1/07/15

Changes in Allocations, Stock Boundaries and Sale Provisions for Gulf of Mexico and Atlantic Migratory Groups of King Mackerel

Scoping Document
Amendment 26
to the Fishery Management Plan for the Coastal Migratory Pelagics Fishery of the Gulf of Mexico and the South Atlantic

January 2015

This is a publication of the Gulf of Mexico and South Atlantic Fishery Management Councils Pursuant to National Oceanic and Atmospheric Administration Award Nos. NA10NMF4410011 and NA05NMF4410004.

SOUTH ATLANTIC SCOPING – JANUARY 2015

The Gulf and South Atlantic Councils are interested in public input on several potential management actions for king mackerel, including updating the annual catch limits (ACLs) for Gulf and Atlantic king mackerel; modifying the stock boundary; modifying sector allocations and commercial zone allocations for Gulf king mackerel; allowing sale of Atlantic king mackerel caught in drift gillnets in the small coastal shark fishery; and management in the Florida east coast subzone.

Note: Amendment 26 was scoped in January 2014 with an action to separate commercial permits for king and Spanish mackerel into Council jurisdictions, but that action has been moved to a future amendment.

At this time, the South Atlantic Council wants to hear your thoughts and ideas on actions for Atlantic king mackerel. The South Atlantic Council will review your input and decide how to proceed with Amendment 26 at their March 2015 meeting.

The Gulf and South Atlantic Councils would like your input on:

- **Factors to consider when updating the Atlantic king mackerel annual catch limit**
- **Modifying the stock boundary based on the stock assessment**
- **Sector and commercial zone allocations for Gulf king mackerel**
- **Allowing sale of Atlantic king mackerel bycatch from the drift gillnet small coastal shark fishery**
- **Management to address effort in the Florida east coast subzone**

Get involved early and provide your input BEFORE the Councils decide which actions to include in the amendment.

- Speak on the record during the scoping webinar February 4, 2015, at 6pm EST. Register here
- Email comments to mike.collins@safmc.net (SAFMC Office Manager) and include “CMP Amend 26” in the subject line.
- Mail written comments to SAFMC, 4055 Faber Place Dr., Suite 201, North Charleston SC 29405.

**Emailed and written comments received by 5 pm on February 11, 2015, will be provided to the South Atlantic Council for the March 2-6, 2015 meeting in St. Simons Island, GA. Because this would be a joint amendment, your input will also be provided to the Gulf Council.

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INTRODUCTION

Background

King mackerel (*Scomberomorus cavalla*) in the southeastern United States are divided into two migratory groups. The Gulf of Mexico (Gulf) migratory group ranges from the western Gulf of Mexico to the Straits of Florida. The Atlantic migratory group ranges from the Straits of Florida north to New York. These coastal migratory pelagic (CMP) fish are managed jointly by the Gulf of Mexico Fishery Management Council (Gulf Council) and the South Atlantic Fishery Management Council (South Atlantic Council).

In 2014, a stock assessment of both migratory groups of king mackerel was completed (SEDAR 38), and indicated that neither migratory group was overfished or experiencing overfishing. In addition to revised yield streams, the stock assessment redefined the spatial and temporal extent of the mixing zone between the migratory groups to be south of the Florida Keys during winter months. The stock assessment also redefined the geographic boundary between the migratory groups to be at the Dade/Monroe County line. These findings eliminate one of the commercial allocation zones for the Gulf migratory group, and will require reallocation of the annual catch limit (ACL) amongst the remaining Gulf commercial zones.

Historically, the recreational king mackerel fishery in the Gulf has not landed its allocation of the ACL, while the commercial fishery has either met or exceeded its allocation. In an effort to manage the fishery such that the maximum benefit of the resource is extracted without harming the population, the Gulf Council has decided to investigate a reallocation of quota from the recreational sector to the commercial sector in the Gulf.

In addition to ACL and stock boundary issues, the South Atlantic Council is interested in exploring a provision for the shark gillnet fishery for bag limit sales of king mackerel bycatch. Bag limit sales were prohibited in CMP Amendment 20A (implemented July 2014), and allowing such sales for a specific fishery would allow a historic practice to continue.

Fishery Management Councils

- Responsible for conservation and management of fish stocks
- Consist of voting members, many appointed by the Secretary of Commerce, the National Marine Fisheries Service Regional Administrator, and one representative from each of the State marine resource agencies
- Responsible for developing fishery management plans and amendments, and recommend actions to National Marine Fisheries Service for implementation

National Marine Fisheries Service

- Responsible for conservation and management of fish stocks
- Approves, disapproves, or partially approves Council recommendations
- Implements regulations

Who's Who?

- NOAA Fisheries Service and Council staff – Develop alternatives based on guidance from the Council, and analyze the environmental impacts of those alternatives
- Councils – Engage in a process to determine a range of actions and alternatives, and recommend action to NOAA Fisheries Service
- Secretary of Commerce – Will approve, disapprove, or partially approve the amendment submitted by the Council

Possible Management Changes

Atlantic King Mackerel Annual Catch Limit

SEDAR 38 (SEDAR 2014) was completed in August 2014 and included assessments for Gulf and Atlantic king mackerel. In October 2014, the Scientific and Statistical Committee (SSC) reviewed the results of SEDAR 38 and provided recommendations for new values for the acceptable biological catch (ABC) for Atlantic king mackerel and provided the following recommendations:

Table 1. South Atlantic SSC recommendations for acceptable biological catch for Atlantic migratory group king mackerel, using data resultant from SEDAR 38 (2014).

P star= 0.325		ABC HIGH	ABC MED	ABC LOW	Deterministic equilibrium yield at $F_{SPR}30$	Deterministic equilibrium yield at 75% $F_{SPR}30$	Buffer between ABC and OFL		
Fishing year	OFL						HI	MED	LO
2015	22.0581	20.1065	19.6765	19.1127	12.702	11.582	9%	11%	13%
2016	19.75	17.4478	16.5454	15.3707	12.702	11.582	12%	16%	22%
2017	18.2914	15.8215	14.3298	12.9389	12.702	11.582	14%	22%	29%
2018	16.6987	14.1257	12.9331	11.9398	12.702	11.582	15%	23%	28%
2019	15.1871	12.6589	12.0557	11.5715	12.702	11.582	17%	21%	24%
2020	14.2985	11.54	11.2501	11.0247	12.702	11.582	19%	21%	23%

The South Atlantic Council may consider setting the Atlantic king mackerel annual catch limit (ACL) at the same level as the ABCs recommended by the SSC in the table above.

The current Atlantic king mackerel ACLs were designated in Amendment 18 (GMFMC/SAFMC 2011):
Total Atlantic king mackerel ACL: 10,460,000 lbs ww
Commercial ACL: 3,880,000 lbs ww
Recreational ACL: 6,580,000 lbs ww
Recreational annual catch target (ACT): 6,110,000 lbs ww

Pending approval of Amendment 20B (under review by the Secretary of Commerce), the commercial quotas for the Northern and Southern Zones in the South Atlantic would be:
Northern Zone (33.3%): 1,292,040 lbs ww
Southern Zone (66.7%): 2,587,960 lbs ww
The boundary between the Northern and Southern Zones is the boundary between the EEZs of North Carolina and South Carolina.

NOTE: The Atlantic king mackerel ACLs are designated under the stock boundary currently in use for management.

Gulf King Mackerel Annual Catch Limit

SEDAR 38 (2014) was completed in August 2014 and included assessments for Gulf and Atlantic king mackerel. The Gulf SSC reviewed the Gulf king mackerel stock assessment during its January 2015 meeting, and accepted the assessment for management advice. Since the Gulf migratory group of king mackerel is not thought to be either overfished or experiencing overfishing, the Gulf SSC recommended a P* value of 0.50 for the OFL at $F_{30\%SPR}$, and a P* value of 0.43 for the ABC, based on the uncertainty characterized in the model. The Gulf SSC then recommended the following OFL and ABC values in millions of pounds (mp) whole weight (ww):

Table 2. Gulf SSC recommendations for acceptable biological catch for Gulf migratory group king mackerel, using data resultant from SEDAR 38 (2014). OFL and ABC values are in millions of pounds (mp) whole weight (ww).

Gulf SSC OFL/ABC Recommendations:
Gulf Migratory Group King Mackerel

Year	OFL	ABC
	P* = 0.50	P* = 0.43
2015	10.11	9.62
2016	9.61	9.21
2017	9.27	8.88
2018	9.11	8.71
2019	8.95	8.55

The Gulf Council may consider setting the Gulf king mackerel ACL at the same level as the ABC recommended by the SSC in Table 2 above. Alternatively, the Council may consider a constant catch scenario for the ACL.

The current Gulf king mackerel ACLs were designated in Amendment 18 (GMFMC/SAFMC 2011):
Total Gulf king mackerel ACL: 10,800,000 lbs ww
Commercial ACL: 3,456,000 lbs ww
Recreational ACL: 7,344,000 lbs ww

It is important to remember that the area attributed to the Gulf migratory group of king mackerel is thought to be smaller than previously described in past stock assessments. Even though the OFL and ABC projections are lower than the current ACL, the amount of area for which the *new* OFL and ABC recommendations applies is in fact smaller than the area for which the *old* ACL applies. This point is further clarified in the discussion about the king mackerel stock boundary below.

King Mackerel Stock Boundary

The South Atlantic and Gulf Councils are considering changing the stock boundary for management so that it is consistent with the stock boundary used in SEDAR 38. The Assessment Report states:

> …that the best approach is to establish the management mixing zone in the area south of the Florida Keys and Dry Tortugas, demarcated in the west by a line west from Key West to the Dry Tortugas at 24°35' N. lat, then south at 83º W from the Dry Tortugas (the Gulf of Mexico/South Atlantic Council boundary) to the shelf edge, and in the east from the Dade-Monroe county line to the shelf edge (**Figure 1**). King mackerel captured in this zone from November 1 to March 31 should be assigned 50:50 to Gulf and Atlantic stocks. (SEDAR 38 Atlantic King Mackerel Stock Assessment Report, pp. 16-17)

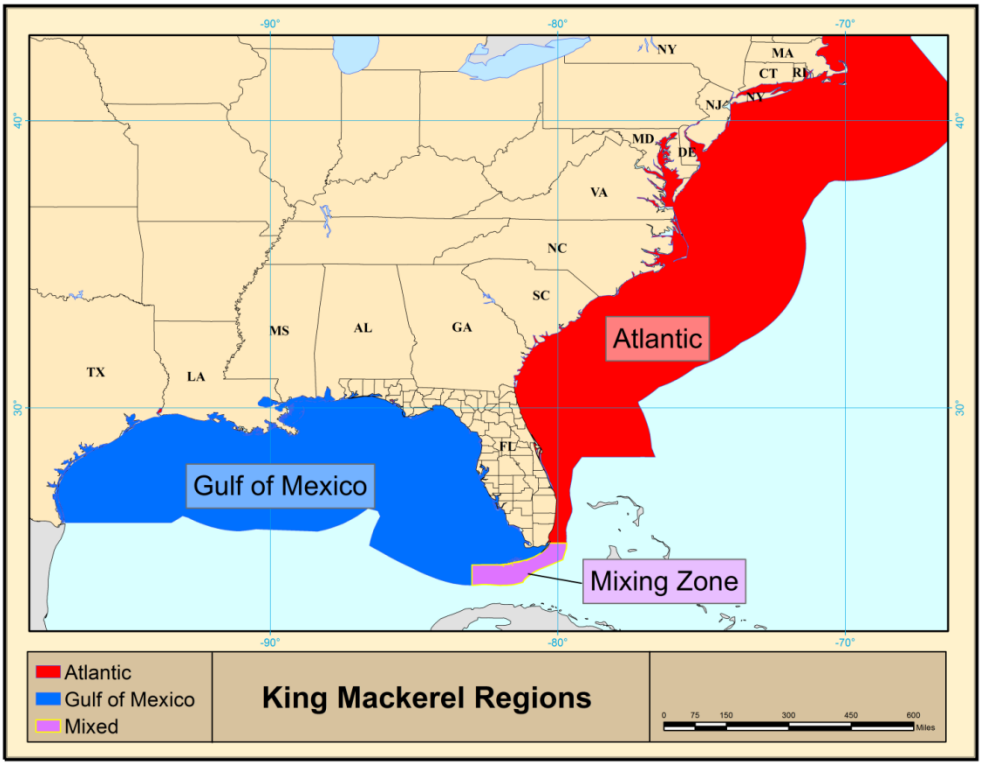

Figure 1. Regions used to aggregate landings for stock assessment of king mackerel in the GMFMC and SAFMC management areas (*Figure 4.2 from the SEDAR 38 Stock Assessment Report*).

Currently the boundary between the Gulf and Atlantic stocks is set up to shift during the year. From April 1- October 31, the stock boundary is at the Collier /Monroe county line. Starting November 1 through March 31, the stock boundary shifts to the Flagler/Volusia county line (**Figure 2**).

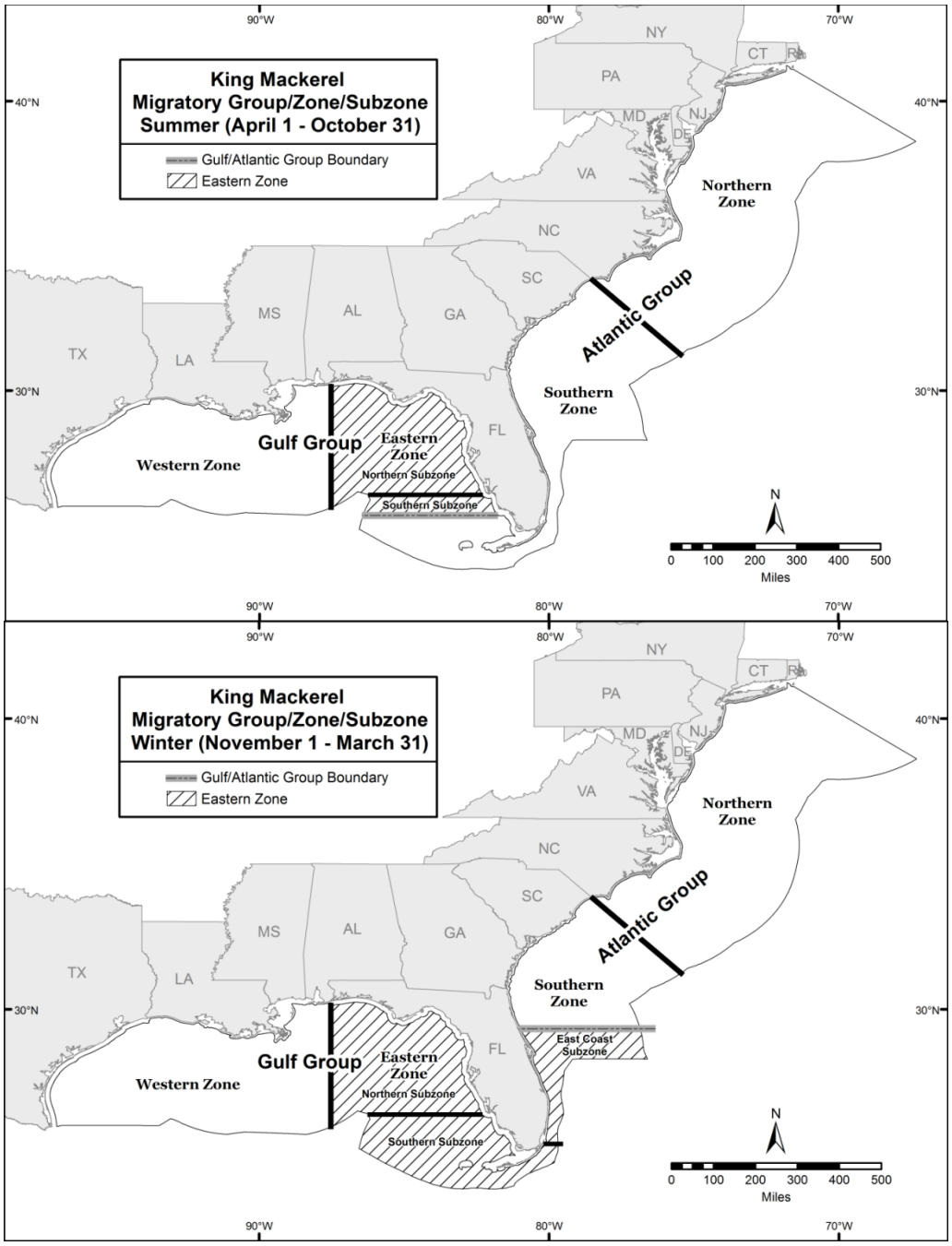

Figure 2. Commercial fishing zones for Gulf and Atlantic migratory group king mackerel.

Gulf King Mackerel Commercial Zone Allocations

In keeping with the aforementioned changes in the stock boundaries accepted in SEDAR 38 (2014), the Gulf Council will need to reallocate the commercial ACL amongst the three remaining fishing zones in the Gulf (Western Zone, Northern Zone, and Southern Zone). The current allocations are shown in Table 3 below.

Table 3. Commercial fishing zone allocations for Gulf migratory group king mackerel.

Gulf King Mackerel Commercial Zone Allocations

Zone	Percent of Comm Allocation
Western	31%
Northern	5.17%
Southern: H/L	15.96%
Southern: Gillnet	15.96%
FL East Coast	31.91%

If CMP Amendment 20B is approved by the Secretary of Commerce, the Florida East Coast Zone would be integrated into the proposed Atlantic Southern Zone. This integration would result in an imbalance in the distribution of quota for the Gulf commercial fishery, and thus necessitates reallocation. Options for reallocation might include either an equal or proportional distribution of the 31.91% void, as demonstrated in Table 4.

Table 4. Options for redistribution of commercial zone allocation for Gulf migratory group king mackerel.

Zone	Current Allocation	Equal Reallocation	Proportional Reallocation
Western	31%	38.98%	45.53%
Northern	5.17%	13.15%	7.60%
Southern: H/L	15.96%	23.93%	23.43%
Southern: Gillnet	15.96%	23.93%	23.43%
FL East Coast	31.91%		

Sector Reallocation for Gulf Migratory Group King Mackerel

The Gulf Council is considering modifying the sector allocations for Gulf migratory group king mackerel. In multiple fishing seasons over the past ten years, the commercial sector has exceeded the commercial ACL while the recreational sector has landed decreasingly lower proportions of the recreational ACL. The Gulf Council has requested economic analyses to explore the effects of reallocating up to 10 percent of the Gulf recreational ACL to the commercial fishery. Recent landings of Gulf migratory group king mackerel are shown in Tables 5 and 6.

Table 5. Proportion of sector ACLs landed and proportion of total ACL landed for Gulf migratory group king mackerel.

Fishing Year	Total TAC/ACL	% of Sector ACL Landed		Total ACL Landed
		Comm[1]	Rec[2]	
2000-01	10.2 MP	94.3%	45.0%	60.8%
2001-02	10.2 MP	89.8%	52.9%	64.7%
2002-03	10.2 MP	99.0%	40.6%	59.3%
2003-04	10.2 MP	97.5%	46.3%	62.7%
2004-05	10.2 MP	98.9%	36.5%	56.4%
2005-06	10.2 MP	92.3%	43.2%	58.9%
2006-07	10.8 MP	93.5%	45.0%	60.5%
2007-08	10.8 MP	99.8%	35.8%	56.3%
2008-09	10.8 MP	111.9%	32.0%	57.6%
2009-10	10.8 MP	110.4%	48.0%	68.0%
2010-11	10.8 MP	102.4%	29.7%	53.0%
2011-12	10.8 MP	99.3%	33.2%	54.3%

[1]Commercial allocation = 32% [2]Recreational allocation = 68%
Fishing year = July to June. Source: SERO

Table 6. Landings and proportions landed by each sector for Gulf migratory group king mackerel

Fishing Year	Total Gulf king mackerel Landings	Sector Landings		% of Total Landings by each sector	
		Comm	Rec	Comm	Rec
2000-01	6,200,840	3,079,256	3,121,584	49.7%	50.3%
2001-02	6,601,072	2,932,532	3,668,540	44.4%	55.6%
2002-03	6,049,260	3,231,723	2,817,537	53.4%	46.6%
2003-04	6,395,275	3,183,778	3,211,497	49.8%	50.2%
2004-05	5,757,319	3,228,862	2,528,457	56.1%	43.9%
2005-06	6,007,706	3,011,990	2,995,716	50.1%	49.9%
2006-07	6,538,064	3,232,497	3,305,567	49.4%	50.6%
2007-08	6,075,557	3,449,030	2,626,527	56.8%	43.2%
2008-09	6,220,109	3,867,599	2,352,510	62.2%	37.8%
2009-10	7,339,934	3,816,157	3,523,777	52.0%	48.0%
2010-11	5,722,472	3,539,492	2,182,980	61.9%	38.1%
2011-12	5,868,362	3,432,336	2,436,026	58.5%	41.5%

Fishing year = July to June. Source: SERO

Sale of King Mackerel Bycatch in the Shark Gillnet Fishery

CMP Amendment 20A (GMFMC/SAFMC 2013) included an action to prohibit bag limit sales of king and Spanish mackerel in the South Atlantic. The South Atlantic Council is considering a provision to allow fishermen who participate in the small coastal shark fishery using drift gillnets to sell king mackerel caught under the bag limit. Prior to Amendment 20A, fishermen with federal commercial shark permits and federal commercial king mackerel permits would sell small numbers of king mackerel caught on shark gillnet trips. However, because drift gillnet is not an authorized gear for king mackerel, the king mackerel cannot be sold under the federal king mackerel permit. Currently under the prohibition on bag limit sales, the king mackerel are discarded.

Management for the Florida East Coast Subzone

The South Atlantic Council wants public input on ways to address concerns about increased commercial effort in the Florida East Coast subzone (Flagler/Volusia line to Dade/Monroe line).

Potential measures could include:
- Sub-quota of the updated Atlantic king mackerel ACL for the Florida East Coast Subzone
- Endorsement to fish king mackerel in the Florida East Coast Subzone
- Specific accountability measures (AMs) in the Florida East Coast Subzone
- Others?

Draft Purpose and Need

Purpose for Action

To set annual catch limits and redefine allocations between regions and fishing sectors for Gulf of Mexico and Atlantic Migratory Groups of King Mackerel.

Need for Action

To optimize access to the fishery in Gulf of Mexico and South Atlantic waters to provide the greatest benefit to the Nation.

History of Management

The CMP FMP, with Environmental Impact Statement (EIS), was approved in 1982 and implemented by regulations effective in February 1983 (GMFMC and SAFMC 1982). The management unit includes king mackerel, Spanish mackerel, and cobia. The FMP treated king and Spanish mackerel as unit stocks in the Atlantic and Gulf. The FMP established allocations for the recreational and commercial sectors harvesting these stocks, and the commercial allocations were divided between net and hook-and-line fishermen. The following is a list of management changes relevant to CMP zonal issues. A full history of CMP management can be found in Amendment 18 (GMFMC and SAFMC 2011), and is incorporated here by reference.

Amendment 1, with EIS, implemented in September 1985, recognized separate Atlantic and Gulf migratory groups of king mackerel. The Gulf commercial allocation for king mackerel was divided into Eastern and Western Zones for the purpose of regional allocation, with 69% of the allocation provided to the Eastern Zone and 31% to the Western Zone.

Amendment 2, with environmental assessment (EA), implemented in July 1987, recognized two migratory groups of Spanish mackerel, established allocations of total allowable catch (TAC) for the commercial and recreational sectors, and set commercial quotas and recreational bag limits.

Amendment 5, with EA, implemented in August 1990, extended the management area for Atlantic migratory groups of mackerels through the Mid-Atlantic Council's area of jurisdiction; provided that the South Atlantic Council will be responsible for pre-season adjustments of TACs and bag limits for the Atlantic migratory groups of mackerels while the Gulf Council will be responsible for Gulf migratory groups; and continued to manage the two recognized Gulf migratory groups of king mackerel as one until management measures appropriate to the eastern and western migratory groups could be determined.

Amendment 6, with EA, implemented in November 1992, allowed for Gulf migratory group king mackerel stock identification and allocation when appropriate.

Amendment 7, with EA, implemented in November 1994, equally divided the Gulf commercial allocation in the Eastern Zone at the Dade-Monroe County line in Florida. The sub-allocation for the area from Monroe County through Western Florida is equally divided between commercial hook-and-line and net gear users.

Amendment 8, with EA, implemented March 1998, provided the South Atlantic Council with authority to set vessel trip limits, closed seasons or areas, and gear restrictions for Gulf migratory group king mackerel in the North Area of the Eastern Zone (Dade/Monroe to Volusia/Flagler County lines); modified the seasonal framework adjustment measures; and expanded the management area for cobia through the Mid-Atlantic Council's area of jurisdiction (to New York).

Amendment 9, with EA, implemented in April 2000, established a trip limit of 3,000 lbs per vessel per trip for the Western Zone.

Amendment 18, with EA, implemented in January 2012, established ACLs and accountability measures for Gulf and Atlantic migratory groups of cobia, king mackerel, and Spanish mackerel. It also separated cobia into Atlantic and Gulf migratory groups.

Amendment 20A, with EA, implemented in July 2014, prohibited the sale of king and Spanish mackerel caught under the bag limit in or from the EEZ of the Gulf with the exception of for-hire trips in which the vessel also holds a federal king and/or Spanish mackerel commercial permit. It prohibited sale of king and Spanish mackerel caught under the bag limit in or from the EEZ of the Atlantic, and required a king mackerel permit is required to sell king mackerel and a Spanish mackerel permit is required to sell Spanish mackerel. Also, king or Spanish mackerel harvested or possessed under the bag limit during a fishing tournament were permitted to be donated to a dealer who will sell those fish and donate the proceeds to a charity, but only if the tournament organizers have a permit from a state to conduct that tournament, and the transfer and reporting requirements listed below are followed.

Amendment 20B, with EA, undergoing final review, established a 3000 lb trip limit for the Western Zone and a 1,250 lb trip limit for the Northern and Southern Subzones of the Eastern Zone. The fishing season for the Northern subzone was changed to October 1st through September 30th. It established transit provisions through areas closed to king mackerel fishing for vessels possessing king mackerel that were legally harvested in the EEZ off areas open to king mackerel fishing. It established regional commercial allocations for Atlantic king and Spanish mackerel. The framework procedure was expanded, and ACLs were established for Gulf and Atlantic cobia.

SOUTH ATLANTIC SCOPING MEETINGS

An in-person scoping meeting will be held on January 21, 2015, from 4-7 p.m. at:
Hilton Cocoa Beach Oceanfront
1550 North Atlantic Avenue
Cocoa Beach, FL 32931
Phone: 321-799-0003

A webinar scoping meeting is scheduled for February 4, 2015, at 6pm EST. Register here.

Please send written comments to:
Bob Mahood, Executive Director
South Atlantic Fishery Management Council
4055 Faber Place Drive, Suite 201
North Charleston, SC 29405

Please e-mail comments (include "CMP Am 26" in the subject line) to:
mike.collins@safmc.net

All comments must be received by 5 p.m. on February 11, 2015

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