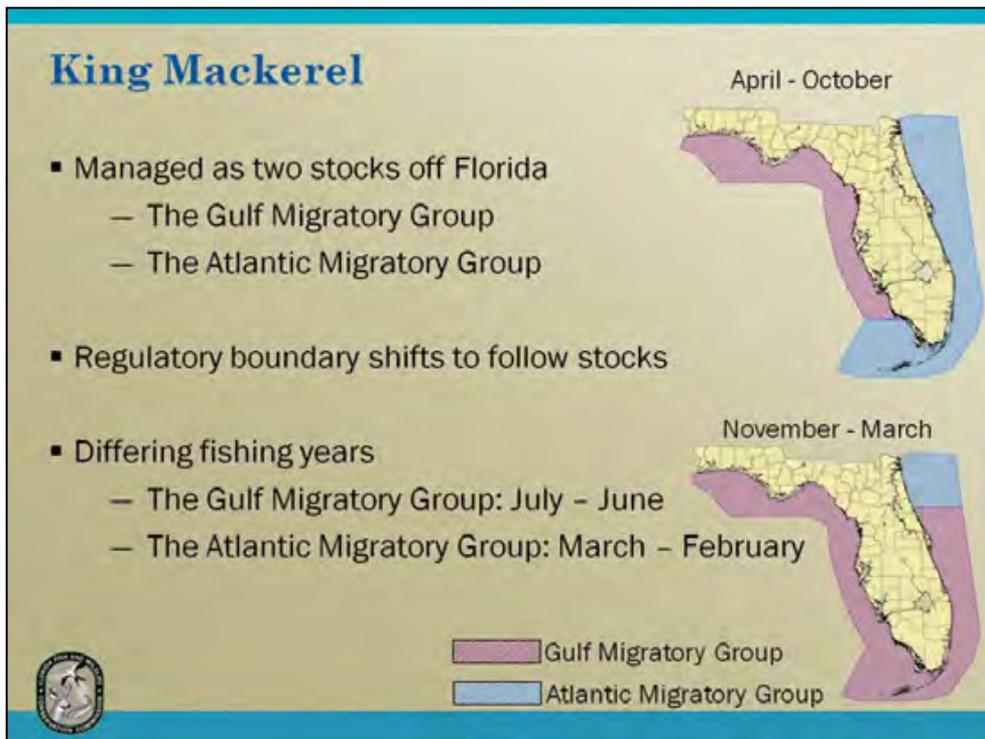




This is a final public hearing for the Florida Fish and Wildlife Conservation Commission's (FWC) rule for king mackerel, 68B-12, Florida Administrative Code (F.A.C.). This proposed rule would modify the Commission's rule for king mackerel by allowing commercial fishers to land king mackerel in Collier County, a closed area, when they are caught in nearby waters of Monroe County that are open to harvest. The landing of king mackerel would be allowed in Collier County from April 1 until July 1 by federal commercial king mackerel permit holders when the transport of the fish is direct and continuous through the closed area to the place of landing.

Authors: Michelle Sempsrott, Aaron Poday, and Melissa Recks

Report date: January 3, 2012



Genetic analysis has determined that there are two distinct migratory king mackerel stocks in the waters around Florida: the Gulf Migratory Group and the Atlantic Migratory Group. These two stocks migrate around Florida's coast throughout the year and are managed separately.

The regulatory boundary line between the two stocks shifts to follow the migrating stocks. Along with the shifting boundary, the fishing year differs between the two stocks as well. The commercial fishery for both stocks is managed under a quota that resets at the beginning of the fishing year. The Atlantic Migratory Group (includes Monroe County) fishing year starts on March 1 and lasts through the end of February each year. This means that if the fishery is closed early because the quota has been met, it reopens on March 1. The Gulf Migratory Group's (includes Collier County) fishing year is defined as July through June each year. When the quota is reached in the Gulf group region the fishery closes until July 1.

Regulations for king mackerel in state and federal waters are consistent.

Issue/Proposed Solution

- King mackerel can typically be commercially harvested from Monroe County waters April 1 – June 30, when Collier County waters are often closed to commercial harvest
- Current rules prohibit landing commercially harvested king mackerel in Collier County during a Gulf Migratory Group closure
 - There is no place near the Collier/Monroe County line to sell the fish
 - Fishermen must transport their catch to the Keys
- Allowing king mackerel caught in Monroe County waters to be landed in Collier County during the Gulf closure would eliminate an economic hardship for fishermen



Due to the timing of the fishing year, king mackerel can typically be commercially harvested from state and federal waters off Monroe County during April, May and June. But waters off Collier County are often closed during these months because the commercial fishery for that stock has fulfilled its quota and the next Gulf Migratory Group fishing year does not start until July 1.

FWC rule 68B-12.0046, F.A.C., currently prohibits commercial fishermen from possessing king mackerel in the waters off Collier County, or landing king mackerel in Collier County during the Gulf Migratory Group closure. King mackerel caught commercially during the Gulf closure must be landed in Monroe County, or elsewhere within the boundaries of the Atlantic Migratory Group. However, there are no wholesale dealers to buy the harvested king mackerel in nearby mainland Monroe County. Since the fish cannot be possessed or landed in adjacent Collier County if the Gulf Migratory Group has met the quota, fishermen must transport their legally harvested king mackerel to the Keys. This transport causes an economic hardship for commercial king mackerel fishermen in southwest Florida. Allowing legally harvested king mackerel to be possessed and landed in adjacent Collier County from April 1 – June 30 would relieve this hardship.

Proposed Rule



68B-12.0046 – Commercial Fishing Season for King Mackerel in the Gulf-Atlantic Fishery; Commercial Season Segments, Vessel and Landing Limits

- *The proposed rule would allow the landing of commercially harvested king mackerel in Collier County when king mackerel are caught in state and federal waters that are open to harvest off Monroe County*
 - *Only from April 1 until July 1*
 - *Only with direct and continuous transit through closed state waters to the place of landing*
 - *Only allowed by properly licensed fishermen holding a federal commercial king mackerel permit*



The proposed rule would allow the landing of commercially harvested king mackerel in Collier County when the king mackerel are caught in nearby state or federal waters off Monroe County that are open to harvest. This would only be allowed from April 1 until July 1 with direct and continuous transit through closed state waters of Collier County to the place of landing, and only by properly licensed fisherman holding a federal commercial king mackerel permit.

Staff Recommendation

Approve the advertised rule:

- Allow commercially harvested king mackerel to be landed in Collier County when king mackerel are caught in waters off Monroe County that are open to harvest

If approved, make the rule effective April 1, 2012



Staff recommends approving the advertised rule, which would allow the landing of commercially harvested king mackerel in Collier County when they are caught in adjacent waters that are open to harvest. The landing of king mackerel would be allowed in Collier County from April 1 until July 1 by federal commercial king mackerel permit holders and when the transport of the fish is direct and continuous through the closed area to the place of landing. Staff is recommending that this rule become effective on April 1, 2012. Staff has evaluated the rules under the standards of 68-1.004, F.A.C., and found them to be in compliance.

**The following slides are considered back up material
and are not anticipated to be part of the actual
presentation to the Commission**



Stock Boundaries: Collier & Monroe Counties

- Boundary beginning April 1
- In 7 of the last 10 years the waters off Collier County were closed when harvest was open off Monroe County

-  Gulf Migratory Group
-  Atlantic Migratory Group



This slide shows the boundary between the two stocks beginning April 1. Because of the tendency for the commercial quotas to be reached before the end of the fishing year, the differences in the timing of those fishing years, and the shifting boundary line between the two stocks, the fishery has been closed in waters off Collier County, but open in Monroe County waters during 7 of the last 10 years.

Current King Mackerel Regulations

Managed as two distinct stocks off Florida

Recreational

- Size Limit: 24 inches
- Bag Limit: 2 (if the Gulf Migratory Group is closed in federal waters, bag limit is reduced to one for the Gulf Migratory Group in Florida state waters)
- Closed Season: None
- Allowable Gear: Hook and line, cast net, spearing, seine

Commercial

- Commercial Season: open unless quota reached
- Size Limit: 24 inches
- Daily Harvest Limit: tiered limits based on amount of quota reached
- Allowable Gear: Hook and line, cast net, spearing, seine



This slide summarizes the current regulations for king mackerel in Florida.

King mackerel are managed as two distinct stocks off the coast of Florida, the Gulf Migratory Group and the Atlantic Migratory Group. However, the gear rules, size limit, and the recreational bag limit are the same for the two groups. The main difference between the management of the stocks is the commercial quota. The quotas are based on the stocks as are the daily limits for the commercial fisheries.

The recreational and commercial size limit is 24 inches, statewide. The recreational bag limit is two statewide; however, if the Gulf Migratory Group closes in federal waters, the recreational bag limit in Florida Gulf waters is reduced to one king mackerel. There are no closed seasons and the allowable gears for commercial and recreational harvest are hook and line, cast net, spearing, and seine.

The commercial season is open year round unless the quota is reached. The daily harvest limit is based on which stock is being fished and is based on the amount of the quota that has been harvested.



As stated in the previous slide, Florida's king mackerel are managed as two separate stocks: the Gulf Migratory Group and the Atlantic Migratory Group. Because the fish in these two stocks migrate over the course of the year, the regulatory boundary line between the two stocks also shifts to follow the stocks.

This slide shows the king mackerel stock locations around Florida in both state and federal waters, from November 1 to March 31.



This slide shows the king mackerel stock locations around Florida in state and federal waters, from April 1 to October 31.