

## **Mackerel Committee Report January 24, 2022 Mr. Kevin Anson – Vice Chair**

The Committee adopted the agenda (**Tab C, No. 1**) and approved the minutes (**Tab C, No. 2**) of the October 2021 meeting as written.

### *Review of Coastal Migratory Pelagics (CMP) Landings Update (Tab C, No. 4)*

Mr. Peter Hood (NMFS Southeast Regional Office [SERO]) reviewed the recent landings for the Gulf migratory groups of cobia, king mackerel, and Spanish mackerel. All 2021 landings are preliminary. Gulf Zone cobia commercial landings, and FLEC Zone commercial landings, remain below previous years, and the 2017/2018 – 2019/2020 average. Previous years commercial landings of Gulf king mackerel are similar to observations for years 2017/2018 – 2019/2020, however, 2021/2022 fishing season landings are lower. The commercial gillnet fleet for Gulf kingfish will be fishing under a small payback when the fleet begins fishing in January 2022. Spanish mackerel landings remain below previous years and the 2017 – 2019 average.

### *Draft Amendment 33: Modifications to the Gulf of Mexico Migratory Group King Mackerel Catch Limits and Sector Allocations (Tab C, No. 5)*

Council staff reviewed a presentation for CMP Amendment 33, including modifications to Action 2 based on Council input during the October 2021 meeting. A Committee member asked if it was valid to say that if the Council selects Alternative 2 in Action 1, that the commercial sector would receive an increase in its annual catch limit (ACL) under any alternative in Action 2. Council staff replied that was correct, since the total ACL was increasing.

Council staff confirmed that the analysis conducted for Alternative 2 in Action 2 used just the 2016/2017 through 2019/2020 fishing years' data. The Committee member then asked whether an economic analysis would be performed to quantify the economic effects of any reallocation. Council staff replied that such an analysis would be performed as part of the eventual public hearing draft version of the document. The Committee member then asked why the Southern Zone Gillnet component of the commercial sector catches its quota so quickly, and whether this was a function of Atlantic migratory king mackerel coming into the Gulf. Council staff recalled the re-specification of the winter mixing zone to a much smaller spatial scale, just south of U.S. Highway 1 in the Florida Keys, from November 1 – March 31 in SEDAR 38. This change was based on commercial trip ticket data. These same data, combined with angler observations, have confirmed the migratory habits of Gulf migratory group king mackerel, which begin migrating north in the western Gulf in late spring, come across the northern Gulf in the summer and early fall, and then south along the west coast of Florida in the late fall and early winter, with the fish wintering off the Florida Keys and the Dry Tortugas and adjacent waters. The Southern Zone Gillnet fleet uses spotter planes and run-around gillnets to catch king mackerel, and with a 45,000 lb trip limit, can land its component quota rather quickly.

A Committee member asked whether the increase in the recreational bag limit, which went into effect in May of 2017, had resulted in an increase in recreational landings. Council staff replied that the landings data do not suggest the increase in the bag limit has led to an increase in recreational landings. The Committee member asked whether the data on the percent of trips where king mackerel are primary or secondary target species were immediately available. Council staff replied that these data could be provided at the next Council meeting.

A Committee member asked whether a change in survivorship of king mackerel was responsible for the decrease in recreational landings in the last few years. Council staff replied that the stock assessment estimates a 25% discard mortality rate for all hook-and-line fleets, and that fishing practices have not changed since that determination. Thus, it seems unlikely that survivorship has changed; however, king mackerel, like many CMP species, are prone to becoming oxygen-starved more quickly when removed from the water. As such, the manner in which king mackerel are fought, landed, handled, and release can have an effect on their survival.

A Committee member asked whether it may be appropriate to move Options 2c and 2d in Alternative 2 of Action 2 to the Considered but Rejected Appendix. Council staff replied that the Committee could certainly do so, as at this point, several options have been provided to and considered by the Council with respect to Action 2.

**The Committee recommends, and I so move, to move Option 2c and 2d of Alternative 2 in Action 2 to Considered but Rejected.**

*Motion carried without opposition.*

A Committee member asked why there seemed to have been a decrease in the recreational landings from the 2016/2017 to present landings. Council staff said that there was no analysis of this change in the stock assessment, which only used data through the 2017/2018 fishing year. Another Committee member noted past public testimony about the comparative lack of bait in the northern Gulf, which may be affecting the stock there.

A Council member not on the Committee expressed concern about rushing reallocation based only on landings data. They thought other factors were worth analyzing first, like social and economic considerations. NOAA General Counsel noted that there is nothing to compel the Council to rush a decision about sector allocations for a stock. A Committee member asked if it was possible to separate the actions in the amendment, addressing each individually. Another Committee member replied that the actions could be split if the Committee desired.

A Committee member noted their uncertainty about the use of recreational landings data generated by the Marine Recreational Information Program's Fishing Effort Survey (MRIP-FES), and questioned whether it was appropriate to increase the catch limits at this time, or whether a constant catch scenario should be explored. Council staff replied that the Council's Scientific and Statistical Committee (SSC) recommended an overfishing limit (OFL) and acceptable biological catch (ABC) for the 2021/2022 – 2023/2024 fishing years, and not further

into the future. In doing so, this fixes catch limits beyond the 2023/2024 fishing year at that level. Council staff recalled that these catch limits were increasing with time, representative of the stock increasing from its current level above the minimum stock size threshold to the spawning stock biomass at maximum sustainable yield. Thus, the catch levels corresponding to the 2023/2024 fishing year would actually be estimated to be conservative in future years, assuming other parameters from the model like recruitment and growth remained constant.

### *Draft Amendment 34: Atlantic Migratory Group King Mackerel Catch Levels and Atlantic King and Spanish Mackerel Management Measures (Tab C, No. 6)*

Ms. Christina Wiegand (South Atlantic Council Staff) reviewed the need for CMP Amendment 34, which examines Atlantic migratory group king mackerel (Atlantic king mackerel) in response to the results of the SEDAR 38 Update (2020) stock assessment. The SEDAR 38 Update for Atlantic king mackerel found the stock to be healthy, and due to exceptional recruitment, the catch limit recommendations from the South Atlantic Scientific and Statistical Committee (SSC) represent a considerable increase from the previous catch levels from the original SEDAR 38 stock assessment (2014). Amendment 34 also considers sector allocations, recreational size and bag limits and recreational retention regulations. At this point in time, the South Atlantic Council has selected preferred alternatives for all actions. Ultimately, both Councils will need to select commensurate preferred alternatives before final action can be taken. Public hearings for this amendment were held via webinar on November 15<sup>th</sup> and 16<sup>th</sup>, 2021. Public comments relevant to each action were reviewed with the Committee.

Ms. Wiegand noted modifications to the Purpose and Need statement to encompass the addition of the acceptable biological catch to Action 1. Based on guidance from NOAA General Counsel, changes were made to the language in Action 1 to incorporate biological reference points including, acceptable biological catch (ABC) and overfishing limit (OFL) for Atlantic king mackerel. Additionally, Action 3 was revised to make it consistent with the language in Action 1 and Action 2 since each action is linked. This changed the Council's current preferred alternative (Alternative 2, above) into Alternative 1 (No Action) (the intended result of the selected alternative remains the same).

The Committee asked about setting a constant catch level in Action 1, represented by Alternative 5, at the lowest of the annual yields recommended by the South Atlantic SSC. The Committee noted that the South Atlantic SSC could be asked to consider a constant catch yield calculated by averaging the annual yields for the OFL and ABC, respectively, across the recommended time series.

During public hearings, there was substantial opposition to Actions 5 and 6 which consider reducing the recreational and commercial minimum size limit for Atlantic king mackerel, respectively, which is currently 24 inches fork length. The South Atlantic Council chose to change their preferred alternative to Alternative 1 (No Action) for both actions. Additionally, they passed a motion to send Actions 5 and 6 to the considered but rejected appendix.

The Committee recommends, and I so move: **to move Actions 5 and 6 to Considered but Rejected.**

**Action 5. Reduce the minimum size limit for recreational harvest of Atlantic migratory group king mackerel.**

**Action 6. Reduce the minimum size limit for commercial harvest of Atlantic migratory group king mackerel.**

*Motion carried without opposition.*

Action 7 would modify the recreational requirement to land Atlantic king and Spanish mackerel with heads and fins intact. Currently, commercial fishermen are allowed to keep cut/damaged king and Spanish mackerel that meet minimum size limits. Action 7 would provide the same provision for the recreational sector. It was clarified that whatever portion of the fish remains after being damaged, including after the damaged portion is removed, must meet the minimum size limit. The South Atlantic Council's Law Enforcement Advisory Panel will be discussing this action and their upcoming meeting on February 10<sup>th</sup>, 2022.

The Committee recommends, and I so move: **in Action 7, to select SAFMC Preferred Alternative 2, and Sub-alternatives 2a and 2b as the Gulf preferred.**

**South Atlantic Council Preferred Alternative 2. Cut-off (damaged) fish caught under the recreational bag limit, that comply with the minimum size limits, may be possessed, and offloaded ashore.**

**South Atlantic Council Preferred Sub-alternative 2a. Atlantic migratory group king mackerel**

**South Atlantic Council Preferred Sub-alternative 2b. Atlantic migratory group Spanish mackerel**

*Motion carried with one abstention.*

### *Other Business*

A Council member not on the Committee thought it worth considering methods to allow the Gulf and South Atlantic Councils to individually address matters such as sector allocations for stocks occurring in their respective jurisdictions. Council staff reminded the Committee and the Council that these CMP species are managed jointly in part because of a shared federal commercial permit which is valid in both jurisdictions. As a result, both Councils maintain a keen interest in shared permit, allocation, and spatial management considerations.

Mr. Chair, this concludes my report.