

Framework Amendment 13

to the Fishery Management Plan for Coastal Migratory Pelagic Resources in the Gulf of Mexico and Atlantic Region



(Atlantic Spanish mackerel catch levels)

Decision Document

September 2023

Background

Framework Amendment 13 to the Fishery Management Plan (FMP) for Coastal Migratory Pelagic (CMP) Resources in the Gulf of Mexico and Atlantic Region (CMP FMP) would change catch limits for Atlantic migratory group Spanish mackerel (Atlantic Spanish mackerel). In the exclusive economic zone (EEZ), Atlantic Spanish mackerel is managed from a line extending due east of the Miami-Dade/Monroe County line, Florida to a line extending from the intersection point of New York, Connecticut, and Rhode Island. Additionally, the commercial Atlantic Spanish mackerel fishery is divided into two separate zones. The commercial Northern Zone extends from the New York/Connecticut/Rhode Island line to the North Carolina/South Carolina line. The commercial Southern Zone extends from the North Carolina/South Carolina line to the Miami-Dade/Monroe County line, Florida. The commercial annual catch limit (ACL) is divided into a Northern Zone and a Southern Zone quota. Finally, the recreational accountability measures (AMs) use a recreational annual catch target (ACT) to ensure the recreational ACL is met, but not exceeded.

A Southeast Data, Assessment, and Review (SEDAR) stock assessment for Atlantic migratory group Spanish mackerel (Atlantic Spanish mackerel) was completed in June 2022 (SEDAR 78). In August 2022, the South Atlantic Fishery Management Council's (Council) Scientific and Statistical Committee (SSC) reviewed the results of SEDAR 78 and recommended that additional work should be completed. Based on the SSC recommendations, the Council requested, at their September 2022 meeting, that the Southeast Fisheries Science Center (SEFSC) rerun the SEDAR 78 assessment model with new landings to address uncertainty with Marine Recreational Information Program (MRIP) estimates in the terminal year. The SSC reviewed the changes at their October 2022 meeting and determined that additional revisions to the assessment were still necessary. An SSC sub-group was created to summarize SSC concerns and determine the potential for model re-runs. At their December 2022 meeting, the Council expressed their frustration with the Atlantic Spanish mackerel assessment (SEDAR 78) and the importance of having accurate catch level recommendations to move forward with needed management discussions. To that end, the Council passed a motion directing the SSC to provide catch level recommendations for Atlantic Spanish mackerel at their April 2023 meeting, either from the updated assessment or using a data-limited approach.

During the January 2023 SSC meeting, the scope of work for the Atlantic Spanish mackerel assessment re-run was approved and sent to the SEFSC. Subsequently, the Council and SSC received a letter from the SEFSC stating that the SSC's recommendations regarding natural mortality, assumed recruitment and catch estimates should be considered for the next scheduled stock assessment. Due to the extensive rework required, SSC recommended revisions would not be available for this assessment (SEDAR 78). The SEFSC recommended that the SSC develop allowable biological catch (ABC) advice based on the current assessment and analysis completed to date. The SEFSC also determined that the use of data-limited, in place of the current age-structured, assessment model would not be consistent with best scientific information available (BSIA). The SSC met again in April 2023 and determined that SEDAR 78 was sufficient for providing stock status and for providing catch level recommendations using model output but not projections.

The SEDAR 78 indicated, consistent with the original stock status determined by SEDAR 28, that Atlantic Spanish mackerel are not overfished or undergoing overfishing. Based on the results of SEDAR 78, the SSC made new Atlantic Spanish mackerel catch level recommendations for the Council to consider (**Table 1**). The SEDAR 78 update includes revised recreational landings that are based on the Marine Recreational Information Program's (MRIP) newer Fishing Effort Survey (FES) method.

Table 1. South Atlantic SSC catch level recommendations for Atlantic migratory group Spanish mackerel, using data resultant from SEDAR 78 (2022).

Criteria		Deterministic		
Overfished evaluation (SSB ₂₀₂₀ /MSST)		1.40		
Overfishing Evaluation (F ₂₀₁₈₋₂₀₂₀ /F _{MSY})		0.77		
MFMT (F _{MSY proxy})		0.516		
SSB _{MSY} (metric tons)		6,406		
MSST (metric tons)		4,804		
MSY (1000 lbs.)		8,210		
Y at 75% F _{MSY} (1000 lbs.)		8,024		
ABC Control Rule Adjustment		10%		
P-Star		40%		
M		0.35		
OFL RECOMMENDATIONS				
Year ¹	Landed (lbs ww)	Discard (lbs ww)	Landed (number)	Discard (number)
2023	8,210,000			
2024	8,210,000			
2025	8,210,000			
2026	8,210,000			
2027	8,210,000			
ABC RECOMMENDATIONS				
Year	Landed (lbs ww)	Discard (lbs ww)	Landed (number)	Discard (number)
2023	8,024,000			
2024	8,024,000			
2025	8,024,000			
2026	8,024,000			
2027	8,024,000			

Note: SEDAR 78 includes revised recreational estimates based on MRIP-FES.

¹The Atlantic Spanish mackerel fishing year runs from March 1st through the end of February.

In accordance with the provisions set forth in the Magnuson-Stevens Fishery Conservation and Management Act and regulations found at 50 CFR 622.389 (Adjustment of Management Measures), the intent of Framework Amendment 13 to the Fishery Management Plan (FMP) for Coastal Migratory Pelagic (CMP) Resources in the Gulf of Mexico and South Atlantic Region (CMP FMP) is to revise the annual catch limit (ACL), optimum yield (OY), and recreational annual catch target (ACT) for Atlantic Spanish mackerel based on the SSC’s recommendations.

Actions in this framework amendment

Action 1. Revise the acceptable biological catch, annual optimum yield, total annual catch limit, sector annual catch limits, and commercial zone quotas for Atlantic migratory group Spanish mackerel to reflect the updated acceptable biological catch level.

Action 2. Revise recreational annual catch target for Atlantic migratory group Spanish mackerel.

Objectives for this meeting

- Review purpose and need statement.
- Review draft actions and alternatives.
- Approve amendment for scoping.

Tentative Timing for CMP Framework Amendment 13

	Process Step	Date
✓	Council directs staff to start work on an amendment.	June 2023
	Council reviews options paper and approves amendment for scoping.	September 2023
	Mackerel Cobia Advisory Panel (MC AP) reviews assessment and makes recommendations for the Council to consider.	November 2023
	Council reviews MC AP scoping comments and approves action/alternatives to be analyzed.	December 2023
	Council reviews draft amendment, selects preferred alternatives, and approves for public hearings.	March 2024
	Public Hearings	Spring 2024
	Council reviews the draft amendment, modifies the document as necessary, and approves for formal review.	June 2024
	CMP Framework Amendment 13 transmitted for Secretarial Review.	Summer 2024

Opportunities to provide public comment in-person include the scoping webinar, South Atlantic Council meetings, and public hearings. There will also be opportunities to submit written comments via the online comment form throughout the process.

Purpose and need statement

The *purpose* of this amendment is to revise the acceptable biological catch, annual catch limits, annual optimum yield and recreational annual catch target for Atlantic migratory group Spanish mackerel, based on the results of the latest stock assessment.

The *need* for this amendment is to ensure catch limits are based on the best scientific information available and to ensure overfishing does not occur in the Atlantic migratory group Spanish mackerel fishery.

Committee Action

REVIEW PURPOSE AND NEED STATEMENT, MODIFY AS NECESSARY

Proposed Actions and Alternatives

Action 1. Revise the acceptable biological catch, annual optimum yield, total annual catch limit, sector annual catch limits, and commercial zone quotas and for Atlantic migratory group Spanish mackerel.

Alternative 1 (No Action). The total annual catch limit and annual optimum yield for Atlantic migratory group Spanish mackerel are equal to the current acceptable biological catch (6,057,000 pounds as landed). The current acceptable biological catch is inclusive of recreational estimates from the Marine Recreational Information Program’s Coastal Household Telephone Survey (or MRFSS in some cases.)

Alternative 2. Revise the acceptable biological catch for Atlantic migratory group Spanish mackerel and set it equal to the most recent recommendation from the Scientific and Statistical Committee. Revise the total annual catch limit and annual optimum yield for Atlantic migratory group Spanish mackerel and set them equal to the recommended acceptable biological catch. Revise the sector annual catch limits and commercial zone quotas based on current allocation percentages. The recommended acceptable biological catch is inclusive of recreational estimates from the Marine Recreational Information Program’s Fishing Effort Survey.

Year	ABC	Annual OY	Total ACL	Recreational ACL	Commercial ACL	Northern Zone Quota	Southern Zone Quota
2023/2024+	8,024,000	8,024,000	8,024,000	3,610,800	4,413,200	882,640	3,530,560

Discussion:

SEDAR 78 was completed in June 2022 and included an assessment Atlantic Spanish mackerel. The SSC provided their catch level recommendations to the Council at their June 2023 meeting. The Council may consider setting the Atlantic Spanish mackerel total ACL at the same level as the ABC recommended by the SSC (**Alternative 2**) or may consider including a buffer between the two values (possible **Alternative 3** and **Alternative 4**).

Sector allocations for Atlantic Spanish mackerel were originally established in Amendment 2 to the CMP FMP based on the average ration of catch from 1979-1985, resulting in an allocation of 76% to the commercial sector and 24% to the recreational sector. Amendment 4 to the CMP FMP revised sector allocations to be a 50/50 split. Council members at the time felt that because the resource was overfished from 1979-1985, the recreational sector experienced lower catch rates. Additionally, qualitative information indicated that recreational catch was high during the 1970s and was affected by the increase in commercial effort seen in the mid-1970s. Finally, the capacity and demand of both sectors had expanded such that either group could harvest all the available resource, making a 50/50 allocation the most equitable. The current allocation between the commercial (55%) and recreational sector (45%) was most established via a 1998 Framework Action (effective September 1999). The commercial sector was regularly meeting or exceeding

their allocation while the recreational sector was not reaching their allocation, so the Council shifted 5% of the sector allocation to the commercial sector.

Commercial quota allocations between the Northern (New York/Connecticut/Rhode Island line to the North Carolina/South Carolina line) and Southern Zone (North Carolina/South Carolina line to the Miami-Dade/Monroe County line, Florida) were established in Amendment 20B to the CMP FMP (effective March 2015) and are based on the average proportion of landings in that zone from the 2002/2003 fishing season through the 2011/2012 fishing season.

For recent commercial and recreational landings, see the Atlantic Spanish mackerel fishery overview: https://safmc-shinyapps.shinyapps.io/SA_FisheryDataSpanishMackerel/

Does the Council want to consider a buffer between ABC and ACL for Atlantic Spanish mackerel? If so, what buffers would the Council like to consider? 95%, 90%, 85%?

Committee Action

REVIEW ACTION AND ALTERNATIVES, MODIFY AS NECESSARY

Action 2. Revise the recreational annual catch target for Atlantic migratory group Spanish mackerel.

Note: The revised recreational annual catch target in Alternatives 1 (No Action) through 3 reflect **Preferred Alternative X** in **Action 1**. The revised annual catch limit includes recreational landings from the Marine Recreational Information Program using the Fishing Effort Survey method where appropriate, as well as updates to commercial and for-hire landings used in the latest assessment (SEDAR 78 2022).

Alternative 1 (No Action). Revise the recreational annual catch target for Atlantic migratory group Spanish mackerel to reflect the updated recreational annual catch limit level. The recreational annual catch target equals sector ACL*[(1-PSE) or 0.5, whichever is greater].

Action 1 Alternative	Recreational ACL (lbs)	Recreational ACT (lbs)
Alternative 2	3,610,800	3,112,510
Alternative 3	3,430,260	2,956,884
Alternative 4	3,249,720	2,801,259

Does the Council want to consider additional ways to set a buffer between ACL and ACT for recreational Atlantic Spanish mackerel?

Discussion:

The recreational ACT is currently codified and utilized in the post-season recreational accountability measure for Atlantic Spanish mackerel and needs to be updated based on SEDAR 78 (2022). If the recreational landings exceed the recreational ACL and the sum of the commercial and recreational landings, exceeds the stock ACL, the Regional Administrator (RA) may reduce the bag limit for the following fishing year by the amount necessary to ensure recreational landings may achieve the recreational ACT, but do not exceed the recreational ACL. Additionally, if the sum of the commercial and recreational landings exceeds the stock ACL and Atlantic Spanish mackerel are overfished, the RA may reduce the recreational ACT for that following year by the amount of any recreational sector overage in the prior fishing year.

The current recreational ACT is based on adjusting the ACL by 50% or one minus the five-year average proportional standard error (PSE) from the recreational sector, whichever is greater, as established in Amendment 18 to the CMP FMP.

Table 2. The PSEs for Atlantic Spanish mackerel from harvest estimates for all recreational modes.

Fishing Year	2018/2019	2019/2020	2020/2021	2021/2022	2022/2023	5-Year Average
PSE Value	13.3	11.8	15.1	13.8	15	13.8

Committee Action

REVIEW ACTION AND ALTERNATIVES, MODIFY AS NECESSARY

APPROVE CMP FRAMERWORK AMENDMENT 13 FOR SCOPING.