



## Mid-Atlantic Fishery Management Council

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## Mackerel, Squid, Butterfish Committee Webinar Meeting

February 25, 2019

**Committee members:** Peter Hughes (chair), Sara Winslow (vice chair), Joseph Cimino, Maureen Davidson, Peter deFur, Sonny Gwin, Roger Mann, Stew Michels, Laurie Nolan, Adam Nowalsky, Peter Christopher, Terry Alexander (New England representative), Mike Luisi (ex-officio), Warren Elliott (ex-officio)

**Other attendees:** John Almeida (GARFO), Julia Beaty (Council staff), Purcie Bennett-Nickerson (Pew Charitable Trusts), Alan Bianchi (NC DMF), Doug Christel (GARFO), Greg DiDomenico (Garden State Seafood Association), Michelle Duval, Zack Greenberg (Pew Charitable Trusts), Howard King (MSB AP member), Aly Pitts (GARFO), Mike Waine (American Sportfishing Association), Kate Wilke (The Nature Conservancy)

### Summary

The Mackerel, Squid, Butterfish (MSB) Committee met via webinar to develop recommendations for preferred alternatives for the Chub Mackerel Amendment. After reviewing the alternatives, public comments, staff recommendations, and Advisory Panel (AP) comments, the Committee recommended that the Council approve the staff recommendations (listed on page 3).

The Committee clarified that as a general rule, the acceptable biological catch (ABC) will be less than or equal to the overfishing limit (OFL, when an OFL is available), optimum yield (OY) will be less than or equal to the ABC, the annual catch limit (ACL) will be less than or equal to OY, the annual catch target (ACT) will be less than or equal to the ACL, and the total allowable landings limit (TAL) will be less than or equal to the ACT. The values for these measures, as well as the values for expected South Atlantic catch, the management uncertainty buffer, and expected discards should be reviewed and can be modified by the Council every year when considering specifications for the upcoming year.

One Committee member said setting OY less than or equal to the ABC to account for social, economic, or ecological factors should be a policy decision that may warrant a more involved process than the typical specifications process. For example, specifications decisions are typically made at a single Council meeting, which limits the opportunity for public input, compared to framework actions or amendments which require discussion at multiple Council meetings.

One Committee member proposed that the ABC be reduced by 2% to account for ecosystem considerations. He acknowledged that this is not supported by a quantitative analysis but would be a policy decision based on the Council's forage policy and public comments. He also

suggested that, as noted by AP members and staff, the proposed 10% discards buffer is likely too high. One solution to address this could be to reduce the discard buffer to 6-7% and set OY slightly lower than the ABC. This would result in a similar TAL as the staff proposal. Another Committee member said she didn't like the idea of characterizing OY as a tradeoff with the discard buffer because data are available to inform the discard buffer, but not OY.

One Committee member asked how the proposed status determination criteria (SDCs) relate to the ABC and if either SDC option in the staff memo would allow for a higher ABC. Staff clarified that the proposed SDCs are metrics to determine if the stock is overfished or experiencing overfishing, but they do not impact the ABC. When stock assessments are available, the SDCs and the ABC are typically related. However, in this case, they do not impact one another.

As described in the public hearing document, the alternatives for permit requirements would apply to all possession of chub mackerel. The Committee asked if chub mackerel purchased as bait should be exempt from this requirement. Greater Atlantic Regional Fisheries Office (GARFO) staff noted that current regulations state that "any vessel of the United States, including party and charter vessels, must have been issued and carry on board a valid vessel permit to fish for, possess, or land Atlantic mackerel, squid, or butterfish in or from the EEZ" (648.4 (a)(5)). These regulations do not include an exemption for purchased bait. For example, longline vessels which purchase *Illex* squid for bait are required to have an incidental or moratorium *Illex* squid permit. Regulations for some other species (e.g., Atlantic herring) include bait exemptions when specific gear types are used.

The Committee considered allowing an exemption from the proposed permit requirements for chub mackerel purchased as bait with a bill of sale. They agreed that a similar exemption should be considered for *Illex* squid bait on longline vessels. The Committee decided not to include such an exemption in the Chub Mackerel Amendment, but discussed other ways to address the issue for all MSB species (including chub mackerel), such as adding it to the ongoing *Illex* permitting and MSB goals and objectives amendment or requesting that GARFO resolve the issue administratively without a Council action. One Committee member suggested that a generic bait permit could be created to address this issue. Another Committee member said consideration should be given to the ability to distinguish purchased chub mackerel or squid from caught chub mackerel or squid. If they cannot be easily distinguished, this exemption could be problematic.

## Committee motions

I move to recommend that the Council approve the staff recommendations as described in the February 15, 2019 staff memo, with the following modification: OY is 2% less than the ABC.

deFur/

Motion fails for lack of second

I move to recommend that the Council approve the staff recommendations as described in the February 15, 2019 staff memo.

Nolan/Mann 10/0/1

Motion carries

Staff recommendations from February 15, 2019 memo:

- Manage chub mackerel as a stock in MSB FMP (alternative 2.B)
  - SDCs
    - Proxy overfishing SDC: greater than 3,026 mt (6.67 million pounds) of harvest from Maine through the east coast of Florida in a single calendar year
    - Proxy overfished SDC: overfishing (as defined above) occurs in 3 consecutive years
  - Maximum sustainable yield is equal to the ABC
  - Essential fish habitat (EFH)
    - Egg EFH: pelagic waters throughout the exclusive economic zone (EEZ) from North Carolina to Texas, including intertidal and subtidal areas, at temperatures of 15 - 25° C
    - Larval EFH: pelagic waters throughout the EEZ from North Carolina to Texas, including intertidal and subtidal areas, at temperatures of 15 - 30° C
    - Juvenile and adult EFH: pelagic waters throughout the EEZ from Maine through Texas, including intertidal and subtidal areas, at temperatures of 15 - 30° C
  - Use the existing MSB specifications process for chub mackerel (alternative 2.A.ii)
  - ME - NC management unit (alternative 2.B.ii)
  - No separation of commercial and recreational catch limits (alternative 2.C.i)
  - In season closure of the commercial fishery when 90% of the TAL is projected to be landed (alternative 2.D.i.c)
  - 40,000 pound commercial possession limit after 90% of the TAL is projected to be landed (alternative 2.D.ii.d)
  - 10,000 pound commercial possession limit after 100% of the TAL is projected to be landed (a modification of alternative 2.D.ii.c)
  - Require any existing GARFO MSB commercial fishing permit for commercial vessels to retain chub mackerel in the management unit (alternative 2.E.i.c)
  - Require the GARFO MSB party/charter permit for party/charter vessels to retain chub mackerel in the management unit (alternative 2.E.ii.c)
  - For the first three years of implementation, OY = ABC = 5.07 million pounds, to be reviewed each year (alternative 3.A)
  - No management uncertainty buffer
  - Expected discards = 10% of the ACT, resulting in a TAL of 4.49 million pounds.