

ADVISORY PANEL DOCUMENT

for

SOUTH ATLANTIC COASTAL MIGRATORY PELAGICS

FRAMEWORK ACTION 2013



**South Atlantic Mackerel Advisory Panel
North Charleston, SC
April 2013**

Framework Actions

1. Modify the Atlantic migratory group king mackerel minimum size limit.
2. Modify restrictions on transfer-at-sea and gillnet allowances for Atlantic migratory group Spanish mackerel.
3. Modify the king mackerel commercial trip limit in the East Coast Florida Subzone.
4. Modify the system of quota and trip limit adjustments for Atlantic migratory group Spanish mackerel.

Expected Schedule

March 2013- Review actions and alternatives

April 2013- Review by Mackerel Advisory Panel and SSC

June 2013- Approve for public hearings

August 2013- Public hearings

September 2013- Final approval

Spring 2014- Implementation

**The framework actions will need to be approved by the Gulf Council.

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 the Atlantic migratory group king mackerel minimum size limit.

Alternative 1 (No Action). Do not change the Atlantic migratory group king mackerel minimum size limit of 24 inches fork length (FL) for the commercial and recreational sectors.

Alternative 2. Reduce the Atlantic migratory group king mackerel recreational and commercial minimum size limit to 23 inches FL.

Alternative 3. Reduce the Atlantic migratory group king mackerel recreational and commercial minimum size limit to 22 inches FL.

Alternative 4. Reduce the Atlantic migratory group king mackerel commercial minimum size limit to 23 inches FL for the commercial sector only, from the Georgia/Florida line south to the Miami-Dade/Monroe County line. The commercial minimum size limit in areas north of the Georgia/Florida state line and South of the Miami-Dade/Monroe County line would remain 24 inches FL. The recreational minimum size limit would remain 24 inches FL.

Background:

- The SAFMC is concerned about the utility of the minimum size limit due to the increased chance of catching undersized king mackerel in late winter and early spring, and some concern about discard mortality, particularly in Florida. The Council is considering a reduction in the minimum size limit to reduce dead discards and optimize use of the resource. There is no known harvest reduction target associated with this action.

- In 1998 the minimum size limit was increased from 20" FL to 24" FL to increase likelihood of spawning before being caught.

- Size at first spawning for females has been reported as small as 18 inches with most females mature by 35.5 inches. Males are usually mature at 28 inches.

Action 2. Modify restrictions on transfer-at-sea and gillnet allowances for Atlantic migratory group Spanish mackerel.

Alternative 1 (No Action). No more than two gillnets, including any net in use, may be possessed at any one time; provided, however, that if two gillnets, including any net in use, are possessed at any one time, they must have stretched mesh sizes (as allowed under the regulations) that differ by at least .25 inch (.64 cm) (622.41(c)(3)(ii)(B)(3)). A species subject to a trip limit specified in this section taken in the EEZ may not be transferred at sea, regardless of where such transfer takes place, and such species may not be transferred in the EEZ (§ 622.44).

Alternative 2: Modify commercial gear specifications for Atlantic migratory group Spanish mackerel.

Option a. Remove the maximum number of gillnets.

Option b. Remove the requirement for different mesh sizes.

Option c. Allow federally-permitted Spanish mackerel vessels to possess three gillnets.

Option d. Allow three gillnets for the vessel receiving transfer.

Alternative 3. Allow transfer of a portion an Atlantic migratory group Spanish mackerel gillnet and its catch from one vessel that has reached its trip limit to another vessel that has not caught the trip limit.

- a) Transfer is allowed if directed harvesting gear used to harvest the Spanish mackerel being transferred is allowable net gear. Spanish mackerel harvested with other than directed allowable net harvesting gear shall not be transferred.
- b) Transfer shall only take place in the EEZ between vessels with valid Spanish mackerel commercial permits.
- c) The Spanish mackerel removed from the directed harvesting gear aboard the harvesting vessel shall be isolated aboard the vessel and shall not exceed the applicable daily vessel limit specified in this subsection. All fish exceeding the applicable daily vessel limit shall remain entangled in the meshes of the net until transfer. The quantity of fish transferred to any single vessel shall not exceed the applicable daily harvest limit.
- d) Call-in required for both vessels engaged in the transfer.

Background:

At times a vessel harvesting Spanish mackerel with gillnet will exceed the trip limit with one set. Overages are difficult to estimate when the gillnet is in the water and fish caught in this gear tend to not survive when released. Modification to the prohibition on transfer at sea and to gear specification for Spanish mackerel commercial harvest would provide provisions to allow part of the gillnet and its contents to be transferred to another vessel that has not met its trip limit would prevent waste in the fishery, because fish caught in gillnets have high discard mortality.

In Amendment 8, the South Atlantic Council considered allowing transfer at sea in the Spanish mackerel gillnet fishery when a trip limit had been exceeded but did not approve the alternative, concluding that transfer at sea precludes effective enforcement and may reduce the effectiveness of trip limits.

Action 3. Modify the king mackerel commercial trip limit in the East Coast Florida Subzone.

Alternative 1 (No Action). Retain the current commercial trip limit regulations in place for East Coast Florida Subzone king mackerel. In the Florida East Coast Subzone (Flagler/Volusia County line south to the Miami-Dade/Monroe County line, November 1 – March 31 each year), king mackerel in or from the EEZ may be possessed on board at any time or landed in a day from a vessel with a commercial permit for king mackerel as follows:

(A) From November 1 through January 31--not to exceed 50 fish.

(B) Beginning on February 1 and continuing through March 31--

(1) If 75 percent or more of the [Gulf group] Florida east coast subzone quota has been taken-- not to exceed 50 fish.

(2) If less than 75 percent of the [Gulf group] Florida east coast subzone quota has been taken --not to exceed 75 fish.

Alternative 2. Change the king mackerel commercial trip limit in the Florida East Coast Subzone to 50 fish for the entire fishing season (November 1- March 31).

AP Recommended (April 2012)

Alternative 3. Change the king mackerel commercial trip limit in the Florida East Coast Subzone to 75 fish for the entire fishing season (November 1- March 31).

Alternative 4. In the Florida East Coast Subzone, king mackerel in or from the EEZ may be possessed on board at any time or landed in a day from a vessel with a commercial permit for king mackerel as follows:

(A) From November 1 through the end of February--not to exceed 50 fish.

(B) Beginning on March 1 and continuing through March 31--

(1) If 70 percent or more of the [Gulf group] Florida east coast subzone quota has been taken-- not to exceed 50 fish.

(2) If less than 70 percent of the [Gulf group] Florida east coast subzone quota has been taken --not to exceed 75 fish.

Alternative 5. In the Florida East Coast Subzone, king mackerel in or from the EEZ may be possessed on board at any time or landed in a day from a vessel with a commercial permit for king mackerel as follows:

(A) From November 1 through January 31--not to exceed 25 fish.

(B) Beginning on February 1 and continuing through March 31--

(1) If 75 percent or more of the [Gulf group] Florida east coast subzone quota has been taken-- not to exceed 25 fish.

(2) If less than 75 percent of the [Gulf group] Florida east coast subzone quota has been taken --not to exceed 50 fish.

Background:

- The trip limit increase was originally implemented at the request of king mackerel fishermen because they were not harvesting the full quota before the end of the fishing season (July 2000 Regulatory Amendment).
- The percentage of quota reached by king mackerel commercial landings in the past two years has decreased earlier in the year, triggering the trip limit increase when the king mackerel are abundant. This in turn allowed the quota to be filled quickly, requiring NMFS to close the subzone in February or March.
- April 1- October 31, the boundary shifts and the trip limit is 75 fish.

Table 1. Trip limit increases and closures dates for the Florida East Coast Subzone for the most recent 12 years. Note: This area is considered to contain Atlantic migratory group king mackerel beginning April 1, at which time harvesting can resume under the Atlantic quota.

Fishing Season	Trip limit increase to 75 fish?	Closure date
01/02	Yes	None
02/03	Yes	None
03/04	Yes	None
04/05	Yes	None
05/06	Yes	None
06/07	Yes	None
07/08	Yes	2/21
08/09	No	3/6
09/10	No	2/4 (reopened for an additional 6 days)
10/11	No	2/26
11/12	Yes	3/14
12/13	Yes	?

Action 4. Modify the system of quota and trip limit adjustments for Atlantic migratory group Spanish mackerel.

Alternative 1 (No Action). Retain the current quota system for the northern and southern zones of Atlantic migratory group Spanish mackerel, whereby the quota for both zones is 3.87 million pounds, and is adjusted to 3.62 million pounds and the fishing year begins March 1. Currently for the southern zone, the trip limit is 3,500 pounds starting March 1, and then starting December 1 trips are not limited on week days and are 1,500 pounds on weekends. This unlimited time period continues until 75 percent of the adjusted quota is landed, after which the trip limit is 1,500 pounds every day. When 100 percent of the adjusted quota is reached, the trip limit is reduced to 500 pounds until the end of the fishing year or until the full quota is met or projected to be met. In the northern zone, the trip limit is 3,500 pounds year-round.

Alternative 2. Remove the use of an adjusted quota for Atlantic migratory group Spanish mackerel and:

Sub-Alternative 2a. Remove all trip limit changes for the southern zone. The trip limit would remain 3,500 lbs year-round. Close commercial harvest of Atlantic migratory group Spanish mackerel when the commercial ACL is met or projected to be met.

Sub-Alternative 2b. Remove the period of unlimited trips for the southern zone that starts December 1 each year. The southern zone trip limit would start at 3,500 pounds on March 1 of each year. When 75% of the commercial ACL has been landed or projected to be landed the trip limit would be reduced to 1,500 pounds. Close commercial harvest of Atlantic migratory group Spanish mackerel when the commercial ACL is met or projected to be met.

Sub-Alternative 2c. Remove the period of unlimited trips for the southern zone that starts December 1 each year. The southern zone trip limit would start at 3,500 pounds on March 1 of each year. When 75% of the commercial ACL has been landed or projected to be landed the trip limit would be reduced to 500 pounds. Close commercial harvest of Atlantic migratory group Spanish mackerel when the commercial ACL is met or projected to be met.

Alternative 3. Retain the adjusted commercial ACL but remove the period of unlimited trips for the southern zone that starts December 1 each year. The southern zone trip limit would start at 3,500 pounds on March 1 of each year. When 75% of the adjusted commercial ACL has been landed or projected to be landed the trip limit would be reduced to 1,500 pounds. When 100% of the adjusted commercial ACL is reached, the trip limit is reduced to 500 pounds until the end of the fishing year or until the commercial ACL is met or projected to be met. Close commercial harvest of Atlantic migratory group Spanish mackerel when the commercial ACL is met or projected to be met.

AP Recommendation (April 2012)

Background:

The adjusted quota was implemented through Amendment 6 in 1992. The adjustment was calculated based on the number of vessels and the catch rates at that time, and was intended to allow fishing by small vessels at 500 lbs for the rest of the year. However, both the number of vessels and the catch rates

have changes in the past 20 years, making the 250,000-lb adjustment meaningless. Further, in Amendment 18, the Council chose to add an in-season closure when the quota is met or projected to be met. Consequently, the use of the adjusted quota is overly complicated and no longer accomplishes the original intention.

Amendment 18 also set an ACL that is lower than the TAC in place when the trip limit adjustments were established. Thus the allowance of unlimited catch on weekdays beginning December 1 may contribute to early closures in the spring under the lower quota. On the other hand, the trip limit reduction may help lengthen the open season, and may be retained but based on the full quota rather than the adjusted quota.

Table 2. Comparison of Alternatives under Action 4.

	Alt 1	Alt 2a	Alt 2b	Alt 2c	Alt 3
March 1- Nov 30	3,500 lbs				
Dec 1- Feb 28	No limit if 0-74% adjusted quota has been landed weekdays, 1,500 lbs weekends	3,500 lbs	3,500 lbs with step-down to 1,500 lbs when 75% of unadjusted ACL is met	3,500 lbs with step-down to 500 lbs when 75% of unadjusted ACL is met	3,500 lbs with step-down to 1,500 lbs when 75% of unadjusted ACL is met; step-down to 500 lbs when 100% of adjusted ACL is met.
	1,500 lbs if 75-99% adjusted quota has been landed				
	500 lbs if 100% adjusted quota has been landed				
	0 lbs if 100% quota has been landed				