



## **Gulf of Mexico and South Atlantic Fishery Bulletin**

*Bringing Fishing News to You*



**FB17-015**

**FISHERY BULLETIN ISSUE DATE: March 1, 2017**

**CONTACT: Rich Malinowski, (727) 824-5305, [Rich.Malinowski@noaa.gov](mailto:Rich.Malinowski@noaa.gov)**

### **Request for Comments: Modifications to Commercial Permit Restrictions for King and Spanish Mackerel in the Gulf of Mexico and Atlantic Federal Waters**

#### **KEY MESSAGE:**

NOAA Fisheries requests your comments on a proposed rule to remove the restriction on fishing for and retaining the recreational bag limit of king and Spanish mackerel in the Gulf of Mexico (Gulf), South Atlantic, and Mid-Atlantic on a vessel with a federal commercial permit for king or Spanish mackerel when the vessel is on a recreational trip and commercial harvest of king or Spanish mackerel in that zone or region is closed.

#### **SUMMARY OF PROPOSED CHANGES:**

- Current regulations state that a person aboard a vessel with a federal commercial permit for king or Spanish mackerel may not fish for or retain king or Spanish mackerel in or from federal waters under the bag limit if commercial harvest for the species is closed (i.e., the species, migratory group, zone, subzone, or gear is closed).
- This regulation prevents commercial fishermen with a federal commercial permit for king or Spanish mackerel from recreationally fishing on their commercial vessel outside of the commercial season for those species. Such a restriction does not exist under any other vessel or permit condition for other species in the Gulf or South Atlantic.
- The proposed rule would remove the restriction on fishing for and retaining the recreational bag limit of king and Spanish mackerel in the Gulf of Mexico, South Atlantic, and Mid-Atlantic on a vessel with a federal commercial permit for king or Spanish mackerel when the vessel is on a recreational trip and commercial harvest of king or Spanish mackerel in that zone or region is closed.

## **HOW TO COMMENT ON THE FRAMEWORK AMENDMENT AND PROPOSED RULE:**

The comment period is open now through March 31, 2017. You may submit comments by electronic submission or by postal mail. Comments sent by any other method (such as e-mail), to any other address or individual, or received after the end of the comment period, may not be considered by NOAA Fisheries. Relevant comments on both the framework amendment and proposed rule will be addressed in the final rule.

**FORMAL FEDERAL REGISTER NAME/NUMBER:** 82 FR 12187, published March 1, 2017.

**Electronic Submissions:** Submit all electronic public comments via the Federal e-Rulemaking Portal.

1. Go to: [https://www.regulations.gov/document?D=NOAA\\_FRDOC\\_0001-4232](https://www.regulations.gov/document?D=NOAA_FRDOC_0001-4232)
2. Click the "Comment Now!" icon, complete the required fields.
3. Enter or attach your comments.

**Mail:** Submit written comments to Rich Malinowski, Southeast Regional Office, NMFS, 263 13th Avenue South, St. Petersburg, FL 33701.

## **FREQUENTLY ASKED QUESTIONS (FAQs)**

### **Why was the prohibition to restrict commercial vessels from retaining recreational bag limits originally implemented?**

- The regulations were originally considered necessary when the Gulf migratory group of king mackerel (Gulf king mackerel) was thought to be overfished (the population is too low) in the early 1990s, as a means of controlling fishing effort.

### **Why is the prohibition changing?**

- The current restriction prevents fishermen from recreationally targeting king or Spanish mackerel on their commercially permitted vessels when the commercial season is closed.
- The restriction does not exist under any other vessel permit for other species in the Gulf or South Atlantic.
- The most recent population assessment of king mackerel indicated that both Gulf and Atlantic migratory groups of king mackerel are not overfished or experiencing overfishing (too many are being caught each year).

### **Where can I find more information on Framework Amendment 5?**

- Contact NOAA Fisheries, Southeast Regional Office

**By Mail:** Rich Malinowski  
NOAA Fisheries, Southeast Regional Office  
Sustainable Fisheries Division  
263 13th Avenue South  
St. Petersburg, Florida 33701-5505  
**By FAX:** (727) 824-5308

**By Phone:** (727) 824-5305

- Framework Action 5 may be found online at the NOAA Fisheries Southeast Regional Office Web site  
at: [http://sero.nmfs.noaa.gov/sustainable\\_fisheries/gulf\\_sa/cmp/2017/framework\\_am5/index.html](http://sero.nmfs.noaa.gov/sustainable_fisheries/gulf_sa/cmp/2017/framework_am5/index.html)
- Additional information on management of king and Spanish Mackerel can be found  
at: [http://sero.nmfs.noaa.gov/sustainable\\_fisheries/gulf\\_sa/cmp/index.html](http://sero.nmfs.noaa.gov/sustainable_fisheries/gulf_sa/cmp/index.html)

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- Immediate fishery openings and closures
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- **Gulf of Mexico Commercial Fisheries Related Alerts**
  - Text GULFCOMMFISH to 888777
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  - Text SATLRECFISH to 888777
- **South Atlantic Commercial Fisheries Related Alerts**
  - Text SATLCOMMFISH to 888777
- **Caribbean Fisheries Related Alerts**
  - Text CARIBFISH to 888777

**Other contacts:** Media: Kim Amendola, 727-551-5707 or Allison Garrett, 727-551-5750