

ADVISORY PANEL DOCUMENT
for
AMENDMENT 20
to the joint Fishery Management Plan for
Coastal Migratory Pelagic Resources
of the
Gulf of Mexico and South Atlantic



South Atlantic Mackerel Advisory Panel
North Charleston, SC
April 2013

Actions in Amendment 20

1. Modify Subzones and Allocation of Gulf Migratory Group Eastern Zone King Mackerel.
2. Modify the Commercial Hook-and-Line Trip Limits for Gulf Migratory Group King Mackerel
3. Change the Fishing Season for Gulf Group King Mackerel for the Eastern and Western Zone
4. Establish transit provisions for travel through areas that are closed to king mackerel fishing
5. Establish State Quotas for Atlantic Migratory Group King Mackerel and Spanish Mackerel for North Carolina
6. Modify the Framework Procedure
7. Modify the Gulf and Atlantic Migratory Group Cobia Annual Catch Limits (ACLs) and Annual Catch Targets (ACTs)

Expected Schedule

March 2013- Joint meeting with Gulf and South Atlantic Committees

April/May 2013- Review by Advisory Panel

June 2013- Gulf Council and South Atlantic Council approve for public hearings

July/August 2013- Public hearings

August 2013- Gulf Council final approval

September 2013- South Atlantic Council final approval

Spring 2014- Implementation

The current management objectives in the joint mackerel FMP as amended are:

1. The primary objective of this FMP is to stabilize yield at MSY, allow recovery of overfished populations, and maintain population levels sufficient to ensure adequate recruitment.
2. to provide a flexible management system for the resource which minimizes regulatory delay while retaining substantial Council and public input in management decisions and which can rapidly adapt to changes in resource abundance, new scientific information, and changes in fishing patterns among user groups or by areas.
3. to provide necessary information for effective management and establish a mandatory reporting system for monitoring catch.
4. to minimize gear and user group conflicts.
5. to distribute the TAC of Atlantic migratory group Spanish mackerel between recreational and commercial user groups based on the catches that occurred during the early to mid-1970s, which is prior to the development of the deep water run-around gillnet fishery and when the resource was not overfished.
6. to minimize waste and bycatch in the fishery.
7. to provide appropriate management to address specific migratory groups of king mackerel.

Action 1. Modify Subzones and Allocation of Gulf Migratory Group Eastern Zone King Mackerel.

Current allocations for Gulf Group Eastern Zone:

Gulf/Eastern/Northern: 197,064 lbs

Gulf/Eastern/Southern: 1,215,228 lbs (50/50 gillnet and hook and line)

Gulf/Eastern/FL East Coast: 1,215,228 lbs

Alternative 1: No Action – Retain the existing Northern and Southern Subzones and retain the existing allocations for these areas.

Alternative 2: Eliminate the current Northern and Southern Subzones and add the assigned allocation to the combined eastern zone.

Alternative 3: Modify the Florida west coast subzones and reallocate quota

Option a: Retain the subzones but modify the boundary between the Northern and Southern Subzones to the Dixie/Levy County line and set allocation based on:

Suboption i. Reallocating x pounds from the Southern Subzone hook-and-line fishery to the Central Subzone.

Suboption ii. Reallocating 2% from the recreational sector allocation to the Central Subzone based on a temporary reallocation for the next 5 years. Monitor recreational catches annually and revert the 2% allocation back to the recreational sector if the recreational catch reaches 75%, 85%, or 90% of the recreational ACL.

Option b: Create a Central Subzone from the Collier/Lee County line to the Dixie/Levy County line with an allocation based on:

Suboption i. Reallocating x pounds from the Southern Subzone hook-and-line fishery to the Central Subzone.

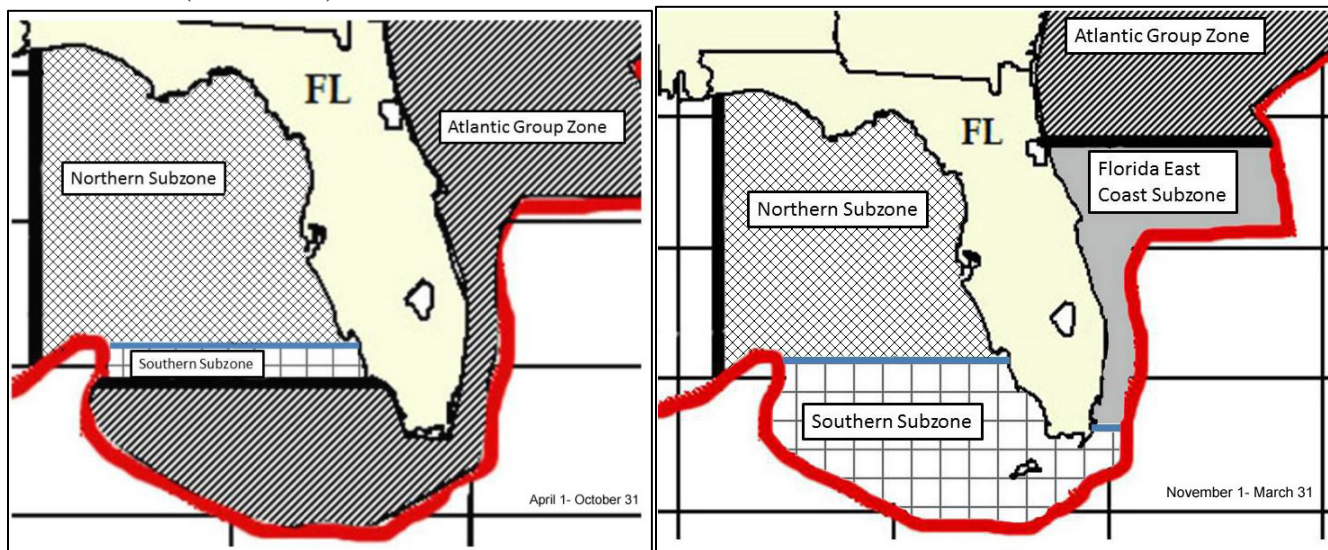
Suboption ii. Reallocating 2% from the recreational sector allocation to the Central Subzone based on a temporary reallocation for the next 5 years. Monitor recreational catches annually and revert the 2% allocation back to the recreational sector if the recreational catch reaches 75%, 85%, or 90% of the recreational ACL.

Option c: Retain the subzones but increase the allocation to the Northern Subzone based on:

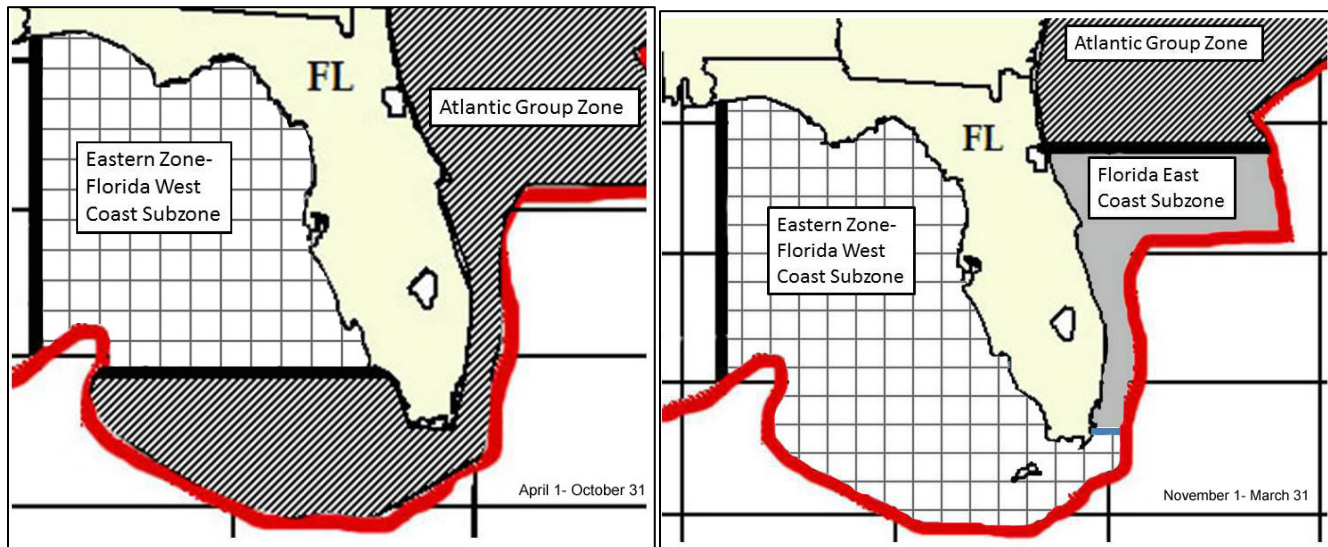
Suboption i. Reallocating x pounds from the Southern Subzone hook-and-line fishery to the Northern Subzone.

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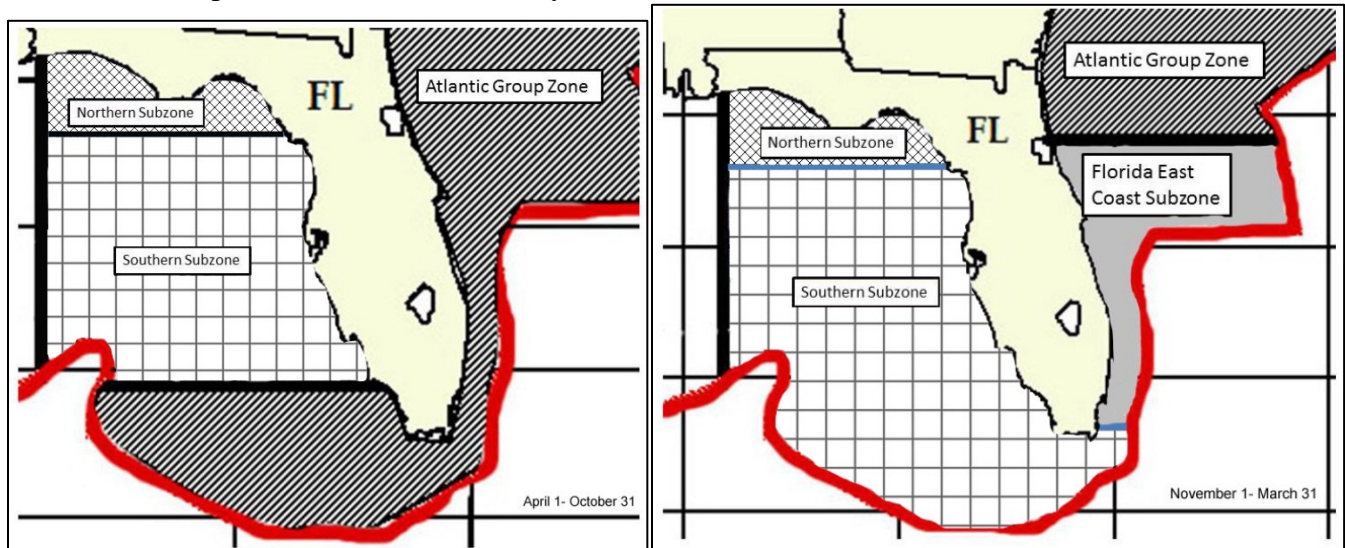
Alternative 1 (No Action)



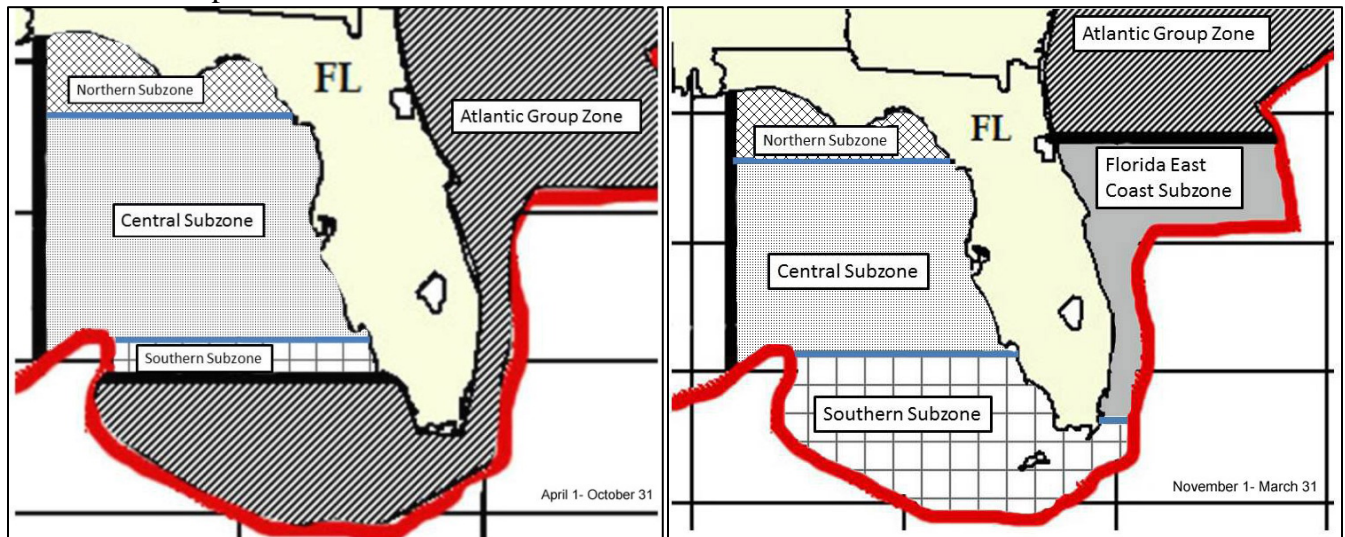
Alternative 2. Eliminate the Northern and Southern Subzones



Alternative 3. Option a. Move the boundary between the Northern and Southern Subzones.



Alternative 3. Option b. Create a Central Subzone



Alternative 3. Option c. Same subzones (see Alternative 1.)

Table 1. Gulf of Mexico king mackerel landings for the Northern Subzone. Landings (pounds whole weight) and percent of total landings were calculated for two different areas by county of reported landing: Escambia to Dixie Counties and Levy to Lee Counties for the most recent fishing seasons.

Fishing year	Escambia to Dixie		Levy to Lee		Total pounds	Trip Limit Reduction Date	Fishery Closure Date
	Total	%	Total	%			
2004/2005	124,419	86.0	20,243	14.0	144,662	None	None
2005/2006	58,478	45.8	69,244	54.2	127,722	None	None
2006/2007	165,756	75.9	52,542	24.1	218,298	27-Nov-06	None
2007/2008	189,031	74.5	64,752	25.5	253,783	27-Dec-07	None
2008/2009	162,149	77.9	46,036	22.1	208,185	None	None
2009/2010	302,708	94.6	17,261	5.4	319,969	None	24-Oct-09
2010/2011	212,450	94.0	13,466	6.0	225,916	26-Oct-10	4-Apr-11

Source: Accumulated Landings System datafile (7/12/2012)

Table 2. Gulf of Mexico king mackerel landings for the Northern Subzone. Landings (pounds whole weight) and percent of total landings were calculated for two different areas by reported area fished: Escambia to Levy Counties (areas 70-109) and Citrus to northern Collier Counties (areas 40-69) for the most recent fishing seasons.

Fishing year	Areas 70-109* Escambia to Levy		Areas 40-60** Citrus to N. Collier		Total pounds	Trip Limit Reduction Date	Fishery Closure Date
	Total	%	Total	%			
2004/2005	118,858	86.0	19,339	14.0	138,197	None	None
2005/2006	65,830	49.0	68,412	51.0	134,242	None	None
2006/2007	204,079	89.9	22,986	10.1	227,065	27-Nov-06	None
2007/2008	231,976	75.8	73,931	24.2	305,907	27-Dec-07	None
2008/2009	195,353	82.0	42,844	18.0	238,197	None	None
2009/2010	360,005	86.0	58,428	14.0	418,433	None	24-Oct-09
2010/2011	247,988	92.8	19,311	7.2	267,299	26-Oct-10	4-Apr-11

* Area 70 includes Levy County and area 109 includes the eastern coast of Alabama

**Area 40 extends south into northern Collier County

Action 2. Modify the Commercial Hook-and-Line Trip Limits for Gulf Migratory Group King Mackerel.

Alternative 1: No Action – Retain the existing commercial hook-and-line trip limits.

- a. Western Zone at 3,000 pounds
- b. Eastern Zone Northern Subzone at 1,250 pounds until 75% of the quota is taken, at which time the trip limit decreases to 500 pounds
- c. Eastern Zone Southern Subzone at 1,250 pounds until 75% of the quota is taken, at which time the trip limit decreases to 500 pounds

Alternative 2: Set the commercial hook-and-line trip limit at 1,500 pounds with no reduction.

- Option a: For the Western zone
- Option b: For the Eastern Zone Northern Subzone
- Option c: For the Eastern Zone Southern Subzone

Alternative 3: Set the commercial hook-and-line trip limit at 2,000 pounds with no reduction.

- Option a: For the Western zone
- Option b: For the Eastern Zone Northern Subzone
- Option c: For the Eastern Zone Southern Subzone

Alternative 4: Set the commercial hook-and-line trip limit at 2,500 pounds with no reduction.

- Option a: For the Western zone
- Option b: For the Eastern Zone Northern Subzone
- Option c: For the Eastern Zone Southern Subzone

Alternative 5: Set the commercial hook-and-line trip limit at 3,000 pounds with no reduction.

- Option a: For the Western zone
- Option b: For the Eastern Zone Northern Subzone
- Option c: For the Eastern Zone Southern Subzone

Action 3. Change the Fishing Season for Gulf Group King Mackerel for the Eastern and Western Zone.

Alternative 1: No Action - the fishing season remains July 1 – June 30.

Alternative 2: Change the fishing season for Gulf group king mackerel season to September 1 – August 31.

Option a: For the Western Zone

Option b: For the Eastern Zone

Alternative 3: Change the fishing season for Gulf group king mackerel season to October 1 – September 30.

Option a: For the Western Zone

Option b: For the Eastern Zone

Alternative 4: Change the fishing season for Gulf group king mackerel season to November 1 – October 31.

Option a: For the Western Zone

Option b: For the Eastern Zone

Action 4. Establish Transit Provisions for Travel Through Areas That are Closed to King Mackerel Fishing

Alternative 1: No Action – do not establish a transit provision.

Alternative 2: Establish a provision allowing transit through the Florida west coast Northern and Southern Subzones when those zones are closed for vessels possessing Atlantic group king mackerel that were legally harvested in the EEZ off Monroe County.

Alternative 3: Establish a provision allowing transit through Collier County when the Florida west coast Southern Subzone is closed for vessels possessing Atlantic group king mackerel that were legally harvested in the EEZ off Monroe County.

South Atlantic Preferred Alternative 4: Establish a provision allowing transit through Collier County when the Florida west coast Southern Subzone is closed for vessels possessing Atlantic group king mackerel that were legally harvested in the EEZ off Monroe County only from April 1 – June 30

Alternative 5: Establish a provision allowing transit 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.

Alternative 6: Establish a provision allowing transit through the Florida west coast Northern Subzone when that area is closed for vessels possessing king mackerel that were legally harvested in the EEZ off Collier County.

Note: For Alternatives 2-4, the following conditions apply:

Only from April 1 – June 30

For Alternatives 2-6, the following conditions apply:

Only for vessels in direct and continuous transit and with gear stowed

Only for fishermen holding a federal commercial king mackerel permit

Background:

Current regulations prohibit fishing for or retaining king mackerel in or from a closed zone and transit is prohibited through any closed area even if the fish were harvested from an open area, because retention of king mackerel in a closed area is prohibited. Fishermen must either forgo fishing opportunities or expend extra time and fuel to land fish in the open zone.

Often the Florida west coast Southern Subzone, comprised of Collier and Monroe Counties, closes in early spring. Beginning April 1 of each year, Monroe County is considered to contain Atlantic migratory group king mackerel and the Southern Subzone is comprised of only Collier County. Some fishermen fish in the northern portion of Monroe County, which is a sparsely populated area. To land those fish they must travel to the Florida Keys where dealers in Monroe County are located. This trip could be up to 100 miles.

Action 5. Establish State Quotas for Atlantic Migratory Group King Mackerel and Spanish Mackerel for North Carolina

Alternative 1: No Action - retain one commercial quota each for Atlantic migratory groups of king mackerel and Spanish mackerel

Alternative 2: Establish a separate commercial quota of Atlantic group king mackerel for North Carolina based on:

- Option a-** the average of the proportion of landings in North Carolina from 2007-08 through 2011-12.
- Option b-** the average of the proportion of landings in North Carolina from 2002-03 through 2011-2012.
- Option c-** 50% based on the proportion of landings in North Carolina 2002-03 through 2011-2012 and 50% based on the proportion of landings in North Carolina 2007-08 through 2011-12 (Boyles Law)
- Option d-** the average of the proportion of landings in North Carolina from 1997-98 through 2011-12.

Alternative 3: Establish a separate commercial quota of Atlantic group Spanish mackerel for North Carolina based on:

- Option a-** the average of the proportion of landings in North Carolina from 2007-08 through 2011-12.
- Option b-** the average of the proportion of landings in North Carolina from 2002-03 through 2011-2012.
- Option c-** 50% based on the proportion of landings in North Carolina 2002-03 through 2011-2012 and 50% based on the proportion of landings in North Carolina 2007-08 through 2011-12 (Boyles Law)
- Option d-** the average of the proportion of landings in North Carolina from 1997-98 through 2011-12.

Alternative 4: Allow for transfer of quota between the General Atlantic Group king mackerel and Spanish mackerel ACLs and the North Carolina king mackerel and Spanish mackerel ACLs.

Background:

The South Atlantic Council is concerned that the commercial ACLs will be filled by fishermen in one state before fish are available to fishermen in other states (particularly North Carolina). This becomes more probable as the ACLs are lowered. Allocating by region would be similar to how commercial quotas are managed in the Mid-Atlantic and New England areas for some species. Fishermen and some state representatives have expressed a desire to move in this direction. North Carolina currently monitors quotas and reports catches to ACCSP and to NMFS, including state-by-state quotas of some Mid-Atlantic species.

Table 3. Expected Allocations for King Mackerel under each option.

	North Carolina KM Allocation	General Atlantic Group KM Allocation
Option a	24.8%	75.2%
Option b	33.2%	66.8%
Option c	29%	71%
Option d	TBD*	TBD*

* Data request for earlier years in progress.

Comparison of Options under Alternative 2 (King Mackerel)

Table 4.

	North Carolina KM Commercial Allocation	
	% of Quota	Lbs under Current ACL
Option a NC proportion of total landings 2007/08-2011/12	24.8%	920,080
Option b NC proportion of total landings 2002/03-2011/12	33.2%	1,231,720
Option c Boyles Law (a+b)/2	29.0%	1,075,900
Option d NC proportion of total landings 1997/98-2011/12	TBD*	TBD*

Year	North Carolina KM Landings (Lbs)
2002 - 2003	776,905
2003 - 2004	591,923
2004 - 2005	1,044,569
2005 - 2006	1,149,754
2006 - 2007	1,203,353
2007 - 2008	1,104,350
2008 - 2009	953,280
2009 - 2010	785,842
2010 - 2011	293,955
2011 - 2012	433,095

* Data request for earlier years in progress.

Table 5. King Mackerel

	General KM Commercial Allocation	
	% of Quota	Lbs under Current ACL
Option a NC proportion of total landings 2007/08-2011/12	75.2%	2,789,920
Option b NC proportion of total landings 2002/03-2011/12	66.8%	2,478,280
Option c Boyles Law (a+b)/2	71.0%	2,634,100
Option d NC proportion of total landings 1997/98-2011/12	TBD*	TBD*

Year	SC/GA/FL KM Landings (Lbs)
2002 - 2003	960,412
2003 - 2004	1,131,807
2004 - 2005	1,687,341
2005 - 2006	1,094,525
2006 - 2007	1,790,148
2007 - 2008	1,554,957
2008 - 2009	2,154,260
2009 - 2010	2,778,048
2010 - 2011	3,111,369
2011 - 2012	1,622,665

* Data request for earlier years in progress.

Comparison of Options under Alternative 3 (Spanish Mackerel)

Table 6. Expected Allocations for Spanish Mackerel under each option.

	North Carolina SM Allocation	General Atlantic Group SM Allocation
Option a	18.7%	81.3%
Option b	16.7%	83.3%
Option c	17.7%	82.3%
Option d	TBD*	TBD*

* Data request for earlier years in progress.

Table 7.- Spanish Mackerel

	North Carolina SM Commercial Allocation	
	% of Quota	Lbs under Current ACL
Option a NC proportion of total Landings 2007/08-2011/12	18.7%	677,323
Option b NC proportion of total landings 2002/03-2011/12	16.7%	604,880
Option c Boyles Law (a+b)/2	17.7%	641,101
Option d NC proportion of total landings 1997/98-2011/12	TBD*	TBD*

* Data request for earlier years in progress.

Year	North Carolina SM Landings (Lbs)
2002 - 2003	698,827
2003 - 2004	456,968
2004 - 2005	--
2005 - 2006	--
2006 - 2007	--
2007 - 2008	487,209
2008 - 2009	--
2009 - 2010	961,865
2010 - 2011	911,897
2011 - 2012	871,275

Table 8.- Spanish Mackerel

	General SM Commercial Allocation	
	% of Quota	Lbs under Current ACL
Option a NC proportion of total Landings 2007/08-2011/12	81.3%	2,942,677
Option b NC proportion of total landings 2002/03-2011/12	83.3%	3,015,120
Option c Boyles Law (a+b)/2	82.3%	2,978,899
Option d NC proportion of total landings 1997/98-2011/12	TBD*	TBD*

* Data request for earlier years in progress.

Year	SC/GA/FL SM Landings (Lbs)
2002 - 2003	2,353,648
2003 - 2004	3,151,032
2004 - 2005	--
2005 - 2006	--
2006 - 2007	--
2007 - 2008	2,520,799
2008 - 2009	--
2009 - 2010	3,073,962
2010 - 2011	3,600,523
2011 - 2012	3,094,138

Action 6. Modify the Framework Procedure.

Alternative 1: No Action – Do not modify the framework procedure adopted through Amendment 18.

South Atlantic Preferred /Gulf Preferred Alternative 2: Modify the framework procedure to include changes to ABCs, ABC/ACL control rules and, accountability measures (AMs) under the standard documentation process for open framework actions. Accountability measures that could be changed would include:

Inseason AMs

- Closures and closure procedures
- Trip limit reductions or increases
- Designation of an IFQ program as the AM for species in the IFQ program
- Implementation of gear restrictions

Postseason AMs

- Adjustment of season length
- Implementation of a closed season
- Adjustment or implementation of bag, trip, or possession limit
- Reduction of the ACL to account for the previous year overage
- Revoking a scheduled increase in the ACL if the ACL was exceeded in the previous year
- Implementation of gear restrictions
- Reporting and monitoring requirements

Alternative 3: Modify the framework procedure to include changes to accountability measures (AMs) under the standard documentation process for open framework actions. Accountability measures that could be changed would include:

Inseason AMs

- Closure procedures
- Trip limit reductions or increases

Postseason AMs

- Adjustment of season length
- Adjustment of bag, trip, or possession limit

South Atlantic Preferred /Gulf Preferred Alternative 4: Modify the framework procedure to include designation of responsibility to each Council for setting regulations for the migratory groups of each species.

This pertains to:

Responsibilities of Each Council:

1. Recommendations with respect to the Atlantic migratory groups of king mackerel, Spanish mackerel, and cobia will be the responsibility of the South Atlantic Council, and those for the Gulf migratory groups of king mackerel, Spanish mackerel, and cobia will be the responsibility of the Gulf Council, with the following exceptions:
 - a. The South Atlantic Council will have responsibility to set vessel trip limits, closed seasons or areas, or gear restrictions for (1) the Eastern Zone - East Coast Subzone for Gulf migratory group king mackerel and (2) the east coast of Florida including the Atlantic side of the Florida Keys for Gulf migratory group cobia.

2. For stocks where a stock assessment indicates a different boundary between the Gulf and Atlantic migratory groups than the management boundary, a portion of the ACL for one migratory group may be apportioned to the appropriate zone, but management measures for that zone will be the responsibility of the Council within whose management area that zone is located.
3. Both councils must concur on recommendations that affect both migratory groups.

South Atlantic Preferred /Gulf Preferred Alternative 5. Make editorial changes to the framework procedure to reflect changes to the Council advisory committees and panels.

Note: Alternatives 4 and 5 could be selected in addition to Alternative 2 or 3.

Action 7. Modify the Gulf and Atlantic Migratory Group Cobia Annual Catch Limits (ACLs) and Annual Catch Targets (ACTs).

Alternative 1: No Action. The entire Gulf migratory group cobia ACL applies to the Gulf Council jurisdictional area and the entire South Atlantic migratory group cobia ACL applies to the South Atlantic jurisdictional area. The ACLs and ACTs that were established by Amendment 18 are as follows:

Gulf	South Atlantic
ACL = 1,460,000 lbs	ACL = ABC = OY = 1,571,399 lb Commercial ACL (8% ACL) = 125,712 lb Recreational ACL (92% ACL) = 1,445,687 lb
Stock ACT = 1,310,000 lbs	Recreational ACT = 1,184,688 lb

Alternative 2: The ACL = ABC as determined by the SSC for each migratory group. The entire Gulf migratory group cobia ACL applies to the Gulf Council jurisdictional area and the entire South Atlantic migratory group cobia ACL applies to the South Atlantic jurisdictional area. The ACLs and ACTs would be as follows:

Gulf	South Atlantic
ACL = x lbs	ACL = ABC = OY = x lb Commercial ACL (8% ACL) = x lb Recreational ACL (92% ACL) = x lb
Stock ACT = 90% ACL = x lbs	Recreational ACT = ACL [(1-PSE) or 0.5, whichever is greater] = x lb

Alternative 3: The ACL = ABC for each migratory group. The ACL for each jurisdictional area would be determined as follows:

- The Gulf migratory group cobia ACL (based on the ABC as determined by the SSC) would be divided into a Gulf jurisdictional ACL and an east coast of Florida ACL based on the options below.
 - Option a:** Use 2002-2012 landings to establish the percentage split for the Gulf ABC.
 - Option b:** Use 2008-2012 landings to establish the percentage split for the Gulf ABC.
 - Option c:** Use Boyles law - 50% of landings from 2002-2012 + 50% of landings from 2008-2012
 - Option d:** Use 1998-2012 landings to establish the percentage split for the Gulf ABC.
 - Option e:** based on yellowtail: 50% of average landings from 1993-2008 + 50% of average landings from 2006-2008 (75% SA and 25% Gulf)
 - Option f:** based on mutton: 50% of average landings from 1990-2008 + 50% of average landings from 2006-2008 (82% SA and 18% Gulf)

- The South Atlantic jurisdictional area ACL would be the ACL for the Atlantic migratory group cobia (based on the ABC as determined by the SSC) plus the portion of the Gulf migratory group ACL for the east coast of Florida.

The ACLs and ACTs would be as follows:

Gulf	South Atlantic
ACL = x lbs	ACL = ABC = OY = x lb Commercial ACL (8% ACL) = x lb Recreational ACL (92% ACL) = x lb
Stock ACT = 90% ACL = x lbs	Recreational ACT = ACL [(1-PSE) or 0.5, whichever is greater] = x lb

Background

- SEDAR 28 considered the biological boundary between the migratory groups to be the Georgia/Florida line, while the current management boundary is the Council boundary.
- Recommendations for ABC from the Gulf SSC will be available May 2013.