

GULF OF MEXICO FISHERY MANAGEMENT COUNCIL
MACKEREL MANAGEMENT COMMITTEE

Golden Nugget Casino Hotel Biloxi, Mississippi

March 30, 2015

VOTING MEMBERS

- Pamela Dana.....Florida
- Martha Bademan (designee for Nick Wiley).....Florida
- Roy Crabtree.....NMFS, SERO, St. Petersburg, Florida
- Myron Fischer (designee for Randy Pausina).....Louisiana
- Corky Perret.....Mississippi
- Lance Robinson (designee for Robin Riechers).....Texas
- John Sanchez.....Florida
- David Walker.....Alabama

NON-VOTING MEMBERS

- Kevin Anson.....Alabama
- Leann Bosarge.....Mississippi
- Doug Boyd.....Texas
- Jason Brand.....USCG
- Dale Diaz (designee for Jamie Miller).....Mississippi
- Dave Donaldson.....GSMFC
- John Greene.....Alabama
- Campo Matens.....Louisiana
- Greg Stunz.....Texas
- Roy Williams.....Florida

STAFF

- Steven Atran.....Senior Fishery Biologist
- Assane Diagne.....Economist
- John Froeschke.....Fishery Biologist/Statistician
- Doug Gregory.....Executive Director
- Karen Hoak.....Administrative and Financial Assistant
- Ava Lasseter.....Anthropologist
- Mara Levy.....NOAA General Counsel
- Cathy Readinger.....Administrative Officer
- Ryan Rindone.....Fishery Biologist/SEDAR Liaison
- Bernadine Roy.....Office Manager
- Charlotte Schiaffo.....Research & Human Resource Librarian
- Bryan Schoonard.....GIS Analyst

OTHER PARTICIPANTS

- Pam Anderson.....Panama City, FL

- 1 Randy Boggs.....Orange Beach, AL
- 2 Steve Branstetter.....NMFS
- 3 J.P. Brooker.....Ocean Conservancy, St. Petersburg, FL
- 4 Michael Drexler.....Ocean Conservancy, St. Petersburg, FL
- 5 Cynthia Fenyk.....NOAA
- 6 Martin Fisher.....FL
- 7 Chuck Guilford.....FL
- 8 Ken Haddad.....American Sportfishing Association, Lloyd, FL
- 9 Chad Hanson.....Pew Environmental Trusts
- 10 Betty Harder.....FL
- 11 Ben Hartig.....SAFMC
- 12 Bill Kelly.....FKCFA, FL
- 13 Kristin McConnell.....EDF, Austin, TX
- 14 Jack McGovern.....NMFS
- 15 George Niles.....Summerland Key, FL
- 16 Daniel Padron.....Key West, FL
- 17 Bonnie Ponwith.....SEFSC
- 18 Jenny Thompson.....Oceana, Lafayette, LA
- 19 Bob Zales.....Panama City, FL

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23 The Mackerel Management Committee of the Gulf of Mexico Fishery
24 Management Council convened at the Golden Nugget Casino Hotel,
25 Biloxi, Mississippi, Monday afternoon, March 30, 2015, and was
26 called to order at 2:00 p.m. by Chairman Pamela Dana.

27

28 **ADOPTION OF AGENDA**
29 **APPROVAL MINUTES**
30 **ACTION GUIDE AND NEXT STEPS**

31

32 **CHAIRMAN PAMELA DANA:** I would like to convene the Mackerel
33 Management Committee and I see that we have a quorum. First, I
34 would like to move for the adoption of the agenda and does
35 anyone have anything additional to add to the agenda? Hearing
36 none, can I get a motion to -- We have got a motion by Corky and
37 a second by Martha. Thank you.

38

39 Next I need Approval of Minutes or any suggestions for changes.
40 If there is no additions to the minutes, I need a motion to
41 approve.

42

43 **MS. MARTHA BADEMAN:** So moved.

44

45 **MR. LANCE ROBINSON:** Second.

46

47 **CHAIRMAN DANA:** We have motion by Martha and a second by Lance.
48 Thank you. Next we will move into the Action Guide and Next

1 Steps. Essentially, in this meeting we will cover the AP panel
2 meeting as well as the gillnet fishery options paper. Is there
3 any changes to the next steps or action schedule?
4

5 Seeing none, I am moving into the Summary of the Coastal
6 Migratory Pelagics Advisory Panel Meeting, which occurred March
7 3 and 4 in Tampa and there was pretty good attendance and I
8 thought it was a very good meeting. I did attend and Martin
9 Fisher, who is here today, was the Chairman of that. Ryan, do
10 you want to review and then we'll ask Martin to make comment?
11

12 **SUMMARY OF COASTAL MIGRATORY PELAGICS ADVISORY PANEL MEETING**
13

14 **MR. RYAN RINDONE:** Thank you, Madam Chair. The CMP Advisory
15 Panel talked about Coastal Migratory Pelagics Amendment 26, the
16 scoping document that's looking at increases in the king
17 mackerel ACLs as a result of SEDAR-38, the benchmark stock
18 assessment that we just had.
19

20 They also talked about reallocation between the recreational and
21 commercial sectors of the king mackerel fishery and reallocation
22 within the commercial zones. They talked about the small
23 coastal shark gillnet fishery in the South Atlantic that's
24 wanting to be able to sell bag limits of king mackerel caught in
25 their nets and they talked about the sector-specific
26 accountability measures and they also proposed new recreational
27 bag limit measures.
28

29 For Amendment 28, they spent a lot of time talking about how to
30 split the permits and I just want to definitely commend them for
31 working together extremely well, admirably well. Both
32 recreational and commercial and everybody just really hunkered
33 down and did a great job of spending a lot of time on this
34 stuff.
35

36 Then, at the very end, they discussed an IFQ system for the hand
37 line portion of king mackerel and Mr. Fisher will go through
38 some of those discussions and the motions and so, Martin, if
39 you're around, if you want to come up.
40

41 **CHAIRMAN DANA:** Thank you, Ryan. I want to reiterate what Ryan
42 had said about the cooperative nature of that meeting. It was
43 pretty impressive, the recreational, charter, and commercial
44 fishermen, just thinking through these options. I also want to
45 draw attention that the AP summary is located in Tab C, Number
46 4. Martin Fisher, the Chairman of the AP committee, thank you
47 for joining us.
48

1 **MR. MARTIN FISHER:** Thank you, Dr. Dana, and thank you, Chairman
2 Anson. I guess you're not here right now, but thanks for the
3 invitation to be liaison to the council for APs. I think it's a
4 tradition we should uphold and take into the future.

5
6 We did a lot of work those two days. We got off to a rocky
7 start, because we almost didn't have a quorum, but Gary Jarvis
8 was fortunate enough to get another member to come and so we
9 were actually able to do work and take action and make votes and
10 it worked out really well for us.

11
12 **MR. RINDONE:** I am sorry to interrupt you, Martin, but, Karen,
13 can we please get Tab C, Number 4 up on the screen? Martin, as
14 you read through the report, if you just want to indicate to
15 Karen where to scroll, so that the council can keep up with
16 where you're going through.

17
18 **MR. FISHER:** Okay. That's a good start right there. Thank you,
19 Karen. Of course, we received a report out on SEDAR-38 and the
20 assessment determined that Gulf migratory group king mackerel
21 were neither overfished nor undergoing overfishing, which was
22 great news to us.

23
24 Also, a smaller winter mixing zone was identified south of the
25 Keys, which also enhances the actual take that Gulf fishermen
26 can experience when prosecuting the king mackerel fishery, which
27 in dollars and cents, or at least in pounds, probably relates to
28 close to a two-and-a-half-million-pound increase into what we're
29 actually allowed to catch right now.

30
31 Some of the AP members were concerned about the drop of
32 recruitment in the late 2000s and staff replied that
33 fluctuations in recruitment were natural and could be caused by
34 a number of factors.

35
36 There was some concern for the recreational side, that because
37 we've been at a two fish bag limit that that contributed to
38 lower recreational landings, which is, I believe, about 40
39 percent under allowable catch.

40
41 We made a motion eleven to two to recommend that you guys set
42 the ACL equal to the ABC for 2015, which equates to 9.62 million
43 pounds. We also recommended that the council accept the king
44 mackerel stock boundary as established in SEDAR-38 and that
45 motion carried unanimously.

46
47 As I go along, one of the things you're going to notice is that
48 most of the motions were either unanimous or a vote of eleven to

1 two or twelve to one, which I find fairly remarkable for such a
2 diverse group of people that were there.

3
4 **CHAIRMAN DANA:** Thank you, Martin. I am just going to interrupt
5 here. We have a motion by the AP, the first being that the
6 Coastal Migratory Pelagic AP recommends that the council set the
7 ACL equal to the ABC for 2015 and so 9.62 million pounds and
8 that the SSC annually readdress the ABC every year thereafter.
9 Is there any committee discussion on the motion or any
10 recommendations by the committee?

11
12 **MR. CORKY PERRET:** I am just curious relative to the ABC
13 assessment every year. Who is going to do that? Is it Bonnie
14 or the Center or who, Ryan?

15
16 **MR. RINDONE:** The Center would update the projections annually
17 and then the SSC would review its ABC recommendations annually
18 is what the AP is requesting and so currently in the scoping
19 document, we have consideration of the new stock boundary that
20 the AP said that they agree with and we also have different
21 measures for increasing the ACL. If you guys would like, we can
22 add in this bit about readdressing the ABC every year, as per
23 the AP's recommendation.

24
25 **MR. PERRET:** I mean I assume that's going to be an additional
26 burden and is that something the Center can handle? I mean we
27 don't do this for every species under management, I don't think,
28 and so I am all for it, but from a standpoint of personnel
29 activity and so on and so forth, is it doable, Bonnie?

30
31 **DR. BONNIE PONWITH:** Updating projections can be done, but it's
32 an opportunity cost. If we're busy updating projections for one
33 stock, it could impinge on our ability to be doing the next
34 stock assessment.

35
36 There also comes a point -- You know when you update a
37 projection, what you are doing is including, instead of an
38 assumption about what the landings are, you are basically taking
39 the actual landings for the year and putting them in and that
40 refines those projections, because we don't know what you're
41 going to catch next year until next year happens.

42
43 We put an assumption for what those landings are going to be in
44 and then the following year, when we have those landings, we can
45 put the actuals in and see what the numbers look like with the
46 actuals.

47
48 The catch is you can only do that so many years in a row,

1 because the things that you're not updating are the indices of
2 abundance and so there are limits to how many years modifying
3 those projections is advisable, but the short answer to the
4 specific question you asked is yes, we can do those projections,
5 but it would have to come out of other activities.

6
7 **MR. PERRET:** We just had the SEDAR report and we talked about
8 Bonnie can do Tier 1 and Tier 2 and so on and so forth and here
9 is another obligation and I would hate for an annual update on
10 this assessment to delay any of the needed activity on some of
11 these other species. Is it reasonable to ask for every other
12 year rather than every year for king mackerel?

13
14 **MS. MARA LEVY:** This isn't an answer to your question, but I
15 have my own question. I understand that we're going through the
16 AP report and they looked at a number of different things. This
17 goes towards the Amendment 26 scoping document and so that's not
18 really -- I am not saying you can't talk about it, but we don't
19 have that on the agenda to actually look at it and go through.

20
21 Was the intent to take the AP's recommendations and come back at
22 the next meeting and look at the Amendment 26 scoping document
23 or -- Because some of these go towards preferreds and all of
24 that sort of stuff and we want the AP's recommendations on
25 those, but we're not at the point of picking preferreds, I would
26 assume, and so I'm just not sure where we are in the process as
27 related to this part of the AP report.

28
29 **CHAIRMAN DANA:** No, I think your comments are right on. I
30 opened it up for committee discussion, if they had any questions
31 on it, but our intention is to consider whether we want to
32 include it in modifications for the scoping document 26 going
33 down the road, but, Ryan.

34
35 **MR. RINDONE:** The scoping document is a living document, if you
36 will, and anything can be included in it for consideration and
37 it's going out to the public starting tonight and if the council
38 has anything that they want us to ask the public, like would
39 this be something that you guys would like to see included in
40 the document, this allows staff the feedback they need to be
41 able to ask these questions of the public in a timely manner,
42 since this does start tonight.

43
44 It doesn't change anything in a decisional nature, but it does
45 allow us to get these questions out to the public and get good
46 feedback back to the council at the very beginning of the
47 scoping round.

1 **CHAIRMAN DANA:** Why don't we move on then to the next point,
2 Martin, which is the CMP Amendment 26 scoping document.

3
4 **MR. FISHER:** Thank you, Dr. Dana. Staff presented the scoping
5 document for Amendment 26, which examines the Gulf and South
6 Atlantic annual catch limits, king mackerel stock boundaries,
7 bag limit sale provisions, winter mixing zone management, and
8 sector-specific accountability measures.

9
10 The first motion we made recommends that the Gulf Council manage
11 the king mackerel fishery from the Dade/Monroe County line in
12 the east to the Texas/Mexico border in the west and this motion
13 carried unanimously. Obviously that means that we would be
14 divorcing ourselves, ourselves being the Gulf, from the Atlantic
15 in terms of management.

16
17 **CHAIRMAN DANA:** Any discussion on that motion from the
18 committee?

19
20 **MR. MYRON FISCHER:** It's about time.

21
22 **CHAIRMAN DANA:** That wasn't quite discussion, but we will accept
23 the comment.

24
25 **MR. RINDONE:** Just a point of clarification. It does draw a
26 line for management purposes, but we would still have that joint
27 plan until such a time as the councils decide or decide not to
28 actually make such a formal split and all of these things that
29 the AP discussed are in the scoping document currently and this
30 is just allowing you guys to see what the AP thought of these
31 things and what things they thought should be added.

32
33 **CHAIRMAN DANA:** Martin, continue.

34
35 **MR. FISHER:** Dr. Dana, thank you. Also, because obviously we
36 are getting this huge increase in ACL, the AP recommended to
37 modify the three zone allocations and the motion went 40 percent
38 for the western zone, 18 percent for the northern zone, 21
39 percent for the southern hand line, and 21 percent for the
40 southern gillnet. That motion carried eleven to two.

41
42 **CHAIRMAN DANA:** Any questions of the AP on this motion?

43
44 **MR. PERRET:** Martin, very briefly, what's the geography of the
45 western zone?

46
47 **MR. FISHER:** From the Alabama/Florida line to Brownsville.

48

1 **MR. PERRET:** Okay, good, because you know we've got that
2 southern subzone and northern and all that and I want to make
3 sure that when we talk about the 40 percent for the western zone
4 that that's from the Alabama/Florida line to the Texas/Mexico
5 line.

6
7 **MR. FISHER:** Yes, sir.

8
9 **CHAIRMAN DANA:** Any other questions from the committee? Go
10 ahead, Martin.

11
12 **MR. FISHER:** We also acknowledged that the commercial fleets
13 have the capability and the capacity to land the commercial ACL
14 plus any proposed increase. You could give us all the
15 recreational fish and if we put our minds to it, we could
16 probably catch it, because it's an easy fish to catch.

17
18 Intersector reallocation was viewed as an opportunity by AP
19 members for the normally conflicting interests of the sectors to
20 be put aside in favor of compromise. The motions that went
21 along with that -- Of course, this relates to the MRIP
22 recalibration of king mackerel landings and some lack of faith
23 in the data.

24
25 The AP recommended that the council abstain from reallocating
26 any king mackerel from the recreational sector to the commercial
27 sector until such a time that additional options for utilizing
28 excess quota are explored for the recreational sector and this
29 passed unanimously.

30
31 Basically what we're saying is let the recreational guys catch
32 their quota. They can catch it too if they put their minds to
33 it and just because there's an excess there, it doesn't mean
34 that it should go to the other sector. Let the sector that has
35 foregone yield go ahead and try to capture it themselves.

36
37 **CHAIRMAN DANA:** Any questions for the AP by the committee?

38
39 **MR. PERRET:** Not undergoing overfishing and it's not overfished,
40 but the commercial sector has been going over their allocation
41 and the recreational sector has been going under. Was there any
42 discussion about -- The increased bag limit obviously would lead
43 to increased recreational harvest and if indeed the commercial
44 sector were not brought in and held within their allocation that
45 we would be in an undergoing overfishing situation and did you
46 all discuss that possibility and if so, what was the --

47
48 **MR. FISHER:** Yes, we did and further along here -- Actually, the

1 very next motion was to increase the recreational bag limit from
2 two to three and so, Corky, to fully understand this, the
3 commercial were saying, hey, we don't want your fish and you
4 catch your fish. I don't really remember the numbers. Do we
5 really go over on the commercial sector that much?
6

7 **MR. RINDONE:** It varies annually and sometimes the component of
8 the commercial fishery might be under and sometimes it might be
9 over a bit, but, on the whole, we're looking at an average of
10 landing between 101 to maybe 102 percent of the ACL, which is
11 equal to the ABC right now, but is still under the overfishing
12 limit.
13

14 **MR. FISHER:** Corky, on the recreational side, if we increase
15 from two fish to three fish and every single -- Well, we don't
16 have that data yet, but the indication was it's a 50 percent
17 increase in actual landings to go from two to three and even in
18 spite of that, we would not exceed OFL.
19

20 **MR. PERRET:** Again, that's great, but my concern is if we've got
21 one sector that's been going over their allocation and the other
22 one has been under, as a total we haven't reached that plateau,
23 but if we do increase the bag and increase harvest and the other
24 sector is going over, we may be in a situation where we're going
25 to have to do some things about it. I have always said I don't
26 care what group, but if they're taking more than they are
27 supposed to, I think there should be a payback. If it's the
28 commercial guys, I think there should be some payback for them
29 if they're going over.
30

31 **CHAIRMAN DANA:** Continue, Martin. Thank you.
32

33 **MR. FISHER:** Thank you. Also in Amendment 26, there was a
34 request to permit the sale of the bag limit of king mackerel
35 caught in the small coastal shark drift gillnet fishery in the
36 South Atlantic. The AP actually recommended in the motion that
37 carried ten to two that the small coastal shark gillnet fishery
38 in the South Atlantic be allowed to harvest and sell their
39 recreational bag limit so long as the vessel has a federal
40 commercial king mackerel permit and the commercial mackerel
41 season is open.
42

43 **CHAIRMAN DANA:** Any discussion on this item by the committee?
44 Seeing none, Martin.
45

46 **MR. FISHER:** Thank you, Dr. Dana. The CMP elected also to defer
47 any action on this potential management measure to the South
48 Atlantic, so long as the South Atlantic was not responsible for

1 managing king mackerel in Monroe County. We recommended no
2 further action on sector-specific accountability measures for
3 coastal migratory pelagic species at this time.

4
5 Then we moved on to Amendment 28 scoping document and I think
6 this started on the end of the first day and went into the
7 second day and one of the things that changed in the AP that I
8 just wanted to share with you was we said that it was almost as
9 if everybody took their cloak and dagger off and they just sat
10 down at the table and decided to go to work.

11
12 One of the things that happened was sort of a town hall or
13 whatever format, where people were just throwing out ideas and
14 ground proofing what turned into several recommendations here.
15 We did a lot of work on this next section here.

16
17 We thought it was crucial to determine that the goals of CMP 28,
18 which we didn't feel they were very clearly outlined and it was
19 hard for us to accomplish our charge and so to do this, we threw
20 some things up on the board and we sort of gave bullet points or
21 an outline of what we thought the work should focus on.

22
23 One, the commercial king mackerel fishery is overcapitalized.
24 Two, the current commercial king mackerel permit should be split
25 into separate Gulf and Atlantic permits. That is a key note
26 right there. The joint CMP fishery management plan should be
27 divided into separate FMPs for the Gulf and South Atlantic
28 Councils and the current commercial Spanish mackerel permit
29 should be split into separate Gulf and Atlantic permits.

30
31 We had a motion that carried unanimously to recommend that you
32 split the king mackerel permit into two separate for the Gulf
33 and the Atlantic.

34
35 **CHAIRMAN DANA:** Any questions of the AP Chair on this particular
36 motion? Ben, I might ask you if you have any comments.

37
38 **MR. RINDONE:** Ben, feel free to jump in on this, but at the
39 South Atlantic Council's last meeting, they had voted to table
40 or discontinue any further work on Amendment 28, but, of course,
41 as you can see, the AP put together a pretty hefty motion that -
42 - That's the result of about three-and-a-half hours of
43 discussions to try to make sure that they were able to consider
44 the needs of new entrants into the fishery and historical
45 participants and create an environment where those who currently
46 have permits would still be able to use them, kind of regardless
47 of where they fished.

1 The thing that really kind of came in and has an influence on
2 whether someone would be awarded a permit or not has to do with
3 the hailing port requirement and also whether a permit is fully
4 transferable or non-transferable and it was the AP's intent that
5 there be fewer fully transferable permits rewarded to those
6 fishermen who have historically participated or who have been
7 participating at a high degree.

8
9 Then those fishermen who are either participating at a much
10 lower degree or haven't been participating at all would be
11 rewarded a non-transferable permit, but would still be able to
12 fish that permit. Is that correct, Martin? Okay.

13
14 **MR. BEN HARTIG:** It's interesting to see how this has changed.
15 I mean we brought this all to you last year and wanted to have a
16 separation of permits and you all didn't get onboard with it and
17 all of a sudden your AP wants to go ahead and do it.

18
19 We dropped it because our fishermen, frankly, were afraid that
20 if we started it that the Gulf would start to do it and then
21 there would be some regulations developed to try to eliminate
22 east coast fishermen from coming to the Gulf if we separated the
23 permits out and so that's why we dropped it, but the fallback
24 position for the fishermen was if the Gulf goes ahead with it,
25 then we'll go ahead with it as well, because there is some talk
26 about an east coast subzone that we currently have how we manage
27 that portion of the stock in the wintertime on the Florida east
28 coast and to keep that as a management area and since that's the
29 area where we have so much trouble with permits and people
30 jumping in and out of the fishery, we could tailor specific
31 regulations for that area and not get into any of you all's
32 business talking about two-for-one permits and things of that
33 nature, but just be able to look at that particular area and to
34 deal with the problem we have there.

35
36 We don't have the problem in North Carolina and you don't have
37 it in the Gulf with the permits so much, but it's that area that
38 really has the permits and so that's why we had thought this
39 would be something the fishermen might want to look at, but they
40 were scared that if we start doing this that the Gulf is going
41 to do it and they're going to kick Atlantic fishermen out of the
42 Gulf and things of that nature, but I think if you all want to
43 go down this road, I think we probably would get back onboard
44 and probably support the way the AP has suggested moving
45 forward. That's up to you and whatever you all want to do.

46
47 **CHAIRMAN DANA:** Martin, I am going to ask you, based on the
48 comments of Ben, when you go through the rest of the Amendment

1 28, just go through the rest of it and if people have questions
2 on any of the upcoming motions, just raise your hand and,
3 Martin, you can respond to them.

4
5 **MR. FISHER:** Thank you, Dr. Dana. To your point, Ben, or to
6 several of your points actually, the AP was very sensitive to
7 the traveling fishermen that come out of the east coast and
8 travel out to the western zone to fish there.

9
10 One of the things we identified is there is probably twenty to
11 thirty what we would call historic boats, traveling boats, that
12 have prosecuted that fishery for the last ten or fifteen years
13 and then there's maybe another thirty boats that are what you
14 would call new entrants, classify like that.

15
16 In any scenario where there is too little fish and too many
17 fishermen, or overcapitalization, there is always going to be
18 winners and losers, as you know. The new entrants don't seem to
19 carry the same clout that the older, historical fishermen do.

20
21 There is provisions that we came up with and let me tell you
22 this was pretty hard to pattern out, but we actually got it done
23 and it's all about transferability of permits and who gets to
24 qualify for a transferable permit or non-transferable permit,
25 protecting the traveling historic fishermen and protecting the
26 Gulf fishermen.

27
28 Of absolute unanimous importance to all of this was protecting
29 the ex-vessel price to the fishermen. So often we get into a
30 race for the fish, especially in the western Gulf. As you know,
31 prices start at \$3.50 and they quickly go to \$1.50 or \$1.75 or
32 \$2.00.

33
34 We feel like those fish are that valuable all year round and we
35 should find a way to prosecute the fishery such that we don't
36 lose market value and we retain the value of that fish and so
37 one of the motions that the AP made, and this is a little
38 complicated and so I am going to just go ahead and read it.

39
40 Pending the division of the current federal king mackerel permit
41 into separate Gulf and South Atlantic permits, the Gulf permit
42 would be further split into two separate classes. Permit
43 holders would only qualify for one of the two types of permits
44 as cited below. Fully transferable, Gulf permit holders would
45 be issued a fully transferable king mackerel permit so long as
46 they have met one of the following landings thresholds for king
47 mackerel in the Gulf of Mexico: 5,000 pounds of king mackerel in
48 any one year between 1994 and 2000, which protects your brethren

1 over there on the east coast; 10,000 pounds of king mackerel
2 annually in the last four years between 2010 and 2014; or 20,000
3 pounds of king mackerel annually in at least four years between
4 2010 and 2014; and other.

5
6 That would protect the historical fishermen that have landings
7 that can prove they have been in the fishery and it would
8 probably eliminate some -- To be just totally honest, it would
9 eliminate some of the new entrants that are putting pressure on
10 the fishery and pressure on the older fellows that have been in
11 it for a while.

12
13 To be eligible for a non-transferable permit, any Gulf king
14 mackerel permit who does not qualify for the fully transferable
15 permit. It would be specific to a single commercial Gulf zone
16 and that would be determined by commercial landings of any
17 species in the Gulf of Mexico and that the hailing port listed
18 for the Gulf of Mexico is on the current federal commercial king
19 mackerel permit as of January 1. Now, that's on the permit, but
20 that is not necessarily on the list when you go and access it.

21
22 **MR. FISCHER:** Martin, under pounds, was that pounds harvested in
23 the Gulf or could that be in the Atlantic and the Gulf?

24
25 **MR. FISHER:** It's simply Gulf of Mexico landings. Number c on
26 non-transferable would be obviously an appeals process would
27 have to be developed for either one. Any questions on that?
28 That motion carried twelve to one.

29
30 **MR. HARTIG:** Not really a question, but a comment. I mean this
31 was something that we brought forward as well and you all have
32 fleshed it out. You did a lot of work to get to where you are
33 and I sincerely appreciate the work that the Gulf AP has done in
34 fleshing this out, because I saw a lot of value in going the
35 direction you all have chosen to go.

36
37 Hopefully we can get down this road and get down this path and
38 stop the bleeding in the Gulf. I mean that was one of the
39 things that I tried to do early on by bringing the endorsements
40 in. I knew the problem was increasing at a rate that was
41 unsustainable and so that's why we talked about the endorsements
42 quite a while back, but this would do it as well.

43
44 This will get at the problem that you all are trying to solve in
45 the Gulf and so speaking for myself, I would be supportive of
46 what you all have done.

47
48 **MR. ROY WILLIAMS:** Martin, on 1b and c, one of them specifies

1 10,000 and the other specifies 20,000 and they are the same
2 other than that and why -- You couldn't make up your mind which
3 one you wanted to use, 10,000 or 20,000? Is that what we've got
4 here?

5
6 **MR. FISHER:** We wanted obviously to give the council several
7 different options from a NEPA perspective as well as nobody
8 could really decide what the number should be and so yes and yes
9 or no and no.

10
11 **MS. LEVY:** That is sort of related to my question. So the way
12 you intended this, Number 1, fully transferable, is to pick one
13 of these options that would make it fully transferable or some
14 other option?

15
16 **MR. FISHER:** Yes and we recommended that the council pick one of
17 these or some other option as their preferred alternative.

18
19 **CHAIRMAN DANA:** Martin, in the interest of time, I am going to
20 ask you to go through the rest of the report, because our
21 chairman needs to leave sooner than the rest of us.

22
23 **MR. FISHER:** Unfortunately, that's going to bite into the time
24 for the gillnet guys that prosecute the fishery down there along
25 the Keys and Florida Bay. Basically, they came to us and asked
26 for a 45,000-pound trip limit.

27
28 Apparently there is twenty-one boats in the fishery with only
29 fifteen that are actually active. There were a lot of
30 sentiments around the room that kind of felt like it was a big
31 boat/small boat battle and so we recommended, with a motion that
32 was not that strong of eight to four, that we increase the trip
33 limit from 25,000 to 35,000.

34
35 The argument was made that if we only went to 35,000 that boats
36 could turn around and make two trips in a day, ultimately
37 landing 70,000 per boat. Right now, they can make two trips at
38 25,000 and we kind of felt like that may not be totally true and
39 if you've got 35,000 on the boat, that's going to take too long
40 to offload and regroup and get back out.

41
42 The second motion that we made on this was for Preferred Action
43 2 in the CMP Framework Amendment 3 to establish an annual catch
44 target for the gillnet component of the king mackerel fishery
45 that is below the annual catch limit and we gave four options,
46 which you can read for yourselves or if you want me to read them
47 -- Dr. Dana? No? Okay. I don't actually see where we voted on
48 that. Did we vote on that?

1
2 **MR. RINDONE:** The vote was eleven to one in favor of Option 3a,
3 which is to establish an ACT equal to 95 percent of the ACL for
4 the gillnet component. Then Option 3e, which would -- This is
5 kind of like a pay it forward instead of a payback and so if the
6 gillnet component of the commercial fishery doesn't land its
7 quota in a given year, then the amount of any landings under
8 that ACT would be added to the following year's quota up to, but
9 not exceeding, the ACL, which is something that the gillnetters
10 had requested.

11
12 **MR. FISHER:** Thank you. I got mixed up on my pages here.
13 Sorry. The next motion was to recommend that the council move
14 Alternative 2 of Action 2 to the considered but rejected
15 appendix, which is basically we suggested you do not establish a
16 payback provision for the gillnet component. That carried
17 unanimously.

18
19 We also recommended that the council select Alternative 3 of
20 Action 3 as preferred, which removes the daily requirement for
21 daily electronic reporting and turns that into a weekly form and
22 is that correct?

23
24 **MR. RINDONE:** It would require a weekly reporting, but it would
25 still require daily communication between NMFS and the industry
26 in some new method that NMFS would determine. Right now, it's
27 kind of a trust that's built between NMFS and the fishery. One
28 of the wives of one of the fishermen communicates every evening
29 with a staff member at the Southeast Regional Office and tells
30 the staff member what the landings were for that day so that
31 they can keep track of the pace, because it still takes a couple
32 of days for the landings to get from the Science Center through
33 QA/QC and then back to SERO.

34
35 **MR. FISHER:** Thank you. That motion carried unanimously and we
36 also were told by the representatives from the gillnet industry
37 that they were not interested in eliminating any gillnet
38 endorsements. I have recently heard, like as of yesterday, that
39 that was not exactly what they intended to communicate and so I
40 really don't know what to say about that, other than they can
41 represent themselves in public testimony. I am sorry for the
42 confusion, but that's what we were told.

43
44 We also made a motion to move to the considered but rejected
45 appendix elimination of inactive commercial king mackerel
46 gillnet endorsements and that also carried unanimously and so by
47 the end of that day, we were down to I think eleven members and
48 our quorum had gone out the door.

1
2 In Other Business, we created two motions. The first regards
3 cobia and the CMP AP recommended that the federal possession
4 limit for cobia be reduced from two fish to one fish per person
5 for the recreational fishery in the Gulf of Mexico and that
6 motion carried twelve to one.

7
8 At that point, our last motion of the day was the AP recommended
9 the council explore implementing an IFQ for the hook and line
10 Gulf group king mackerel fishery and that motion carried seven
11 to one. Again, I would like to thank Chairman Anson for
12 including me in the process and being able to report out for the
13 AP.

14
15 **MR. RINDONE:** The only motion that Martin didn't read was an
16 increase in the bag limit from two fish to three fish, but I
17 thought that was covered well in the discussion. Then just a
18 note that the IFQ vote was without a quorum and so at that point
19 we had lost some members of the AP and so thank you, Martin.

20
21 **CHAIRMAN DANA:** Martin, thank you for a thorough presentation.
22 Again, Amendment 26 and 28 in the Gulf is just going out to
23 scoping and so we will obviously use the AP's input in those
24 scoping. Thank you, Martin. Let's move forward and in the
25 interest of time, we will move into Options Paper for Coastal
26 Migratory Pelagics Framework Amendment 3: Gulf of Mexico King
27 Mackerel Gillnet Fishery Management Modifications. That is Tab
28 C, Number 5(a) and Ryan.

29
30 **OPTIONS PAPER FOR COASTAL MIGRATORY PELAGICS FRAMEWORK AMENDMENT**
31 **3: GULF OF MEXICO KING MACKEREL GILLNET FISHERY MANAGEMENT**
32 **MODIFICATIONS**
33

34 **MR. RINDONE:** Thank you, Dr. Dana. I am going to be working off
35 of the decision document. The first action in this options
36 paper modifies the king mackerel gillnet trip limit from its
37 current trip limit of 25,000 pounds per day.

38
39 Alternative 1, of course, is no action and Alternative 2 has
40 options for increasing the trip limit. Option 2a is to increase
41 it to 35,000 pounds and this is the one that's preferred by the
42 AP. 2b is to increase it to 45,000 pounds and 2c would remove
43 it entirely.

44
45 Alternative 3 would establish a buffer to the trip limit to
46 account for landings uncertainty and so this buffer would be on
47 top of the trip limit and the intent would be for fishermen not
48 to profit from the sale of king mackerel landed over the trip

1 limit, but the purpose of the buffer is also to reduce the
2 likelihood of fishermen being fined for being just a little bit
3 over that trip limit.

4
5 For instance, if there is a 10 percent buffer on a 10,000-pound
6 trip limit, then as long as you don't land more than 11,000
7 pounds, you won't be considered to have exceeded the trip limit
8 and so you wouldn't get fined.

9
10 However, the AP recommended removing Alternative 3 of Action 1
11 to considered but rejected, because they felt like it just
12 provided an opportunity to land fish over the trip limit, but
13 still within the buffer.

14
15 Since this is an options paper, this would be an opportunity for
16 you guys to pick some preferred alternatives, since the final
17 time that we're going to bring this forward would be at the June
18 meeting and that's when we intend to take final action on it,
19 down in the Keys. If you guys want to provide some
20 recommendations to the council for preferreds on these, by all
21 means. For Action 1, any thoughts?

22
23 **MR. FISCHER:** I have a question before I make a motion, if
24 anyone in here would know. The 35,000 pounds in trip limit, is
25 this considered high quality? I just want to make sure we're
26 not moving from 25,000 upwards and we are losing quality in the
27 meat.

28
29 **MR. RINDONE:** This was a concern that was brought forward by the
30 AP and one of the AP member deals in a lot of seafood. He is a
31 seafood distributor and his thoughts were that an increase to
32 this level he didn't think would harm the quality of the fish to
33 the extent that an increase to 45,000 pounds or unlimited might.
34 Because of the improvements in fish handling and refrigeration,
35 the product coming out of the gillnet fleet has increased in
36 recent history and he didn't think this would set them back, but
37 that's his opinion.

38
39 **MR. PERRET:** Did we not also have some input relative to if we
40 increase to 35,000 or higher that this would prevent the
41 multiple trips in a day now, some that are able to get X number
42 of pounds in the morning and go back out and make two trips, but
43 with 35,000 or 45,000 pounds they would not be able to do that?

44
45 **MR. RINDONE:** That's the indication we've received from the
46 industry.

47
48 **MR. JOHN SANCHEZ:** There is a couple of gillnet fishermen here

1 that have traveled all the way to be here.

2

3 **CHAIRMAN DANA:** I was going to address that.

4

5 **MR. SANCHEZ:** Okay. It seemed like a good point -- If we're
6 going to be selecting preferreds, I thought we would run through
7 the presentation first and then vote on adding preferreds or
8 not, but if we're going to be setting preferreds, I would very
9 much like to hear from them.

10

11 **CHAIRMAN DANA:** Chairman Anson, I do want to recognize two
12 individuals that came from the Keys that are part of that very
13 finite gillnet fishery. However, I am sensitive to your time
14 constraints and Ryan's, because you have to go to Mobile for one
15 of these scoping meetings. How would you best like to move
16 forward?

17

18 Can we possibly -- I don't know if we can get through the
19 preferreds for this options paper in the timeframe that we have
20 left and can I bring up the folks that have come here, because
21 they have to go back and go back to work tonight and so can we
22 bring it up maybe in full council, the preferreds, or --

23

24 **MR. KEVIN ANSON:** We might be able to. I mean you have fifteen
25 more minutes, according to my watch, until 3:00. If you want to
26 go ahead and have them come up.

27

28 **CHAIRMAN DANA:** Yes, I will have them come up and I am going to
29 introduce George Niles and Daniel Padron from the gillnet
30 fisheries and I am going to ask you guys to be brief, but let
31 them know your industry perspective and then we will try to
32 address as many of the preferreds as we can.

33

34 **MR. GEORGE NILES:** As far as the 35,000 and 45,000, is that what
35 you are asking? I mean I would like to answer specific
36 questions.

37

38 **MR. SANCHEZ:** Yes, there were a couple of issues brought up that
39 I think that you might be able to shed some light on. One would
40 be as we go, potentially, looking at moving from the existing
41 trip limit to something higher, 35,000 or 45,000 pounds, what
42 happens to the quality of fish?

43

44 Then I will try to give you as much -- So you can answer it at
45 one time. Then there was some relationship between an increase
46 in the trip limit and the inability to have a turnaround and go
47 right back out and get right back into fishing. Those would be
48 two questions that I would want your input from.

1
2 **MR. NILES:** As far as quality, most of the boats you're talking
3 about are over fifty feet and capable of handling up to 50,000
4 or 60,000 pounds of fish. That's what they were built for and
5 they just carry more ice when they carry more fish. Obviously
6 if you are speaking of going up 20,000 pounds, you would just
7 add more ice, more crew. I mean these boats are big enough to
8 handle that.

9
10 If you're asking me about quality, of course, if I've got one
11 fish or I've got ten fish, it's more likely that the one fish is
12 going to be better quality, but I think that these boats are
13 capable of handling and keeping good quality on 45,000.

14
15 As far as the turnaround time, I think with 35,000 -- I think
16 the council has got a little bit of a misperception about it.
17 It's not the same day. It's the next day. With 45,000 pounds -
18 - I have caught 45,000 pounds in my lifetime numerous times and
19 you do not go back the next day. It's the following day. It's
20 forty-eight hours turnaround and not twenty-four, which, to me,
21 would slow the fishery down a little bit, because with 35,000
22 pounds, most of the boats could turn around and be back the next
23 afternoon.

24
25 **MR. SANCHEZ:** I guess another couple of questions and this just
26 breeds more questions. Being that you just said you have caught
27 45,000 on more than one occasion, say we were to go to 45,000 or
28 something and what happens -- How do you propose to be
29 accountable if you overrun slightly over 45,000 pounds?

30
31 **MR. NILES:** Me personally, I would like to see it taken off the
32 quota, of course. I mean they were produced and I would like to
33 see anything over, no matter what the number is, 25,000 or
34 35,000 or 45,000, donated to a non-profit organization so the
35 person going over doesn't profit from that fish. I think if
36 there is no way they could profit from the fish that they're not
37 going to go over as much as possible. I mean that's just more
38 work on the captain and crew and a longer turnaround time for
39 the next day.

40
41 **MS. BADEMAN:** Thank you, George and Daniel, for being here. One
42 of the things that the AP had said was they did not support a
43 payback and I thought at that gillnet meeting back in January
44 that it seemed like the industry was interested, or at least
45 amenable, to something like that. Can you talk about that a
46 little bit?

47
48 **MR. NILES:** I would love a payback. I think you're talking

1 minimal, you know 50,000 pounds, every year?
2

3 **MS. BADEMAN:** Yes and I mean I'm talking the whole -- You know
4 if you go over the total quota from the year, deducting it from
5 the following year.
6

7 **MR. NILES:** Yes, the industry is totally in support of that as
8 long as it works both ways. I don't want you to take it off my
9 next year's quota if I go over if you're not going to add if
10 you're under and correct me if I'm wrong, but I think our
11 portion of the industry has been under three of the last four
12 years.
13

14 **MR. SANCHEZ:** I do want to thank you for coming and I also want
15 to ask you -- What are you doing, do you think, given that
16 obviously this is a tight fishery, a small group of people, and
17 it transpires, if the weather is right and everything, in a
18 short amount of time and what do you think you could do, as
19 you're asking for additional poundage per trip, to work in
20 cooperation with enforcement, with National Marine Fisheries
21 Service, to be able to keep this where everybody wants to see it
22 go?
23

24 In other words, under control and working in conjunction and not
25 having any massive overages or anything and just keeping it
26 altogether and working correctly?
27

28 **MR. NILES:** John, I think in the last two years, where we've
29 worked with the council, we are I think the only fishery in the
30 United States that stops itself successfully in the last two
31 years. I would like to see it continue in that direction.
32

33 I mean the only way this can work is if the fishermen stop. It
34 takes the federal government three days to stop a fishery and
35 it's got to be published in the public record and all of that
36 and I think we've done a good job policing ourselves. Nobody
37 wants to see us punished for going over and as long as we
38 continue to work like that -- That's one reason we would like to
39 see the latent permits taken out, because we've got a group of
40 fifteen guys down there that have banded together and come to
41 you with these suggestions to better facilitate our fishery and
42 the seven latent permits that are out there, we don't know if
43 they would work with us. One rogue guy throws the whole thing
44 out of whack.
45

46 **MR. RINDONE:** That lends itself to Action 2 and the AP had
47 preferred Preferred Alternative 3, which would establish an ACT.
48 They wanted to see the ACT equal to 95 percent of the ACL and so

1 it would basically put like a 5 percent buffer between what you
2 absolutely can't exceed and then what your aim is to catch, but
3 they also wanted -- They put that pay it forward provision in
4 there that you guys asked for. They preferred that, where if
5 you caught under the ACT that any underage would be added to the
6 next year's ACT, just as long as it didn't exceed the ACL and so
7 it would be up to the ACL. They considered that.

8
9 They did not select a payback, because they felt that
10 establishing the ACT was enough of an accountability measure to
11 put in place to keep things under control.

12
13 **CHAIRMAN DANA:** Daniel Padron, I see you are at the mic.

14
15 **MR. DANIEL PADRON:** Yes and thank you, Ms. Dana. Like Mr. Niles
16 said, we police ourselves really well and I feel that even if
17 you put a 5 percent or 10 percent buffer, by the time you guys
18 are enable to enact the buffer, we are done.

19
20 We have a pretty good system and we all get along very well.
21 The pilots are really the ones in the driver's seat of this
22 fishery and I am one of the pilots and we pretty much control
23 the boats.

24
25 For example, this past year, there were four boats on the
26 grounds and they were sent home and names were drawn out of a
27 hat and more fishermen were able to go fish and we were where we
28 needed to be and so as far as the buffer, I think it would be
29 just kind of more work, more paperwork, for you guys that is not
30 necessary and we do a pretty good job as it stands right now.

31
32 **MR. RINDONE:** The self-policing aspect of this, for you guys to
33 consider, kind of lends itself to Action 3, which would modify
34 the electronic reporting requirements for the dealers. This is
35 where a lot of the monitoring of the landings comes in most
36 quickly and the AP had preferred removing the requirement for
37 daily electronic reporting for king mackerel dealers and that
38 dealers reporting purchases of gillnet kingfish would report
39 daily via a means determined by NMFS.

40
41 NMFS, under this, would work with the industry to try to
42 determine what's the fastest way to try to get the information
43 in and right now, it's through verbal communication on the phone
44 and so some more formal means, but equally as fast, would be
45 something that I'm sure NMFS would try to shoot for, but they
46 would work in concert with you guys under Alternative 3, which,
47 again, is what the AP had preferred.

48

1 **MR. PERRET:** Daniel and George, thank you all for coming.
2 George has been at it a long time, like me, but my question is
3 this. We have twenty-one permit holders now, which fifteen are
4 active. Increasing the limit from where it is to wherever we
5 may go, will that bring those other six inactive vessels or
6 captains in the fishery and if it does, it seems like we've got
7 a season that's going from three to seven days and what is it
8 going to do to that if we get these other six guys in the
9 fishery?

10
11 **MR. NILES:** Corky, I think that depends on the size of the boats
12 they have. You know this might be people that fished in 1985
13 and still have a permit and may long be retired and I have no
14 idea. I mean it's expensive.

15
16 There is not many people getting into the king mackerel gillnet
17 fishery. It's expensive to get in for a two-day fishery and
18 just the net costs \$30,000 or \$40,000.

19
20 **MR. HARTIG:** To that point, Corky, several fishermen in our area
21 qualify for the permits and I think George knows the fishermen
22 who qualified for them and none of them have been active in the
23 fishery and none of them have a boat large enough to participate
24 any longer, at least for those permits. I can't talk for the
25 ones that are in the Keys, but those guys are out of it.

26
27 **CHAIRMAN DANA:** Do I have any other questions of our
28 representatives from the very small gillnet fishery? Any
29 questions on the 25,000 versus 45,000 catch limit or the
30 reporting requirements? Nothing? Daniel or George, anything
31 you would like to add?

32
33 **MR. PADRON:** I would just like to add one thing. Presently,
34 right now, we are not allowed to fish on the first weekend after
35 the opening and due to weather windows, I would like the council
36 to consider allowing us to fish on the weekends, since it's I
37 think pretty obvious that we control the fishery as it is.
38 Sometimes the weekends are pretty good weather and it could
39 really be used. I think it might even help the hand liners at
40 some point as far as keeping the price situated. If we could
41 fish on weekends, it would definitely help tremendously and the
42 reporting would still be the same.

43
44 **MR. RINDONE:** The reason why they are currently not allowed to
45 fish on the weekends has to do with enforcement, because there
46 is limited availability for NMFS port agents to monitor the
47 landings coming in on the weekends and so that was the reason
48 for that, initially.

1
2 **EXECUTIVE DIRECTOR DOUG GREGORY:** Steve Branstetter, correct
3 that if -- I thought the reason the first weekend was closed is
4 because you didn't want or didn't have the ability to get
5 regulations in place to close it if it happened during the
6 weekend. Is Ryan right or is there some other reason for that?
7 The port samplers, I know, they are available at any time and
8 anywhere.

9
10 **DR. STEVE BRANSTETTER:** No, it's the ability to close, but
11 that's true of any weekend.

12
13 **EXECUTIVE DIRECTOR GREGORY:** The point it is has nothing to do
14 with the port samplers.

15
16 **CHAIRMAN DANA:** Guys, I appreciate you coming here from such a
17 long distance and good luck with your fishery.

18
19 **MR. NILES:** Thank you for your time.

20
21 **CHAIRMAN DANA:** You bet. Chairman Anson, I am going to defer
22 back to you and what's your pleasure? Would you like to try to
23 hammer out a few of these preferreds or would you like to take
24 this up in full council?

25
26 **MR. ANSON:** We have got a couple of folks that have come here to
27 provide presentations and I don't want to impact them and I
28 think maybe we can try to go ahead and do that in full council
29 and try to get through that and so if we want to go ahead to the
30 next committee then, if that's okay.

31
32 **CHAIRMAN DANA:** Yes and having no other business, I am going to
33 call for a motion to adjourn. We have a motion by Martha and a
34 second by John. Thank you.

35
36 (Whereupon, the meeting adjourned at 3:00 p.m., March 30, 2015.)

37
38 - - -
39