACLs, and those
21 are met every year, but, since the recreational sector hasn't
22 been landings its ACL, that becomes less of an issue. What
23 really I think is the numbers game is the commercial sector, and
24 so, all things being equal, assuming that the allocation stays
25 the same for the 2016/2017 fishing season, you would be looking
26 at an ACL of 9.21 million pounds for the Gulf, which is based on
27 your current preferred of Alternative 2 in Action 6, and, of
28 course, the three different commercial zone allocation scenarios
29 are in Action 7, and this is kind of jumping ahead, but I just
30 wanted to cover it, since it was asked.

31
32 The Western Zone could see a bump of anywhere from a 100,000 to
33 250,000 or almost 300,000 pounds, depending on which action is
34 picked, and this is from their current ACL by zone. The
35 northern zone could see a bump of anywhere from say 75,000
36 pounds to over 300,000 pounds, and then the Southern Zone hand
37 line and gillnet components, respectively, could see a bump of
38 approximately 75,000 to just about 200,000 pounds apiece, and so
39 that's what you would be looking at.

40
41 From a percentage standpoint, per zone, it's anywhere from a 10
42 percent to 200 percent increase in available fish. It's 10
43 percent for the Western Zone, at a minimum, up to 200 percent,
44 at a maximum, for the Northern Zone, just to give you a frame of
45 reference. Does that answer the question? Okay.

46
47 **CHAIRMAN FISCHER:** John, that answers it? Okay. Did we have
48 any more discussion on this point? Seeing no more discussion,

1 we will move forward. I think we're up to Action 3 on page 22,
2 Ryan, Incidental Catch of Atlantic Migratory Group King Mackerel
3 Caught in Shark Gillnets.

4
5 **MR. RINDONE:** Yes, Mr. Chair. This is another one of those
6 actions where you guys are currently in agreement. Action 3 is
7 Incidental Catch of Atlantic Kingfish Caught in the Small
8 Coastal Shark Gillnet Fishery, and this is a fishery of several
9 boats. It's less than ten. They might have been three and six
10 guys on each boat, and you guys' current preferred, which was
11 preferred between both councils and both APs, is Alternative 3,
12 which would allow the retention and sale of Atlantic kingfish
13 caught with gillnets as incidental catch in the gillnet portion
14 of the commercial shark fishery for any vessel with a valid
15 shark directed commercial permit and a valid federal king
16 mackerel commercial permit, and these king mackerel must be sold
17 to a dealer with the Southeast Federal Dealer Permit.

18
19 For shark gillnet trips in the Southern Zone in the Atlantic,
20 and, again, this is only for the Atlantic -- For shark gillnet
21 trips in the Atlantic Southern Zone, no more than two king
22 mackerel per crewmember can be onboard, and no more than two
23 king mackerel per crewmember can be sold from each of those
24 trips.

25
26 For gillnet trips in the Atlantic Northern Zone, no more than
27 three king mackerel per crewmember can be onboard or sold per
28 trip, and these limits, these two or three per crew, these are
29 reflective of the recreational bag limits that are in those
30 respective zones in the Atlantic. Mr. Chair.

31
32 **CHAIRMAN FISCHER:** Thank you, Ryan. So we have our preferreds.
33 Does anyone see a need to make changes? Seeing no comments, we
34 will move on to Action 4, which is Establish Commercial Split
35 Seasons for Atlantic Migratory Group King Mackerel in the
36 Atlantic Southern Zone, and this we will have to discuss. Ryan.

37
38 **MR. RINDONE:** Thank you, Mr. Chair. The Gulf Council's current
39 preferred alternative is Alternative 1, which is no action, and
40 this would maintain the current commercial fishing year in the
41 Atlantic, which is March 1 through the end of February, and the
42 Atlantic Southern Zone quota would be allocated for the entire
43 fishing year.

44
45 The South Atlantic's current preferred alternative, however, is
46 Alternative 2, which would allocate the Atlantic Southern Zone
47 quota for Atlantic kingfish into two split season quotas, where
48 60 percent of the Atlantic Southern Zone quota would be

1 allocated from March 1 through September 30, and that would be
2 designated as Season 1, and then 40 percent of the Atlantic
3 Southern Zone quota, or the remainder, would be allocated to the
4 period of October 1 through the end of February, and that would
5 be designated as Season 2.

6
7 Any remaining quota from Season 1 would automatically transfer
8 to Season 2. However, any quota leftover from Season 2 would
9 not transfer to the following year. When the quota for a season
10 is met or expected to be met, the commercial harvest of kingfish
11 in the Atlantic Southern Zone would be prohibited for the
12 remainder of that season.

13
14 To go down into some of the analyses here, if you look at Figure
15 2.4.1, you can see the monthly landings of Atlantic kingfish in
16 the Atlantic Southern Zone for the fishing year beginning in
17 1998 and ending in 2014.

18
19 You can see it trails off in the summer months there, starting
20 in August, through about November before it picks up again,
21 carrying into the spring, and during that period is also when we
22 know fishermen from the Atlantic travel to the Gulf, and Dr.
23 Kari MacLauchlin has done an analysis for the councils on the
24 traveling fishermen.

25
26 It's to give you guys a bit of an idea of how many travel and
27 the habits and whatnot, because I know this has been a concern
28 in the past, and so, Kari, if you want to pick up. This has
29 been provided to you guys in the briefing book as a handout
30 under Tab C, if you want to take a peek at it.

31
32 **DR. KARI MACLAUHLIN:** I'm Kari MacLauchlin from the South
33 Atlantic Council staff, and this, we will be including this in
34 the document. It was a really big dataset. It took me a lot
35 longer than I thought to process it and to kind of figure out
36 how to tell the story of the traveling fishermen, and so I
37 missed your briefing book deadline and that's why it's not in
38 the document, but it will be in there, and we also wanted to
39 share this with you and with the South Atlantic, so the South
40 Atlantic understands why this was a concern for your AP and for
41 the Gulf Council and kind of what's going on.

42
43 I asked the Science Center to give me data by month, by vessel,
44 by zone for the vessels that were home-ported in a county on the
45 Florida east coast, and so they provided that information. I
46 selected 531 commercial king mackerel permits that had their
47 home port listed as one of the counties on the Florida east
48 coast, and so there may be some that that's not completely

1 accurate, but that's hopefully going to capture the general
2 idea.

3

4 I sent those 531 vessel permit numbers to the Science Center,
5 and they sent me back the landings information from them. For
6 the most part, they're in Palm Beach, Brevard County, Miami-
7 Dade, St. Lucie, Indian River, Martin, and Broward, and the
8 primary communities are Jupiter, Miami, Port Canaveral,
9 Sebastian, Fort Pierce, and Port Salerno. Then there is kind of
10 these smaller clusters around Jacksonville and Mayport and
11 around Stuart and Ponce Inlet, over by Daytona.

12

13 In Table 1 in the document, this kind of just breaks down the
14 number of vessels so you can see where the king mackerel permits
15 are kind of associated with, and so then I took their
16 information, their logbook data, and it showed that, of the 531,
17 only 106 of them had landings from a Gulf zone from 2004 through
18 whatever I could get for 2015.

19

20 Only about a fifth of them have ever even gone over to the Gulf,
21 and then seventy-one of those had fewer than ten records, and so
22 really they only went one year or maybe two, and so a large
23 majority of the vessels only went one or two years.

24

25 I kind of was able to see a pattern and kind of a typology. If
26 you scroll down to the next page, to show Table 2, I gave them
27 kind of a name, the different groups. There were high-level,
28 medium-level, low-level, and very-low-level. Of the high,
29 that's ten. Medium are eleven. Those are people that went
30 maybe five or six years in the past few years. Low is maybe two
31 or three years, and then very-low is one year. Then not at all
32 is 425.

33

34 The high-participation traveling vessels, these are kind of like
35 a core group of vessels. These are the same guys that have been
36 going for a very long time, but they definitely have been going
37 every year for these twelve years that I have the data for, and
38 they have kind of a -- All of them, when you really looked at
39 their individual logbook information, this is part of their
40 annual fishing plan, and I have that.

41

42 If you scroll down a little bit, to where it says "potential
43 fishing year for the core traveling fishermen", in November,
44 they go -- They are fishing on the Florida east coast through
45 about February or March. Then in April or June, they're usually
46 on the Florida east coast and they're catching what is Atlantic
47 king mackerel at that point.

48

1 Then in July, they head to the Western Zone. Then they stay
2 there until that closes, and then they go to the Gulf Zone in
3 October. Then they had back around November. This is generally
4 what the low and some of the medium-level guys do, but that core
5 group, they go and they're probably always going to go. This is
6 just part of their business plan.

7
8 Table 3 shows the number of Florida east coast vessels that were
9 reporting catch from at least one Gulf zone, and this is what
10 the South Atlantic Council needed to see and what you guys have
11 been talking about.

12
13 You can see, in those earlier years, it's a smaller group. Then
14 around 2010 or 2011 or 2012, the numbers go up. These are the
15 number of vessels that fished in at least one of the Gulf zones
16 during that year or reported catch in one of those, and so in
17 the recent years, it has gone up.

18
19 Then Table 4 shows just the ones that went to the Northern
20 and/or the Western Zone, because it seemed that really looking
21 at their patterns -- Usually, if they went to the Western Zone,
22 they did stop on the way back in the Northern Zone, and probably
23 trailered back across.

24
25 Then I have it broken down. Table 5 is the Western Zone, and we
26 have a column that shows the number of the Florida east coast
27 vessels that reported catch from the Western Zone, and then I
28 have the Florida east coast Western Zone landings. Then the
29 next one compares that to the total Gulf Western Zone landings.

30
31 You can see, in that last column, all the way on the right, the
32 percent of the Gulf Western Zone landings that were attributed
33 to these Florida east coast vessels. Again, in these later
34 years, starting about 2010, it became a substantial amount of
35 the Gulf Western Zone quota.

36
37 Scrolling to Table 6, I just had this in here kind of as a
38 reference, the season length for the Gulf zones, but then I have
39 a graphic here, Figure 1, and this shows the number of the
40 Florida east coast vessels with king mackerel catch from the
41 Western Zone each fishing year compared to the commercial
42 landings of Atlantic king mackerel, and so you can see that --

43
44 The orange is the king mackerel landings, which in recent years,
45 since about 2011 to 2013, the landings have gone down, and this
46 was one of the concerns when the council was trying to decide
47 which ACL to select, but there is some indication that this is
48 just part of the dynamics of the stock, but, when those landings

1 go down, the blue line is the number of vessels that travel to
2 the Western Zone, and that goes up. There seems to be a
3 relationship between how landings are going on the Florida east
4 coast and how many vessels travel to the Western and the
5 Northern Zones.

6
7 I also compared that, in the next figure, to just those winter
8 landings on the Florida east coast, and there doesn't seem to be
9 a very specific pattern.

10
11 There is still a lot of information that I can pull out and
12 eventually maybe I can come back and present kind of a full-
13 blown down the road, but this is just the information that you
14 guys maybe can use, and that's it.

15
16 **CHAIRMAN FISCHER:** Thank you very much for the presentation. It
17 was well received. I think this proves the hypothesis that Mr.
18 Perret has been telling us for ages, of these traveling
19 fishermen coming to the western Gulf. To that, we will open for
20 questions. We have John Sanchez.

21
22 **MR. SANCHEZ:** Thank you. I guess it kind of shows -- The graph
23 indicates to me that, depending on the motivation, upwards of
24 ten boats, as high as I guess thirty-something, given the year,
25 will elect to become traveling fishermen, but, noticing the high
26 frequency as far as monthly catch records, high of ten, it seems
27 like even with just ten going, and those ten appear to be going
28 every year no matter what. They have made that conscious choice
29 to have that be part of their fishing approach.

30
31 They may be capable of catching up to 40 or 50 percent of that
32 western quota, just those ten boats going anyway, and then,
33 given how the Atlantic opportunities shake out, you might get
34 another twenty boats joining them. It's just the luck of the
35 draw.

36
37 That kind of tells me that, with that much of an impact to the
38 western quota, we can have split seasons and all these things
39 that the South Atlantic may desire, and it makes no difference
40 to me. If that's what you want to do, do it, but I don't think
41 that's going to dissuade those ten boats that are demonstrating
42 they're capable of catching a good percentage of that western
43 quota from doing that anyway.

44
45 **CHAIRMAN FISCHER:** Thank you, John. Martha.

46
47 **MS. BADEMAN:** It may not dissuade those boats, but the Atlantic
48 is slated to get a pretty big chunk of quota if this moves

1 forward, and so I would imagine at least the ones that are kind
2 of on the cusp -- If they can make money at home, then why drive
3 over to Louisiana?

4
5 **CHAIRMAN FISCHER:** Let me get Doug and then come back to you,
6 John.

7
8 **MR. DOUG BOYD:** Thank you for your report. Of the high-travel
9 boats, the ten or so boats, is there a common denominator
10 between those boats, like the same ownership or do they all sell
11 to the same fish house?

12
13 **DR. MACLAUHLIN:** I don't know who they sell to. They're pretty
14 easy to find. I mean they come to our meetings, and we know, in
15 general, who the traveling fishermen are. I don't believe -- I
16 believe they are all individually-owned vessels, but I can
17 provide that information, a little more qualitative information,
18 about what they do at a later time.

19
20 **MR. BOYD:** Thank you.

21
22 **CHAIRMAN FISCHER:** Thank you. South Atlantic Chris.

23
24 **MR. CONKLIN:** Thanks. To your point, Doug, we had some sidebar
25 conversations, and a lot of the guys that are coming up wanting
26 this allocation split season here said that a lot of the
27 traveling boats, like the bigger boats, where the guys can
28 travel on them and actually stay on the boats, sleep on them,
29 because a lot of the other guys that trailer their boats have to
30 stay in hotel rooms and stuff like that, and so it's not
31 profitable for them to do that if the weather is bad and they
32 can't hold as much stuff. It really cuts into your expenses if
33 you have to spend money on lodging, and so maybe that could be a
34 reason why it's a lower number, because they're bigger boats
35 that do that.

36
37 Then just another thing to this split season, with the 60/40
38 here, it pretty much mirrors what we've already got in place on
39 our side. You see the tables of the past five years, where the
40 fishermen have been traveling more and more over to the Gulf
41 zone.

42
43 If we do get a quota increase by setting ACL and ABC equal, like
44 Martha said, guys staying home might not have as much of an
45 incentive, and I can see where John's concerns with ten boats
46 being real efficient, but that's something we're going to have
47 to take care of on down the road. It's not going to go -- I
48 don't think we can do that in this one, but if we can have quota

1 to catch in the first part of the year for those winter
2 fisheries, we won't be having to travel over to the Gulf zones.
3 Thank you.

4
5 **CHAIRMAN FISCHER:** Thank you. If I could ask a question from
6 either. Do you all hear of any boats higher than the
7 Jacksonville area, from the Carolinas, coming into the Gulf to
8 fish?

9
10 **DR. MACLAUHLIN:** I would have to probably pull the data. I
11 don't know of anybody who is coming to speak, but Chris can
12 maybe talk about the South Carolina boats.

13
14 **MR. CONKLIN:** From pretty much the Florida line north, there is
15 not much really going on throughout Georgia and the Carolinas.
16 A lot of the permits have even moved just down to Florida,
17 period. A lot of guys have sold their permits, in my area,
18 because the fish just don't swim by anymore like they used to.
19 I think that Ben and those guys, the guys from Jupiter south,
20 that's pretty much the core group of traveling guys.

21
22 **CHAIRMAN FISCHER:** Thank you. Do we have any other comments or
23 questions at this time? We do thank you very much for the
24 presentation. This leaves us with Action 4, with Gulf Preferred
25 Alternative 1 and South Atlantic Preferred Alternative 2. We
26 either have to move forward on making a decision here or bounce
27 it back to the South Atlantic. Committee? Martha.

28
29 **MS. BADEMAN:** I will give it a try for the South Atlantic. I
30 would move that in Action 4 that the preferred alternative be
31 Alternative 2.

32
33 **CHAIRMAN FISCHER:** We have a motion. Do we see a second? It's
34 seconded by Roy. Is there discussion? Doug.

35
36 **MR. BOYD:** I have a question, more than anything, and, Myron, I
37 will direct it to you. What negative effect do you see in the
38 Gulf and to Louisiana and our upper coast by approving this
39 Alternative 2?

40
41 **CHAIRMAN FISCHER:** I will deflect this to Ryan, but what I see
42 is if they run out of that 60 percent quota early on, in July,
43 and the season doesn't open in October, that won't deter the
44 boats from coming to the Gulf. It's only if that 60 percent
45 quota stretches them into August, where it might not be
46 worthwhile coming for a month or six weeks. Ryan.

47
48 **MR. RINDONE:** Thank you, Mr. Chair. In the last five or six

1 years or so, neither the commercial nor the recreational sector
2 on the Atlantic has been landing their ACL of kingfish, but they
3 have noted, or they've been telling the South Atlantic Council,
4 that they are seeing a lot of younger fish, more so than they've
5 seen in recent years, and they think that might be indicative of
6 a large recruit class coming through.

7
8 If you look back in Action 2-1, the current ABC for both sectors
9 combined in the Atlantic is 10.46 million pounds. With the
10 absorption of the Florida East Coast Zone, combined with the
11 fact that they have a healthy fishery over there, not overfished
12 or undergoing overfishing, the ABCs that both councils have
13 agreed to, say for the 2016/2017 fishing season, are 17.4
14 million pounds. For the next year, it's 15.8 and then 14.1 and
15 then 12.7.

16
17 Again, that declining yield right there is indicative of a
18 healthy fishery, where there is a surplus of fish that have been
19 left in the water, and the stock assessment is assuming that you
20 are going to catch all of those fish each year. If they're not
21 caught, then that surplus would continue some.

22
23 If you go back to Action 2-2, to where you guys made a
24 recommendation for Alternative 2, for setting the ACL equal to
25 the ABC, the results of that are reflected in that Table
26 2.2.2.1. The commercial sector would be getting a sizeable
27 increase in the amount of fish that they're able to have now,
28 and so you kind of have to take that information and then you
29 overlay it with the figure in Action 4, Figure 2.4.1, and so you
30 think about the amount of fish that they're going to have
31 available to them.

32
33 Let's say it's six-and-a-half million pounds for 2016/2017, and
34 then you go to Action 4 and you think about 60 percent of that
35 six-and-a-half million pounds being allocated to the first chunk
36 of the season, which is from March through the end of September,
37 and you think about what the landings look like.

38
39 It's approximately 60 percent of their fish are landed in that
40 time period, and then the remaining 40 percent or so are landed
41 in what they are considering to be their second season, and so
42 that's where those values came from as far as like the 60/40.

43
44 It was a general amount of landings that they have a history of
45 taking during those time periods, but, in this case, it's the
46 same trend in landings, but there is many more fish that are
47 going to be available to them, and so their thought, from their
48 AP comments anyway, was that, by increasing the ACL and setting

1 the ACL equal to ABC, that they thought it might discourage some
2 of the traveling guys from traveling, because there would be
3 more fish available for them to take, as Mr. Conklin had said
4 and as Kari had mentioned.

5
6 If they don't take all those fish, which, based on the fact that
7 they've been underfishing in recent years is entirely possible,
8 then they could have even more fish available to them in Season
9 2, and that coincides with the lead-up coming up towards Lent,
10 which begins in March or April, depending on when Easter falls.
11 I don't know if that gives you enough information to answer your
12 question.

13
14 They're going to have an awful lot more fish than they have now
15 is the short of it, and the percent apportionment for Season 1
16 and Season 2 reflect their landings trends that they already
17 have.

18
19 **CHAIRMAN FISCHER:** Is that satisfactory?

20
21 **MR. BOYD:** I am just trying to decide how this alternative could
22 hurt the Gulf, and I don't see that it hurts the Gulf.

23
24 **CHAIRMAN FISCHER:** I would agree, and if you look at the dip in
25 landings in the summer, it's almost the same as the Gulf
26 preferred, which is status quo, because they won't have the
27 fish. I'm hoping that if they have more fish spread out that
28 they stay home.

29
30 **MR. BOYD:** That's my point, too. Thank you.

31
32 **CHAIRMAN FISCHER:** I had Roy next and then Chris and then Leann.

33
34 **DR. CRABTREE:** Yes, and, after talking with some of these guys,
35 some of the traveling guys, I don't really think this is going
36 to have any effect on the Gulf. I mean you can look at when the
37 fish are there, and if they get into those late summer months
38 and the fish aren't there, even if they can't catch their quota
39 for the year when the fish aren't there, some of those guys are
40 going to travel, and there's some of them that have been coming
41 to the Gulf for a lot of years, and that's what they do, and I
42 think they're going to keep doing that.

43
44 They come over there because they go where the fish are. That's
45 all they do, is king mackerel fish, and when the fish are gone
46 where they live, they are going to go. It's a relatively small
47 number of boats.

48

1 I talked to some guys who have come to the Gulf one time, and
2 they don't have any interest in coming back, but there are some
3 of them, like Kari said, that that's what they do and that's
4 their plan. They do it every year, and I expect they're going
5 to keep doing it, but I don't really think this particular
6 action is going to change that one way or another.

7

8 **CHAIRMAN FISCHER:** Thank you, Roy. Chris.

9

10 **MR. CONKLIN:** Thanks, and to the point of that discussion, you
11 know in Action 5, we've got some stuff coming up to further
12 constrain the rate of catch in the South Atlantic, on the east
13 side, and so I mean there's some options there to where we're
14 not going to be blowing out the marketplace or anything. It's
15 fifty and seventy-five fish options. It's to further constrain
16 the catch to make sure that we're not flooding the market.

17

18 **CHAIRMAN FISCHER:** Thank you. Leann.

19

20 **MS. BOSARGE:** Ryan, you said something that somehow, in all the
21 discussion on this document, I have missed prior to this, and so
22 you said that the South Atlantic commercial guys had not been
23 hitting their allocation? In other words, they have been
24 slightly underfishing what was allocated to them?

25

26 **MR. RINDONE:** Not in recent years, and that was part of the
27 concern that brought about the high, medium, and low ABC
28 recruitment scenarios that were presented to the South Atlantic
29 to choose from, and all the varying levels of ACLs that they
30 could choose from, was because there was uncertainty about the
31 recruitment.

32

33 However, the stock was still reported by the stock assessment to
34 be healthy, and, because of them not hitting their ACL, that was
35 where some of those concerns came from, but the fishermen over
36 there are saying that they think that there's a good year class
37 coming through, and so the South Atlantic Council is agreeing
38 with them, with their preferred alternatives.

39

40 **CHAIRMAN FISCHER:** Leann.

41

42 **MS. BOSARGE:** I guess that makes a little more sense, because I
43 was thinking that the purpose of this split season was to draw
44 the season out, essentially, to make sure they had fish for both
45 peak times, but if they're not hitting their quota, I don't
46 guess that's really the purpose. It just sounds like they've
47 got fish that they never catch.

48

1 When we originally looked at this, and I really haven't decided
2 which way I'm going to lean on this yet, but, when we originally
3 looked at it, the fear on the Gulf side was if you have a hard
4 closure in the South Atlantic, you know there is quota out there
5 that could be caught, but you actually have a hard closure, due
6 to the split season, then nobody has the option to go fish at
7 those lower CPUEs, and we may start to see these traveling
8 fishermen back up at these 41, 50, 46 levels. In some of those
9 years, they are hitting -- In 2014/2015, which is pretty recent,
10 the traveling fishermen landed 70.9 percent. I mean that's a
11 lot of the western zone quota, of the Gulf quota.

12
13 Now, having said that, the other part of me says, well, you come
14 from a background of the shrimp fishery and we travel. That's
15 what we do. We go where the shrimp are and what's wrong with
16 that, but I guess the part that bothers me is that we're here to
17 manage the Gulf fishery, and I see some issues in that western
18 zone, where we have fishermen here that want to catch their
19 quota, but some things that we've done in the past, where we've
20 acquiesced to what the South Atlantic wanted, is preventing our
21 own fishermen from being able to harvest that quota, and it's
22 allowing this 50 or 70 percent of the quota right out their back
23 door to be landed by traveling fishermen, and so sometimes I
24 feel -- That's why I'm not sure what I want to do about this
25 yet. There is my spiel for the day.

26
27 **CHAIRMAN FISCHER:** Thank you, Leann.

28
29 **DR. MACLAUHLIN:** I just think, kind of to explain and to
30 explain where our AP came from, one thing is that this mirrors
31 the current system that's in place, because, in a way, they're
32 kind of set up in a split season, because they switch to Gulf
33 king mackerel for the winter, and so they always have a quota in
34 the winter.

35
36 Landings have been going down, but what we heard from our AP and
37 from our fishermen and why they so strongly advocated to set the
38 ACL equal to the high-recruitment ABC, the highest level, is
39 because of what they're seeing on the water, and they do feel
40 like when we go back and review the recruitment information that
41 it will show that there are some strong year classes coming in
42 and that the landings will go up, because the fish will be more
43 available.

44
45 With the highest ACL and the trip limits in Action 5 that you're
46 about to review, hopefully it will extend the season on that
47 side and keep those guys that maybe only go to the Gulf when
48 there is no enough fish on the Florida east coast.

1
2 However, if the fish aren't there, then an ACL doesn't matter,
3 and that's kind of what has been happening in recent years.
4 However, if it is the conditions that the fishermen feel like it
5 is, and hopefully, when we look at the data, it will indicate
6 that, that it is a high-recruitment period and the fish are
7 going to be available. Then they're going to fish and fish it
8 hard, and they're probably going to close early.

9
10 I guess that is what you guys have to consider and kind of where
11 our AP was coming from. When they said they felt like having a
12 year-round ACL would increase the chances that January and
13 February would be closed and then they definitely would go,
14 because they really need the fish during that time, but, with
15 the split season, you know for sure that they're going to stay
16 on the Florida east coast in the winter and the ones that only
17 go when they need to, they would likely not go if it wasn't
18 going to close for Season 1.

19
20 **CHAIRMAN FISCHER:** Thank you. Do we have further discussion?
21 David.

22
23 **MR. WALKER:** Just about the traveling fishermen, how many --
24 From the Gulf region, how many of those traveling fishermen are
25 following the fish to the Atlantic?

26
27 **CHAIRMAN FISCHER:** Ryan, do you have that answer?

28
29 **MR. RINDONE:** We have only ever heard of a couple of guys going
30 from the Gulf to the Atlantic to fish. It doesn't mean that
31 there aren't more of them, but this analysis focused on permits
32 that were home-ported on the Atlantic that fished in the Gulf.
33 Now, certainly we could do the opposite of that and see, but,
34 again, it's only been very occasionally that we've ever even
35 heard of anyone doing that.

36
37 **CHAIRMAN FISCHER:** Thank you, Ryan. That's the same as I heard
38 echoed. Do you have a follow-up?

39
40 **MR. WALKER:** I was just going to say that I don't know of any
41 from the Western Zone traveling to where these fish are. When
42 their quota is caught up, they're done. That's just my point.

43
44 **CHAIRMAN FISCHER:** Okay, David. We still have a motion on the
45 floor. If we don't have any further discussion, we're going to
46 have to vote on it. Seeing no discussion, we must be ready to
47 vote. We will use a show of hands. **All in favor of Action 4,**
48 **the preferred alternative be Alternative 2, and I hope I don't**

1 have to read it, to allocate --

2

3 **MR. RINDONE:** I will read it.

4

5 **CHAIRMAN FISCHER:** Thank you, Ryan.

6

7 **MR. RINDONE:** Allocate the Atlantic Southern Zone quota for
8 Atlantic king mackerel into two split season quotas, 60 percent
9 to the period of March 1 through September 30, or Season 1, and
10 40 percent to the period of October 1 through the end of
11 February, or Season 2. Any remaining quota from Season 1 will
12 transfer to Season 2. Any remaining quota from Season 2 would
13 not be carried forward. When the quota for the season is met or
14 expected to be met, the commercial harvest of king mackerel in
15 the Atlantic Southern Zone will be prohibited for the remainder
16 of the season. Mr. Chair.

17

18 **CHAIRMAN FISCHER:** Thank you. That's the motion. We're ready
19 to vote. **All in favor of the motion, a show of hands.**

20

21 **MR. RINDONE:** Four.

22

23 **CHAIRMAN FISCHER:** Opposition, a show of hands.

24

25 **MR. RINDONE:** One.

26

27 **CHAIRMAN FISCHER:** The motion carries. Ryan, are you prepared
28 to move forward?

29

30 **MR. RINDONE:** Yes, sir. We will move on to Action 5, which is
31 on page 29. Action 5 would establish a trip limit system for
32 the Atlantic Southern Zone, and the Gulf Council hasn't seen
33 this action with the South Atlantic preferreds yet, but we did
34 go through it at the last meeting.

35

36 The South Atlantic's AP preferred is Alternative 2, which states
37 that in the Atlantic Southern Zone that the trip limit north of
38 the Flagler/Volusia County line will be 3,500 pounds. For the
39 area south of the Flagler/Volusia County line, there would be a
40 year-round trip limit of seventy-five fish per vessel for
41 Atlantic kingfish.

42

43 The South Atlantic Council's preferred alternative, or one of
44 them anyway, is Alternative 3, which states that in the Atlantic
45 Southern Zone the trip limit north of the Flagler/Volusia line
46 would be 3,500 pounds. Then, for the area south of that line,
47 it would establish a fifty-fish trip limit for the month of
48 March and then a seventy-five-fish trip limit for the remainder

1 of Season 1, as designated in Action 4.

2
3 There are two options here for Alternative 3. Option 3a states
4 that beginning on August 1, and continuing through the end of
5 Season 1, which at this point is through September 30, if 75
6 percent of the Season 1 quota has been taken, the trip limit is
7 reduced to fifty fish. Then the South Atlantic Council's
8 preferred for Alternative 3 is Option 3b, which states at any
9 time during Season 1, which is March 1 through September 30, if
10 75 percent of the Season 1 quota has been taken, the trip limit
11 automatically reduces to fifty fish.

12
13 The South Atlantic Council also prefers Alternative 4, which
14 states that in the Atlantic Southern Zone that the trip limit
15 north of the Flagler/Volusia County line would be 3,500 pounds.
16 For the area south of that line, it would establish a fifty-fish
17 trip limit for Season 2, which is from November through the end
18 of February.

19
20 The South Atlantic prefers Option 4a for Alternative 4, which
21 states that, beginning on February 1 and continuing through the
22 end of February, that if 70 percent or more of the Season 2
23 quota has been taken, the trip limit remains fifty fish.
24 However, if less than 70 percent of the Season 2 quota has been
25 taken, then the trip limit is increased to seventy-five fish,
26 and this is also preferred by the South Atlantic's AP.

27
28 Option 4b has the same if 70 percent or if less than 70 percent
29 metrics to it, but it applies for all of January and February.
30 Then Option 4c is the same as Option 4a, except it states that
31 if 80 percent or more of the quota has been taken, that stays
32 fifty fish, or, if less than 80 percent, then it's increased to
33 seventy-five fish. Mr. Chair.

34
35 **CHAIRMAN FISCHER:** Thank you, Ryan. Are there any questions?
36 Any discussion, because this is another item that we're going to
37 have to move forward on, and I think I would like to let Chris
38 speak, and maybe he's unprepared to, but on the differences
39 between why the fishermen are choosing a simpler looking system,
40 where you don't need a calculator, versus the council's
41 position, if you had any light to shed on it.

42
43 **MR. CONKLIN:** Can you ask that question one more time?

44
45 **CHAIRMAN FISCHER:** It just appeared that what the fishermen and
46 what the AP was looking into might be somewhat simpler than what
47 the council had chosen.

48

1 **MR. CONKLIN:** Okay, and so what the council has chosen is a
2 direct product of discussion from the AP members and other
3 fishermen that had changed their minds in between the AP meeting
4 and the council meeting. Am I correct in saying that, Kari?
5 This is a tailored approach to further limit their catch and
6 make sure that the market stays strong and that they have fish
7 to catch year-round.

8
9 **CHAIRMAN FISCHER:** I didn't mean to say it negatively. I would
10 actually support it. If it's what the fishermen in that region
11 want, because this is not in the Gulf region. It's in the
12 Flagler/Volusia area. We do have to have -- Before we move
13 forward, we have to have concurrent resolution on these
14 preferreds. It doesn't mean we have to choose. We can ping-
15 pong it back to the South Atlantic, but this is not in the Gulf
16 region. Any discussion on this item? Evidentially we -- We
17 need a motion to move forward on a preferred.

18
19 **MR. RINDONE:** That's correct

20
21 **CHAIRMAN FISCHER:** Would any committee member desire to create a
22 preferred? Roy, are you prepared?

23
24 **DR. CRABTREE:** Yes, and so I will move that we concur with the
25 South Atlantic Council and select Alternative 3, Option 3b and
26 Alternative 4, Option 4a as preferred.

27
28 **CHAIRMAN FISCHER:** Thank you, Roy. Do we have a second? We
29 have a second by Martha. Do we have further discussion?
30 Martha.

31
32 **MS. BADEMAN:** I am going to support it. I think the idea here,
33 again, is to keep the trip limits low so that the season stays
34 open. Again, maybe that will help the people that are wondering
35 if they want to come over to the Gulf to stay over in the
36 Atlantic.

37
38 **CHAIRMAN FISCHER:** Thank you. Any other discussion? Seeing no
39 discussion, as soon as the motion is typed up, we will be
40 prepared to vote. We have a motion that in Action 5 to concur
41 with the South Atlantic Council to select Alternative 3, Option
42 3b, and Alternative 4, Option 4a as Gulf preferred. **All in**
43 **favor of such motion, say aye; opposed. The motion carries.** We
44 will move on to Action 6, to Modify the ACL for the Gulf
45 Migratory Group. Ryan.

46
47 **MR. RINDONE:** Thank you, Mr. Chair. Action 6 is on page 32. At
48 this point, I'm going to start asking Emily to share some of the

1 comments. In Action 6, both councils current prefer Alternative
2 2, which would set the Gulf migratory group kingfish ACL equal
3 to the ABC, as was recommended by the Gulf's SSC. We have
4 deleted the 2015/2016 fishing season from that table, since this
5 document wouldn't be implemented in time for that particular
6 projection to take effect, and so you're seeing the fishing
7 years starting in 2016 and beyond. Emily.

8
9 **MS. EMILY MUEHLSTEIN:** Thanks, Ryan. I have actually broken up
10 the public comment that we got from both our public hearings and
11 the online comments that we received. Just to backtrack, we had
12 a whole group of actions that were skipped, but in Action 1, the
13 public supported what you guys chose to do, which is keep the
14 current preferred, which would shift that boundary, as
15 recommended by the stock assessment.

16
17 From here on, on each action we go through, I'm going to go
18 ahead and just give you a summary of the comment that we heard
19 for that action from both the public hearings and the written
20 comment. Then, once we're done going through the document,
21 there's some extra comments I would like to add in, if that's
22 okay.

23
24 For Action 6, there was support expressed for the Preferred
25 Alternative 2, to set the ACL equal to the ABC. The catch limit
26 should be as high as possible, so that fish aren't wasted.

27
28 **MR. RINDONE:** Thanks, Emily, and Myron has asked me to explain
29 why the ABC projections decrease each year. Again, this goes
30 back to us having a healthy fishery and not having landed the
31 stock's combined ACL for many years, and so we have this surplus
32 of fish which exists in the fishery, and the stock assessment is
33 assuming, and I guess in a way permitting, the fishermen to go
34 out and catch those fish.

35
36 For instance, for the 2016 fishing year, the stock assessment is
37 assuming that you guys are going to catch 9.21 million pounds,
38 every last ounce of it, and, based on that, the 2017/2018
39 fishing season, the ABC is 8.8 million pounds. Then it goes
40 down from there until we reach that equilibrium yield, where we
41 can fish in perpetuity at approximately the same level.

42
43 If underfishing, if you will, occurs in any given year, then the
44 following year's ABC projection may be artificially low, if the
45 stock is still considered to be healthy. Again, the stock
46 assessment is the way that we determine that, but that's why
47 those projections are going down, is because you're fishing down
48 that glut to that equilibrium level. Does that make sense to

1 everybody?

2

3 **CHAIRMAN FISCHER:** Thank you, Ryan, and didn't we already vote
4 on our preferred alternative on this action?

5

6 **MR. RINDONE:** That's correct, Mr. Chair. You guys currently
7 prefer Alternative 2.

8

9 **CHAIRMAN FISCHER:** Unless we see a reason to change, which I
10 don't see any hands up, we will accept this as our preferred and
11 move on, Ryan.

12

13 **MR. RINDONE:** Thank you, Mr. Chair. Action 7, which is on page
14 35, talks about revising the commercial zone quotas for Gulf
15 migratory group kingfish, and we have four alternatives here,
16 but both councils currently prefer Alternative 4, which would
17 revise the commercial zone quotas for Gulf migratory group king
18 mackerel as follows. It's 40 percent for the Gulf Western Zone,
19 18 percent for the Northern Zone, and 21 percent apiece for the
20 Southern Zone hand line component and the Southern Zone gillnet
21 component. This is preferred by both council APs as well, and
22 this is the alternative that the AP crafted at their meeting
23 last March, I think it was.

24

25 **CHAIRMAN FISCHER:** Thank you, Ryan. On page 36, there is a
26 chart that shows you what the different alternatives would give
27 to each zone, and if we were going to entertain a motion to make
28 an adjustment to our preferred or if we're going to move on.

29

30 **MS. MUEHLSTEIN:** If you don't mind, I can give you the public
31 hearing summary that we heard about this action specifically.
32 There was some controversy here. There was some support
33 expressed for the preferred alternative, which would use those
34 zone quotas that were crafted by the APs. There was also
35 support for Alternative 3. Mostly, this was from our Southern
36 Zone fishermen, who thought that the make-up of our Gulf AP was
37 not representative of the Gulf and how many folks there are
38 fishing.

39

40 I think they said that there was one or two members on our AP
41 from the Southern Zone, and felt like that wasn't a fair
42 representation, and there was like nine from the Northern Zone
43 or something, and so the guys in that area expressed a lot of
44 concern, and they would prefer that the council choose
45 Alternative 3, which would revise the commercial zone quotas
46 sort of proportionally for what they get already. Thank you.

47

48 **CHAIRMAN FISCHER:** Thank you, Emily, and, Ryan, could you

1 further expand on Alternative 3 and if it would proportionately
2 allocate this excess quota to the individual zones based on
3 their historic level of quota?

4
5 **MR. RINDONE:** Sure, and thank you, Mr. Chair. When we say
6 "proportional", what we're doing is -- If you look in Table
7 2.7.2, you see the current commercial zone quota percentages,
8 based on what we have now, and the Florida East Coast Zone,
9 which at this point we're still considering to be part of the
10 Gulf migratory group, has close to 32 percent of the Gulf
11 commercial ACL.

12
13 The stock assessment told us that those fish are actually
14 Atlantic migratory group fish, and you guys agreed with that,
15 with your selection of Alternative 3 in Action 1, with redrawing
16 the stock boundary lines where the stock assessment suggested.

17
18 When we're looking at how we calculate that proportional value,
19 we're basically summing the 31 percent from the Western Zone,
20 the roughly 5 percent from the Northern Zone, and the roughly 16
21 percent from each of the components of the Southern Zone hand
22 line and gillnets, and that gives us approximately 68 percent.

23
24 To get the 45.53 percent you see for the Western Zone under
25 Alternative 3, what we're doing is we're taking the Western
26 Zone's current 31 percent and dividing it by 68 percent, and so
27 basically that's the Western Zone's portion of the remaining
28 pie, once you remove the Florida East Coast zone, and that
29 Florida East Coast Zone portion is what we're dividing up into
30 additional slices to give to the remaining zones. It would be
31 very delicious to have pie right now to show you guys this in a
32 visual way, but does that make sense?

33
34 It's basically the remaining -- You take the zone's current
35 commercial quota and you divide it by the amount of the total,
36 less the Florida East Coast Zone, and then you get that zone's
37 proportion of the commercial ACL. If you sum up any of
38 Alternatives 2 through 4, you're going to get 100 percent.

39
40 **CHAIRMAN FISCHER:** Thank you, Ryan. In a sense, you're just
41 taking the old existing ratio of the zones and taking that 31.9
42 bonus and dividing it up by the equal ratio of what it was
43 historically. That makes sense. That's not our -- This is not
44 our preferred alternative.

45
46 Presently, the council has Alternative 4 as the preferred
47 alternative, based on some AP comments. Does the committee want
48 to stay put? Does anybody want to move differently? John.

1
2 **MR. SANCHEZ:** I will make a motion, really because I have a
3 question, but I guess I will make a motion. I would like to see
4 Alternative 3 be the preferred, only because everything we've
5 ever done here has been historical, and this is in line with
6 that.

7
8 **CHAIRMAN FISCHER:** We have a motion by John Sanchez to make
9 Alternative 3 under Action 7 our preferred. Do we have a
10 second? Leann seconds. Any further discussion? John.

11
12 **MR. SANCHEZ:** Being that this is a Gulf issue, and now we're
13 addressing it amongst ourselves, if you will, what does this do
14 to the document now that we're going to part ways with the
15 Atlantic? Is this going to derail this from being expeditious
16 by doing this? Not that it really ultimately matters to me. I
17 would rather do the right thing, but I would like to know, so I
18 could weigh that out in my deliberations.

19
20 **CHAIRMAN FISCHER:** If we don't match, and Ryan could expand on
21 this, but if we don't match the South Atlantic, it would bounce
22 it back in their court for their next meeting. Roy.

23
24 **DR. CRABTREE:** At the South Atlantic Council meeting, we talked
25 about this one, and we essentially deferred to the Gulf Council
26 and went along with what you had set as the preferred, and so
27 yes, if you change it, it would have to go back to the South
28 Atlantic, but I hear what you're saying about the historical
29 proportions, but we had a lot of discussion about the feeling
30 that the Northern Zone had been under-allocated initially and
31 there were a lot of problems there, and so that was one of the
32 reasons we went with the current preferred alternative, to try
33 and restore some additional allocation to the Northern Zone, and
34 so I mean that was a conscious decision we made at the last
35 couple of council meetings.

36
37 **CHAIRMAN FISCHER:** Thank you, Roy. Dale.

38
39 **MR. DIAZ:** Thank you, Mr. Chair. I'm not on your committee, but
40 I'm trying to follow this closely, so I will know what to do
41 when we get to full council. I thought Chris said at the
42 beginning of the meeting that the South Atlantic had not gone
43 final yet, and so, if that's correct, then they're still going
44 to take this up at their next meeting anyway, and I don't think
45 -- If that's correct, I don't think it would change the timeline
46 on it, but I might be wrong about that.

47
48 **CHAIRMAN FISCHER:** I don't think the timeline -- I would like to

1 partner with John on I would rather do it right than the
2 timeline, but we'll let Ryan give that answer. Yes, Roy.
3
4 **DR. CRABTREE:** That's fine, and you can do what you think is
5 right, but the South Atlantic did vote this up and went final,
6 and so if we vote it up with all the same preferreds, we're all
7 done with it, but if we don't get things consistent, then it
8 will have to go back to the South Atlantic and they will have to
9 look at it again.
10
11 **CHAIRMAN FISCHER:** Chris, do you have a comment?
12
13 **MR. CONKLIN:** Yes, I do. I want to stand corrected by Roy.
14 Thank you. I got the amendments confused with the for-hire
15 reporting amendment and the coastal migratory pelagics details.
16 We were actually going to revisit it further on down the road,
17 but that was this morning, but I will remind everybody that the
18 South Atlantic Council is not interested in seeing this document
19 again, and so thank you.
20
21 **CHAIRMAN FISCHER:** Thank you, Chris. John.
22
23 **MR. SANCHEZ:** I guess I will just kind of -- I have some
24 thinking to do on how to move forward on this personally by full
25 council, but, God, if this doesn't echo, once again, is I'm
26 trying to say is the need for a divorce, so we're not having to
27 do this back-and-forth stuff anymore.
28
29 **CHAIRMAN FISCHER:** I have a few hands up right now, but, John, I
30 wanted to ask you -- You were instrumental in getting this
31 Northern Zone created some fifteen years ago, and you were not
32 on the council. You were with Monroe County, and I'm trying to
33 remember and I can't, but why -- I know it was created to give
34 them fish when it passes through, and that's why it was a
35 smaller percent, but I'm trying to justify why it was that
36 smaller percent.
37
38 **MR. SANCHEZ:** I guess because historically the fishery
39 transpired very heavily in Monroe County, and more so before the
40 hand line trip limit got reduced and ratcheted way back, but
41 they were capable of fully utilizing that quota. Can I remember
42 what I had for lunch? Barely.
43
44 **CHAIRMAN FISCHER:** Not a problem. I think I saw David and
45 Leann. David.
46
47 **MR. WALKER:** I would just like to hear more public testimony.
48 The only one I see is Gary Jarvis. I think Martin Fisher is the

1 Chair, and I don't see anybody here from that committee, from
2 that AP, and so I would like to hear more maybe at public
3 testimony, too.

4
5 **CHAIRMAN FISCHER:** Let me go to Doug and then back to you,
6 Leann.

7
8 **EXECUTIVE DIRECTOR GREGORY:** Just real quick, that was in 1998,
9 and it was in Destin. The argument from the Southern Zone was
10 that the Keys was historical fishery, and, as the population was
11 rebuilding, the abundance in the northern zone was increasing,
12 and they were beginning to fill the quota and take fish -- They
13 used to just be caught in the Southern Zone, and so it was an
14 attempt to cap the growth of the Northern Zone to protect the
15 historical fishery in the Southern Zone.

16
17 **CHAIRMAN FISCHER:** So we created this zone in order to try to
18 cap the catch, and now what we're going to do is reward them
19 with the highest percentage. That's what it looks like. Leann.

20
21 **MS. BOSARGE:** Yes, and I haven't really participated much in
22 this particular discussion as we've been going through this
23 document. At a glance, I always leaned towards that
24 proportional alternative. It just seemed to follow our
25 historical trend of how we typically do things like this, but,
26 when I heard the discussion about possibly trying to get some of
27 those fish to this Northern Zone that maybe was under allocated
28 to begin with, possibly, I was sympathetic to that.

29
30 I guess my issue with it is that when I look at the changes that
31 are going to happen in that Northern Zone, I mean they're going
32 to go from having about 5 percent of the overall quota to 18
33 percent, and I mean that's tripling, right? I guess I wouldn't
34 be opposed to giving a little more to that Northern Zone, but I
35 would almost -- Lord, this goes against our timeline, but I
36 would almost really like the AP to give me something that maybe
37 is not quite so extreme, is not a tripling of a certain area's
38 quota.

39
40 **CHAIRMAN FISCHER:** Thank you, Leann. We're going to go next to
41 Roy Williams, who was Chair of the Mackerel Committee back in
42 1998 when this passed, and let him shed some light.

43
44 **MR. ROY WILLIAMS:** I'm not a member of the committee, but I just
45 -- I kind of think whatever we do here that we're going to do it
46 wrong, and it's not that I'm a pessimist. I just know that
47 somebody is going to be affected in a way that we hadn't
48 anticipated.

1
2 This is already such a complicated fishery with all these
3 different regions and these trip limits and these seasonal trip
4 limits and so on. This fishery should be managed with an
5 individual quota. I know that's not going to be part of this,
6 and it won't be done while I'm on this council, but, honestly,
7 an individual quota for these fishermen would just make all this
8 go away.

9
10 You wouldn't have to be trying to make decisions about people's
11 livelihoods, as far as whether they should have a 700-pound trip
12 limit or a 1,500-pound trip limit or whether the Northern Zone
13 should be fishing this week or it should be the Southern Zone.
14 You ought to, in the long term, be looking at managing this
15 fishery with an individual quota. That's it, and thank you for
16 my indulgence.

17
18 **CHAIRMAN FISCHER:** Thank you, Roy. I have Kevin and then Doug
19 and then Ed.

20
21 **MR. KEVIN ANSON:** I just wanted to see if Dr. Crabtree would
22 follow up with Mr. Sanchez's comment regarding the divorce. Dr.
23 Crabtree, you had your hand raised. I was just curious if you
24 wanted to comment on Mr. Sanchez's comment.

25
26 **DR. CRABTREE:** Well, not so much on the divorce, because I don't
27 think the problem here is the divorce. The problem here is
28 we're divided over an allocation issue, as usual, because for
29 one region to get more means that someone else gets fewer of it,
30 and so I don't think this really has to do with a divorce.

31
32 I mean I think the joint plan makes sense, personally,
33 particularly because we have traveling fishermen and things who
34 follow these fish around, and so people who live on the east
35 coast are affected by decisions made by the Gulf Council. To
36 me, in this case, it makes sense, but I was going to ask Ryan,
37 when the AP debated this allocation issue, were they divided on
38 this, or were they generally in consensus in favor of this AP-
39 recommended alternative?

40
41 **MR. RINDONE:** There was one dissenting vote from one of the AP
42 members who hails from the Southern Zone, but, outside of that,
43 they were in consensus.

44
45 **DR. CRABTREE:** How many were there, approximately?

46
47 **MR. RINDONE:** Thirteen out of eighteen, I want to say.

48

1 **DR. CRABTREE:** Okay, and so it passed by a wide margin. All
2 right. Thank you.
3
4 **CHAIRMAN FISCHER:** Okay, folks. I was going to ask Kevin about
5 a time question, but Doug was the next on the list. Being he is
6 in conference, we'll go to Ed Swindell and get back in a second.
7
8 **MR. ED SWINDELL:** Thank you, Mr. Chairman. I'm not a member of
9 the committee, but I was sitting here looking at the data, and I
10 saw under Alternative 4 that the AP recommended it, but how long
11 ago did the AP look at this, and do you feel like you had a good
12 distribution of people on the AP to give you a good
13 recommendation of what to do?
14
15 **CHAIRMAN FISCHER:** Thank you. Doug, you're next.
16
17 **MR. BOYD:** Ryan, a question for you. In the document, is there
18 a description of how the proportional is calculated? I don't
19 want you to have to go through that right now, but I would like
20 to go read it, if you can tell me where it is. I haven't been
21 able to find it.
22
23 **MR. RINDONE:** I will find it for you. One moment.
24
25 **MR. BOYD:** Okay. You can do that later, because I will read it
26 for full council. Thank you.
27
28 **CHAIRMAN FISCHER:** I only have one name left, and it's David,
29 but, Kevin, I wanted to ask you about the time. We started
30 fifteen minutes late, and I'm just curious if we had any
31 allotment coming, so we could finish this document.
32
33 **MR. ANSON:** Yes, you have some allotment, an additional fifteen
34 or twenty or twenty-five minutes, somewhere around in there.
35
36 **CHAIRMAN FISCHER:** Thank you. David.
37
38 **MR. WALKER:** I've just got to address something, because I think
39 some of the discussion -- At least some of the members I talked
40 with, some of the AP members, were about these traveling
41 fishermen, too. I mean they're traveling to the western Gulf,
42 and they also travel back home and they fish in the northern
43 Gulf, whether they're coming or going, but there is increased
44 effort in those areas too from the traveling fishermen.
45
46 **CHAIRMAN FISCHER:** I have Mara.
47
48 **MS. LEVY:** Thank you. Just keep in mind that you did have a

1 discussion about the preferred alternative that's currently
2 there and the rationale for choosing it and why it was
3 appropriate. I'm not saying you can't change your preferred,
4 but keep in mind that we then need an explanation about why you
5 would no longer think what we thought before was really correct
6 or why you have a different view and why we're going with a
7 different allocation decision.

8
9 Just keep that in mind, and I would really like to get some of
10 that discussion on the record if we're going to change, because
11 these allocation decisions are generally very controversial and
12 pretty complex, and we end up really muddying the waters when
13 there is a big discussion about why one preferred is appropriate
14 and then all of a sudden we change gears and switch to another
15 one without discussion about why that change occurred and why a
16 new preferred is now appropriate. Thanks.

17
18 **CHAIRMAN FISCHER:** Thank you, Mara.

19
20 **MR. WALKER:** I was just going to say if we just had a minute or
21 two, maybe Gary Jarvis -- I think you were on the AP. Could you
22 give us a minute or two of your time and explain some of the
23 discussion?

24
25 **CHAIRMAN FISCHER:** Yes, but keep it to AP business, please,
26 because we're at a deadline.

27
28 **MR. GARY JARVIS:** At the AP meeting, this was -- It's an
29 allocation issue, and so this was probably one of the things
30 that we worked on the longest. During the course of this
31 discussion, when we voted to recommend Alternative 4 to be the
32 preferred alternative, it was -- I believe it was a twelve-to-
33 one or a twelve-to-two vote with the members present.

34
35 During the course of the discussion, what's happened to the
36 Northern Zone over the last ten years was because of the effort
37 shifting of the very mobile and flexible what they call the
38 mosquito fleet, or the trailerable fleet, from the east coast of
39 Florida.

40
41 What was happening is the historical fishermen in the northern
42 Gulf, lots of them were charter for-hire fishermen. Some of
43 them were king mackerel fishermen that didn't travel to the
44 Western Zone.

45
46 When their season started, they would stay fishing in the
47 Northern Zone, but what happened is as that effort shifting of
48 that large fleet -- As soon as the Western Zone closed, they

1 would shift to the Northern Zone, and those fish would be
2 harvested immediately before a lot of the historical fishermen,
3 whose charter seasons would end, or, in even more extreme cases,
4 the historical fishermen in the Tarpon Springs and Big Bend,
5 down to the Clearwater area -- By the time the season would
6 open, the effort shift was so great that these guys were
7 basically regulated out of the fishery because of the changes
8 they made with the western Gulf and the eastern Gulf of Mexico
9 and the present zones.

10
11 When this available allocation became available, even though it
12 is probably not how a lot of the allocation issues have been
13 handled in the past, the AP felt that this was an opportunity to
14 at least allow these historical fishermen to have a better
15 chance to participate in the Northern Zone fishery, by putting
16 what is basically considered a large proportion of that
17 allocation increase into the Northern Zone.

18
19 This was an effort by the committee to right a wrong that had
20 taken place by the unforeseen circumstance of effort shifting in
21 the commercial fishery.

22
23 **CHAIRMAN FISCHER:** Thank you, Gary. Good capture of what
24 happened. We have heard from the South Atlantic and we've heard
25 from an AP member and we've heard from quite a few people.
26 Leann, do you want to sum it up and we'll try to get to a vote?

27
28 **MS. BOSARGE:** I just want to mention that it sounds like -- I
29 mean he is echoing the concerns that we had with the traveling
30 fishermen, and so this is to sort of help those guys out with
31 the traveling fishermen that are coming through in their area.

32
33 Now, I try and look at things from a holistic perspective, but I
34 do want to at least put on the record that if we go that route
35 that we've got a problem with traveling fishermen. Not a
36 problem, but we have a large group of traveling fishermen that
37 are catching somewhere between 45 and 70 percent of the western
38 quota too.

39
40 We can all sing "Kumbaya" and do this and we can give them some
41 of the increase that we would have gotten in the western Gulf,
42 but I guess what I'm getting to here is that we're having this
43 problem in all of these different zones, and we're sitting here
44 debating, well, gosh, are we going to try and make it better
45 over here or make it better over there, but we have unused fish
46 that are not being caught overall in this fishery, and yet that
47 can solve the problem, and I hope we'll remember that we get to
48 the next action item, that there's fish that nobody is catching,

1 and we have an alternative out there to not take them away from
2 the people that are currently not catching them, but only loan
3 them to a different sector, until such a time that they want to
4 catch their fish and fully utilize their allocation.

5
6 Just keep in mind that this whole discussion that we've had for
7 how long now, that we have a way to fix it and we don't have to
8 go through this.

9
10 **CHAIRMAN FISCHER:** Lean and John, let me interrupt both of you
11 all, because you made the motion and Leann seconded the motion.
12 How about, after all of this discussion, you pull your motion
13 and we wait for public testimony and we try to move on, because
14 we're going in a circle with a small committee, and it's going
15 to end up being the vote to move it forward.

16
17 **MR. SANCHEZ:** I will gladly do that if the seconder agrees.

18
19 **CHAIRMAN FISCHER:** Let's remove this motion from the board. We
20 know what the discussion is. We know how we can pick it up at
21 full council really easily, but we're just rehashing the same
22 issue, and maybe when people come forward for public comment, it
23 will shed some light on a different angle and we'll be prepared
24 to vote.

25
26 What we'll do with our minutes left, Ryan, is, if you could, we
27 will go to -- Presently, now we do have a preferred alternative.
28 We are going with a preferred, but it's just not the preferred
29 that you all were looking into changing. It's Preferred
30 Alternative 4.

31
32 **MR. RINDONE:** Mr. Chair, am I to assume that you want to proceed
33 with Action 8 now?

34
35 **CHAIRMAN FISCHER:** Yes, I'm getting down to Action 8, which is
36 on page 38, to revise the recreational and commercial
37 allocations of Gulf group king mackerel. Ryan.

38
39 **MR. RINDONE:** Thank you, Mr. Chair. Both councils' current
40 preferred alternative for revising the sector allocations for
41 Gulf kingfish is Alternative 1, which is no action. It would
42 maintain the current recreational and commercial allocations in
43 the Gulf at 68 percent for the recreational sector and 32
44 percent for the commercial sector. Emily has some public
45 comments to share with you.

46
47 **MS. MUEHLSTEIN:** Okay, and so most of the support we got was for
48 the no-action alternative, which is currently the council's

1 preferred, and that would not shift the recreational allocation
2 at all. We also did get some support, however, for Action 3,
3 which would shift a portion of the annual allocation over to the
4 commercial side. The rationale provided was because it is silly
5 to leave fish in the water.

6
7 **CHAIRMAN FISCHER:** Thank you, Emily, and so we do have a
8 preferred going in. The question at hand is, do we want to
9 choose to change our preferred? If so, we would have to
10 entertain a motion, or else we will move on. Leann.

11
12 **MS. BOSARGE:** I'm not going to make a motion right this second,
13 but I want to have some serious discussion on this. I know we
14 have a timeline, and we may decide that the timeline trumps this
15 discussion, but, given the last two actions that we've just
16 looked at, giving the traveling fishermen that are coming over
17 here and fishing on Gulf quota and they're not even fishing all
18 of their South Atlantic quota and they're having leftover over
19 there, but they're fishing ours, and yet we have a stock of fish
20 and we have a scientific body, a scientific group, that says,
21 okay, this level is a healthy level for you to fish this stock
22 at.

23
24 Well, we've got that subdivided into hard allocations between
25 commercial and recreational, based on the historic catches.
26 Typically, when we get into allocation, it's a nasty, bloody
27 battle, and I don't blame either side, because one is going to
28 win and one is going to lose. You're going to take from one and
29 give to the other, but we have some issues in this commercial
30 fishery right now that could be solved and we could fully
31 utilize this.

32
33 We could manage to the mandates of Magnuson and try and get to
34 that optimum yield in this fishery, which we are not doing, and
35 I don't see why -- If we can't do this with mackerel, we can't
36 do it with anything. This is something that can be a tool for
37 us to use in the future, either way, going from rec to
38 commercial or commercial to rec, for a stock of fish that's
39 being underutilized.

40
41 I don't know why we're not considering that. There is an
42 obvious need for it. I can see all the rationale for a hard
43 shift, to take quota away from the recreational sector and give
44 it to the commercial, so that we meet our Magnuson mandates. I
45 am not proposing that. I'm not.

46
47 I wouldn't want someone to do it to the commercial sector. No
48 matter how unbiased I may try and be, I wouldn't want it,

1 because once you give something up, you never seem to get it
2 back, right? That's how we all feel.

3
4 I hope we can have a good discussion about the possibility of
5 this loan program, as I call it, where we can let the commercial
6 sector borrow some of this quota, up until such time that the
7 recreational sector is fishing it harder. At that point, it
8 reverts back. They get it back. It's all theirs.

9
10 **CHAIRMAN FISCHER:** Leann, are you proposing -- You would support
11 a conditional transfer, as outlined. Based on some trigger, it
12 would revert back.

13
14 **MS. BOSARGE:** Yes, the loan program. If I referenced the wrong
15 number, I apologize.

16
17 **CHAIRMAN FISCHER:** So if John makes the motion, you would second
18 it?

19
20 **MS. BOSARGE:** Yes, if John makes the motion, I would second it.

21
22 **MR. SANCHEZ:** In the interests of moving forward, again, I like
23 the rationale behind this. It gives us a mechanism to be able
24 to transfer, in a soft manner, allocation between the two
25 sectors, as needed. In this case, it would clearly be useful to
26 the commercial side in king mackerel to borrow some quota from
27 the recreational temporarily, and if they ever reach or bump up
28 against, as this is proposed, that percentage, then it reverts
29 back. It's not a taking. It's a borrowing.

30
31 Then, by reciprocal, or quid pro quo, when you get to other
32 species of interest to the recreational sector, like red
33 grouper, which we're going to get into, this same thing would
34 apply. If we're not fully utilizing the commercial sector on
35 red grouper, maybe you borrow some as you guys need it.

36
37 Then, if we ever bump up to our historical percentage
38 allocations, then maybe we get it back, but it's a way to give
39 back and forth and perhaps benefit everyone. Again, keep in
40 mind with that National Standard, to fully utilize these fish
41 for the maximum benefit of the nation.

42
43 I think, yes. Now we're under this time constraint with doing
44 something with this document, and I'm back to my divorce pitch,
45 where the time constraint is because if we don't do this,
46 they've got to look at that and back and forth. I think we have
47 time to address these bigger-ticket items once we cross these
48 bridges.

1
2 There is many roads to get to the same place. This is one of
3 them, and I just -- Let's move forward, in the interest of
4 getting this done, so we don't, perhaps, not benefit the fishing
5 universe out there with increased quotas while we're doing this
6 South Atlantic/Gulf song and dance, and then let's address that
7 down the road, so we can get away from that.

8
9 **CHAIRMAN FISCHER:** John, you're proposing we take this up in a
10 future amendment, but we're not going to look at it now?

11
12 **MR. SANCHEZ:** I am not making a preferred, no. I am not
13 deviating.

14
15 **CHAIRMAN FISCHER:** Presently, Alternative 1 is our preferred.
16 That does not match the South Atlantic. Either way, it would be
17 -- It does match. I am on a different amendment. Sorry, folks.
18 Therefore, we can move on. Leann.

19
20 **MS. BOSARGE:** I said at the beginning of this discussion that
21 the timeline may trump taking this on. Having said that, the
22 part that bothers me is that there has been an under utilization
23 in this fishery for -- What does our document show? I think our
24 document goes back ten or fifteen years, and so we're talking
25 about a decade to a decade-and-a-half. We haven't gotten it
26 right. It's been under utilized, and we're sitting here arguing
27 about two months that it's going to delay it, essentially, to
28 get it right.

29
30 Now, I know there is a lot of -- I may acquiesce to this
31 timeline, but I am not sure that that fifteen years of being
32 under utilized doesn't trump the two months that it might take
33 us to implement that. Having said that, what are the real
34 implications?

35
36 In other words, if we don't get this finalized and up to the
37 Secretary for an additional two months, then it won't go into
38 place in November or December. It's not going to go into place
39 until January or February, I'm assuming.

40
41 What we would be foregoing would be a second commercial season
42 for that one year, and we essentially wouldn't get to feel the
43 benefit of this loan program until the season is reopened on
44 July 1 for most of the zones? Is that what we're looking at?

45
46 **CHAIRMAN FISCHER:** That would be a question for Ryan or for Dr.
47 Crabtree, how he would treat a reopening. If the document was
48 delayed to where it couldn't get implemented until maybe

1 February, what would that do to the fishery?
2

3 **DR. CRABTREE:** Well, I'm not sure. It might vary, but if it --
4 If we get to the point where there is still time left in the
5 fishing year and there is extra fish available, I would guess we
6 would reopen it, but it would depend on where we stand and is
7 there enough time left to catch any of it.
8

9 If we don't take final action now, then it will go back to the
10 South Atlantic, and I guess if we voted it up with different
11 preferreds final at this meeting, it would go back to the South
12 Atlantic. Then if they concurred with all of our changes, they
13 would vote it up in June. If they didn't, it would -- At that
14 point, I think it would be time to talk about a joint meeting
15 again.
16

17 **CHAIRMAN FISCHER:** Thank you, Roy. Seeing no motions on the
18 floor, we have discussed this. I think it's time we move on to
19 the next action item, Ryan, Action Item 9.
20

21 **MR. RINDONE:** Thank you, Mr. Chair. Action 9 would modify the
22 recreational bag limit for Gulf kingfish, and that's on page 43.
23 Both councils currently prefer Alternative 2, which would
24 increase the recreational bag limit to three fish per person per
25 day, and this is also preferred by both APs. Emily.
26

27 **CHAIRMAN FISCHER:** We have our preferred. Do we see any
28 possible changes? Does anyone want to discuss changes?
29

30 **MR. RINDONE:** Emily might have some public comments to share.
31

32 **CHAIRMAN FISCHER:** Sorry. Emily.
33

34 **MS. MUEHLSTEIN:** You're fine. Just really quick for Action 9,
35 there was both support for the no-action alternative, which
36 would leave the bag limit as it is, and there was also support
37 for Preferred Alternative 2. The rationale provided was that
38 increasing the bag limit would only increase mortality by about
39 20 percent, and so there is no reason not to go ahead and do it.
40 Thanks.
41

42 **CHAIRMAN FISCHER:** Thank you, Emily. Ryan, does this get to a
43 conclusion?
44

45 **MR. RINDONE:** Thank you, Mr. Chair. You guys have heard the
46 public comments for the Gulf actions, and I think Emily might
47 have a couple of other comments, ancillary, but related to
48 Amendment 26, but, as far as going action-by-action, yes, we've

1 gone through everything at this point. Emily.

2
3 **MS. MUEHLSTEIN:** Okay, and so let me just wrap up a little bit,
4 since we did it sort of action-by-action, different than we
5 normally do it. I just wanted to let you know that on these
6 public hearing summaries that we did go to seven different
7 locations in the Gulf and we hosted one webinar. We only had
8 about twenty-six total attendees at that public hearing run.
9 Nobody showed up in Pascagoula, Orange Beach, or Kenner,
10 Louisiana.

11
12 In addition to the comments that I've already shared with you
13 that were action-by-action, some of the things that we heard in
14 addition was that there was support for the Western Zone to open
15 on June 1.

16
17 Some fishermen asked that the council consider making people
18 declare zones, but grandfather in traveling fishermen, and so
19 that would be a way to sort of handle this traveling fisherman
20 controversy without sort of punishing the folks that are already
21 in it.

22
23 Then there was also a suggestion that we consider a divorce with
24 the Gulf and South Atlantic joint management. Also, I know that
25 as we've gone through this that you guys have said that you want
26 to wait for public comment, maybe until you discuss some of the
27 controversial actions that we just addressed.

28
29 I would suggest that you take a look back at Tab C, Number 4(b).
30 That is the summary of the public hearings. We've already gone
31 across the Gulf and asked a number of people, and if you have
32 some questions about what the people have been saying, and maybe
33 they won't be here for public testimony, you might just go back
34 and look at that public comment summary before full council.
35 That's all I have. Thank you so much.

36
37 **CHAIRMAN FISCHER:** Thank you, Emily. We have heard the public
38 comments, and have we heard anything from law enforcement?
39 Ryan.

40
41 **MR. RINDONE:** Steven can speak to that.

42
43 **MR. STEVEN ATRAN:** No, the Law Enforcement Technical Committee
44 did go through this amendment item-by-item, and they had no
45 enforcement concerns about any of the items in here.

46
47 **CHAIRMAN FISCHER:** Thank you, Steve. We went through the
48 document. We have our preferred on all the action items, and we

1 will have to entertain a motion to bring this up to the council.
2 Yes, Leann.
3
4 **MS. BOSARGE:** Myron, I would like to make a motion on that
5 reallocation. Will you allow me to make that motion?
6
7 **CHAIRMAN FISCHER:** We went to the final hour, but you sure can.
8
9 **MS. BOSARGE:** You know I am a woman, and so I guess it takes me
10 a while to make up my mind.
11
12 **CHAIRMAN FISCHER:** So this would be on Action 8?
13
14 **MS. BOSARGE:** Yes, Action 8.
15
16 **CHAIRMAN FISCHER:** Action 8, where we have Preferred Alternative
17 1.
18
19 **MS. BOSARGE:** Yes.
20
21 **CHAIRMAN FISCHER:** You want to make a motion to --
22
23 **MS. BOSARGE:** To change the preferred, right. I would like to
24 change the preferred to the 10 percent transfer.
25
26 **CHAIRMAN FISCHER:** Probably Alternative 4 is what we're talking
27 about.
28
29 **MS. BOSARGE:** Yes, and I apologize. Alternative 4, Option b,
30 which is a 10 percent transfer of the stock ACL to the
31 commercial sector as a conditional quota transfer, and that's
32 the loan program, with the threshold being the 90 percent.
33
34 **CHAIRMAN FISCHER:** Option f.
35
36 **MS. BOSARGE:** Revert to status quo allocations if 90 percent of
37 the adjusted recreational sector ACL is landed, Option f.
38
39 **CHAIRMAN FISCHER:** Okay, and so that would be Option f.
40
41 **MS. BOSARGE:** Yes, and if I get a second, I will elaborate.
42
43 **CHAIRMAN FISCHER:** We have a motion on the floor. Do we have a
44 second for such motion from the committee? I will let everybody
45 read it. David.
46
47 **MR. WALKER:** I will second it.
48

1 **CHAIRMAN FISCHER:** It's seconded by David. Do we have further
2 discussion? I think we've hashed it out quite a bit.
3
4 **MS. BOSARGE:** Yes, I think that we have hashed it out, and I
5 really believe that being underutilized for fifteen years trumps
6 the two-month timeframe for implementation, and this is
7 something it's time to address and we need to do it now.
8
9 **CHAIRMAN FISCHER:** Yes, and Ryan has some comments.
10
11 **MR. RINDONE:** I'm just trying to make sure that the motion on
12 the board reflects what Ms. Bosarge's motion was. I think we
13 need to add in Option b into there, above Option f. Ms.
14 Bosarge, is that correct?
15
16 **MS. BOSARGE:** Yes, the 10 percent transfer with the 90 percent
17 threshold.
18
19 **MR. RINDONE:** So the motion would state: In Action 8, to make
20 Alternative 4, Options b and f the preferred alternative. Is
21 that correct?
22
23 **CHAIRMAN FISCHER:** Yes.
24
25 **MS. BOSARGE:** Yes, sir, that is correct.
26
27 **MR. RINDONE:** Thank you. I just wanted to make sure that was
28 showing right to you guys.
29
30 **CHAIRMAN FISCHER:** We have a motion on the floor that's been
31 seconded. We have discussed it at length moments ago. Do we
32 have any conclusions? David.
33
34 **MR. WALKER:** I would just like to add that I want to hear some
35 public testimony from the commercial industry on this as well.
36
37 **CHAIRMAN FISCHER:** So you would be in favor of not voting on
38 this now?
39
40 **MR. WALKER:** Right.
41
42 **CHAIRMAN FISCHER:** Any other comments? No comments. We shall
43 vote. I will do a quick show of hands. **All in favor of the**
44 **motion, raise your hand; opposed. The motion carries three to**
45 **two.** Yes, Leann.
46
47 **MS. BOSARGE:** Thank you.
48

1 **CHAIRMAN FISCHER:** Now we have a document that does not match
2 the South Atlantic's. For procedural, we still, of course, are
3 going to bring it up during council for further deliberation,
4 but it's not prudent, I would imagine, to make a motion or to
5 discuss sending it to the Secretary, because we know it's not
6 going. Is that correct? If everyone is nodding, this will just
7 be in the record for the council for the Mackerel Committee
8 meeting, and we'll just move forward and move into Other
9 Business. Does that seem where we are, Ryan?

10
11 **MR. RINDONE:** Yes, Mr. Chair. If you guys want to wait until
12 full council to make a motion about sending it to the Secretary,
13 you can, but you guys will need to make that motion in order for
14 it to actually go forward.

15
16 Even if our alternatives don't line up with the South Atlantic's
17 right now, you will still need to make that motion, so that if
18 they line their preferreds up with yours that -- They will make
19 that motion again on their side, and then it will go through.

20
21 **CHAIRMAN FISCHER:** Thank you, Ryan. I think we will just wait
22 until full council, which will bring us to Other Business, which
23 pertains to the Mexican stats and how they will be used in a
24 joint assessment. Clay.

25
26 **OTHER BUSINESS**

27
28 **DR. PORCH:** Thank you. Mostly, I just wanted to get this on
29 your radar. The Gulf of Mexico LME Project, which is funded
30 through FAO, has -- I believe it's going to fund or co-fund, at
31 least, Mexico to participate in a joint assessment for either
32 king mackerel or Spanish mackerel.

33
34 As most of you know, neither Spanish mackerel or king mackerel
35 respect the boundary between the U.S. Gulf of Mexico and Mexican
36 Gulf of Mexico, and there tends to be some migration across that
37 border.

38
39 The Mexican fisheries are comparable, if not larger, than our
40 Gulf of Mexico fishery for king mackerel, and so it's a natural
41 for doing a joint assessment. The idea would be to do it in
42 either late 2017 or sometime in 2018. When we're planning the
43 SEDAR schedule for those years, it would be well to keep that in
44 mind.

45
46 **CHAIRMAN FISCHER:** Thank you very much. That's interesting.
47 Ed.

1 **MR. SWINDELL:** Do you by any chance know what part of their
2 coastline they are catching the king mackerel?

3
4 **DR. PORCH:** They certainly catch it south of the border through
5 Veracruz, and I believe even some through the Yucatan Peninsula.

6
7 **CHAIRMAN FISCHER:** Mr. Chair, I hope I'm finished.

8
9 (Whereupon, the meeting adjourned on April 4, 2016.)

10
11

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