

**DECISION DOCUMENT (2<sup>nd</sup>)**  
for  
**AMENDMENT 20 (20B)**  
to the joint Fishery Management Plan for  
**Coastal Migratory Pelagic Resources**  
of the  
**Gulf of Mexico and South Atlantic**  
**(zones and boundaries)**



**Committee Meeting**  
**Charleston, SC**  
**September 2013**

## **Actions in Amendment 20 (20B)**

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

**NOTE: This amendment was known as Amendment 20 during public comment periods, but needs to be re-numbered as Amendment 20B.**

### **Expected Schedule**

August 2013- Public hearings

September 2013- South Atlantic Council final approval

October 2013- Gulf 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 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. (Gulf Mackerel AP Preferred)

Current trip limits:

Western Zone: 3,000 lbs with no reduction

Eastern Zone Northern Subzone: 1,250 lbs until 75% of the quota is taken, at which time the trip limit decreases to 500 lbs

Eastern Zone Southern Subzone: 1,250 lbs until 75% of the quota is taken, at which time the trip limit decreases to 500 lbs

**Alternative 2:** Set the commercial hook-and-line trip limit at 2,500 lbs. 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 2:** Set the commercial hook-and-line trip limit at 2,000\* lbs with no reduction.

Option a: For the Western Zone

Option b: For the Eastern Zone Northern Subzone

**Gulf Council Preferred** Option c: For the Eastern Zone Southern Subzone\*

*\*Changed from 2500 to 2000 and selected as preferred by the Gulf Mackerel Committee and Gulf Council– August 2013*

**Alternative 3:** Set the commercial hook-and-line trip limit at 3,000 lbs. with no reduction. (SA Mackerel AP Preferred)

**South Atlantic Preferred** Option a: For the Western zone

Option b: For the Eastern Zone Northern Subzone

**South Atlantic Preferred/Gulf Preferred** Option c: For the Eastern Zone Southern Subzone

**Alternative 4:** Set the commercial hook-and-line trip limit at 1,250 lbs. with no reduction.

Option a: For the Western zone

**South Atlantic Preferred/Gulf Preferred** Option b: For the Eastern Zone Northern Subzone

Option c: For the Eastern Zone Southern Subzone

**Gulf Council Actions**

In June 2013 the Gulf Council:

- removed Option a (Western Zone) under Alternatives 2-4.
- selected Option a under Alternative 1 as the Preferred.

In August 2013 the Gulf Council:

- put Option a (Western Zone) under Alternatives 2-4 back in.
- removed Option a under Alternative 1 as a Preferred.
- under Alternative 2, changed 2,500 lbs to 2,000 lbs and selected Option c as a Preferred.

**Public Comments- South Atlantic**

- One commenter supported Alternative 4 (1,250 lbs with no reduction).
- Two commenters supported no action.
- Two commenters supported a 3,000 lb trip limit. The commenter also noted that this could affect the number of inactive permits by making trips more efficient.
- One commenter supported Alternative 3c (3,000 lbs with no reduction in the Eastern Zone Southern Subzone) and 4b (1,250 lbs with no reduction in the Eastern Zone Northern Subzone)

**Public Comments- Gulf**

- One commenter in support of a 1250-lb trip limit for the Western Zone.
- Several commenters opposed the 3000 pound trip limit for king mackerel because it would adversely affect Naples fishermen with a shortened season.
- Recreational fishermen preferred a 3000 pound trip limit for the Eastern Zone southern subzone.
- Fishermen in Key West were divided between Key West/Miami commercial fishermen and Naples commercial fishermen. Key West fishermen largely favored an increase in the trip limit for the Eastern Zone southern subzone to 3000 pounds, claiming that the current 1250 pound trip limit was too low to be economically feasible. Naples fishermen argued for keeping the trip limit at 1250 pounds, citing the risks of shortened seasons and lower prices for landed fish as concerns with a larger trip limit.

**South Atlantic Mackerel AP Recommendations (April 2013)**

At the April 2013 meeting, the Mackerel AP recommended that the South Atlantic should track Gulf decisions for Action 1 because the changes would affect Gulf fishermen.

**Gulf Mackerel AP Recommendations (May 2013)**

The Mackerel AP recommended Alternative 1 (No Action) as the Preferred.

**Table 1.** Gulf migratory group king mackerel season closure dates. TLR=Trip limit reduction.

|                                      |       | 00-01  | 01-02  | 02-03  | 03-04  | 04-05  | 05-06  | 06-07  | 07-08  | 08-09  | 09-10  | 10-11  | 11-12   | 12-13  |
|--------------------------------------|-------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|---------|--------|
| <b>Western Zone</b>                  | Close | 26-Aug | 19-Nov | 25-Oct | 24-Sep | 20-Oct | 17-Nov | 6-Oct  | 3-Nov  | 27-Mar | 4-Sep  | 11-Feb | 16-Sept | 22-Aug |
| <b>Eastern Zone Northern Subzone</b> | TLR   | 12-Nov | x      | 30-Nov | 30-Oct | x      | x      | 27-Nov | 27-Dec | x      | x      | 26-Oct | x       | 30-Aug |
|                                      | Close | 19-Nov | 10-Nov | 5-Dec  | 13-Nov | x      | x      | x      | x      | x      | 24-Oct | 4-Apr  | 7-Oct   | 5-Oct  |
| <b>Eastern Zone Southern Subzone</b> | TLR   | 20-Feb | 11-Mar | 5-Mar  | 20-Mar | 25-Feb | 25-Feb | 3-Mar  | 22-Mar | 28-Feb | 7-Feb  | 8-Mar  | x       | Open   |
|                                      | Close | 2-Mar  | 23-Mar | x      | 9-Apr  | x      | 12-Mar | 10-Apr | x      | x      | 15-Feb | 23-Mar | 26-Feb  | Open   |

Note: The 10/11 fishing season was impacted by the Deepwater Horizon MC 252 oil spill. Table 2.1.1 in Amendment 20 (20B).

**Table 2.** Predicted closure dates for king mackerel hook-and-line fishing in the Eastern Zone, Northern and Southern Subzones for the different proposed trip limits. The closure dates are based on landings rates from the 2011/2012 fishing season. TLR = trip limit reduction.

|                                 | Alt. 1                     | Alt. 2                      | New Alt 2                   | Alt. 3                      | Alt 4                       |
|---------------------------------|----------------------------|-----------------------------|-----------------------------|-----------------------------|-----------------------------|
| Trip Limit                      | 1,250 lbs.<br>ww<br>w/ TLR | 2,500 lbs.<br>ww<br>w/o TLR | 2,000 lbs.<br>ww<br>w/o TLR | 3,000 lbs.<br>ww<br>w/o TLR | 1,250 lbs.<br>ww<br>w/o TLR |
| Eastern Zone - Northern Subzone | 1-Oct*<br>(Pref)           | 27-Sep                      | 27-Sep                      | 26-Sep                      | 28-Sep                      |
| Eastern Zone - Southern Subzone | 7-Mar**                    | 14-Feb                      | 15-Feb<br>(Gulf Pref)       | 9-Feb<br>(SA Pref)          | 21-Feb                      |

\* Projected closure date is earlier than the 2011/2012 closure date of 7-Oct because the ACL was exceeded.

\*\*Projected closure date is later than the 2011/2012 closure date of 26-Feb because the trip limit reduction did not get implemented before the quota was met.

Table 2.1.3 in Amendment 20 (20B)

**Table 3.** Monthly quota monitoring king mackerel Eastern Zone – Southern Subzone hook-and-line landings for 2011/2012. Landings in July to October were combined to protect confidentiality of the data. The fishery was closed on February 26, 2012.

| Month   | lbs. ww | %    |
|---------|---------|------|
| Jul-Oct | 252     | 0.0  |
| Nov     | 2,997   | 0.5  |
| Dec     | 131,637 | 22.9 |
| Jan     | 136,235 | 23.7 |
| Feb     | 303,714 | 52.8 |
| Total   | 574,835 | 100  |

**Additional analysis for a 2000-lb trip limit (new Alternative 2) can be found in Appendix E of the Draft Amendment.**

**Committee Actions**

1) Does the committee want to revise Alternative 2 to a 2,000-lb trip limit?

**Alternative 2:** Set the commercial hook-and-line trip limit at ~~2,500~~ 2,000 lbs. 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

2) Does the committee want to add, remove, or modify any alternatives?

3) Does the committee want to change the Preferred Alternative(s)/option(s)?

**Alternative 2:** Set the commercial hook-and-line trip limit at 2,000\* lbs with no reduction.  
**Gulf Council Preferred** Option c: For the Eastern Zone Southern Subzone\*

**Alternative 3:** Set the commercial hook-and-line trip limit at 3,000 lbs. with no reduction.  
**South Atlantic Preferred** Option a: For the Western zone [NOTE: This is the current trip limit.]  
**South Atlantic Preferred/Gulf Preferred** Option c: For the Eastern Zone Southern Subzone

**Alternative 4:** Set the commercial hook-and-line trip limit at 1,250 lbs. with no reduction.  
**South Atlantic Preferred/Gulf Preferred** Option b: For the Eastern Zone Northern Subzone

**Action 2. 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. (Gulf Mackerel AP Preferred for Western Zone and Eastern Zone Southern Subzone)

**South Atlantic Preferred Alternative 2:** Change the fishing season for Gulf migratory group king mackerel to September 1 – August 31.

- Gulf Preferred** Option a: For the Western Zone
- Option b: For the Eastern Zone

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

- Option a: For the Western Zone
- Gulf Preferred** Option b: For the Eastern Zone (Gulf AP Preferred for Eastern Zone Northern Subzone only)

**IPT/Policy Branch recommend changing “fishing season” to “fishing year” for consistency in regulations language.**

| <b>Gulf Council Actions</b>   |
|---|
| In June 2013 the Gulf Council: <ul style="list-style-type: none"><li>- selected Alternative 2, Option a as the Preferred.</li><li>- selection Alternative 3, Option b as the Preferred.</li></ul> |

| <b>Public Comments- South Atlantic</b>  |
|---|
| <ul style="list-style-type: none"><li>- Two commenters supported no action. One commenter stated that changes in the fishing years will hurt the Atlantic fishermen’s market.</li><li>- One commenter supported Alternative 2 (change the season to Sept 1- Aug 1).</li></ul> |

| <b>Public Comments- Gulf</b>   |
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| <ul style="list-style-type: none"><li>- Most fishermen from the Florida east coast opposed changing the season opening date for the Western Zone, while the Gulf fishermen at the Grand Isla LA hearing were more divided on the issue.</li><li>- Fishermen at the Panama City FL hearing favored an October 1 opening for the Eastern Zone northern subzone.</li><li>- Most fishermen at the Key West hearing favored keeping the season opening at July 1.</li></ul> |

| <b>South Atlantic Mackerel AP Recommendations (April 2013)</b>   |
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| At the April 2013 meeting, the Mackerel AP recommended Alternative 1 (No Action) as the Preferred Alternative. |

## **Gulf Mackerel AP Recommendations (May 2013)**

The Gulf AP recommended Alternative 1 (No Action) for the Western Zone and Eastern Zone Southern Subzone, and Alternative 3, Option B for the Northern Subzone.

### **Committee Actions**

- 1) Does the committee approve changing “fishing season” to “fishing year?”
- 2) Does the committee want to select Alternative 2 Option a as a Preferred Option?

**South Atlantic Preferred Alternative 2:** Change the fishing season for Gulf migratory group king mackerel to September 1 – August 31.

**Gulf Preferred** Option a: For the Western Zone

Option b: For the Eastern Zone

- 3) Does the committee want to select Alternative 3 Option b as a Preferred Option?

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

Option a: For the Western Zone

**Gulf Preferred** Option b: For the Eastern Zone (**Gulf AP Preferred for Eastern Zone Northern Subzone only**)

- 4) Does the committee want to add, remove, or modify any alternatives?



**Action 3. 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 migratory 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 Eastern Zone, Southern Subzone is closed for vessels possessing Atlantic migratory group king mackerel that were legally harvested in the EEZ off Monroe County only from April 1 – June 30.

**South Atlantic Preferred/Gulf Preferred Alternative 4:** 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. (SA Mackerel AP Preferred) (Gulf Mackerel AP Preferred, but only for vessels with VMS)

**Alternative 5:** Establish a provision allowing transit through the Eastern Zone, 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 2-5, 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*

**Gulf Council Actions**

In August 2013, the Gulf Council moved Alternative 3 to the Considered but Rejected Appendix.

**Public Comments- South Atlantic**

- All commenters supported a transit provision.

**Public Comments- Gulf**

- Most fishermen supported a transit provision.

**South Atlantic Mackerel AP Recommendations (April 2013)**

At the April 2013 meeting, the Mackerel AP recommended Alternative 5 as the Preferred Alternative.

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| <b>Gulf Mackerel AP Recommendations (May 2013)</b> |
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| The Gulf AP recommended Alternative 5 but only for vessels with VMS. |
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**Committee Actions**

1) Does the committee want to move Alternative 3 to the Considered but Rejected Appendix?

**Alternative 3:** Establish a provision allowing transit through Collier County when the Eastern Zone, Southern Subzone is closed for vessels possessing Atlantic migratory group king mackerel that were legally harvested in the EEZ off Monroe County only from April 1 – June 30.

2) Does the committee want to add, remove, or modify any alternatives?

3) Does the committee want to change the Preferred Alternative?

## **Action 4.1 – Establish Regional Annual Catch Limits (ACLs) for Atlantic Migratory Group King Mackerel**

**Alternative 1:** No Action - retain one commercial ACL for the Atlantic migratory group king mackerel

**Alternative 2:** Establish a separate commercial ACL of Atlantic migratory group king mackerel for North Carolina based on Options a-d below. Monitoring and implementation would be based on Options e-g below.

**Option a-** The North Carolina ACL would be the Atlantic migratory group ACL times the average of the proportion of landings in North Carolina from 2007-2008 through 2011-2012.

**Option b-** The North Carolina ACL would be the Atlantic migratory group ACL times the average of the proportion of landings in North Carolina from 2002-2003 through 2011-2012.

**Option c-** The North Carolina ACL would be the Atlantic migratory group ACL times (50% of the proportion of landings in North Carolina 2002-2003 through 2011-2012 and 50% of the proportion of landings in North Carolina 2007-2008 through 2011-2012).

**Option d-** The North Carolina ACL would be the Atlantic migratory group ACL times the average of the proportion of landings in North Carolina from 1997-1998 through 2011-2012.

**Option e-** NMFS would monitor landings in both North Carolina and the rest of the states and close the exclusive economic zone (EEZ) of each area when the respective ACL is met or expected to be met.

**Option f-** North Carolina would monitor landings in North Carolina and prohibit landings in North Carolina when the North Carolina ACL is met or projected to be met. NMFS would monitor landings in the rest of the states and close the entire EEZ when the General Atlantic ACL is reached.

**Option g-** North Carolina would monitor landings in North Carolina and inform NMFS when the North Carolina ACL is met or expected to be met; NMFS would then close the EEZ off North Carolina. NMFS would monitor landings in the rest of the states and close the EEZ off those states when the ACL is reached.

**Alternative 3:** Establish ACLs for Northern and Southern Zones for Atlantic migratory group king mackerel based on Options a-d below. The Northern Zone would include the EEZ off states from North Carolina north to New York. The Southern Zone would include the EEZ off South Carolina, Georgia, and the east coast of Florida. NMFS would monitor landings in both zones and close the EEZ of each zone when the respective ACL is reached.

**Option a-** Each zone ACL would be the Atlantic migratory group ACL times the average of the proportion of landings in that zone from 2007-2008 through 2011-2012.

**Option b-** Each zone ACL would be the Atlantic migratory group ACL times the average of the proportion of landings in that zone from 2002-03 through 2011-2012.

**Option c-** Each zone ACL would be the Atlantic migratory group ACL times the average (50% of the proportion of landings from that zone 2002-2003 through 2011-2012 and 50% of the proportion of landings from that zone 2007-2008 through 2011-2012).

**Option d-** Each zone ACL would be the Atlantic migratory group ACL times the average of the proportion of landings in that zone from 1997-1998 through 2011-2012.

**Alternative 4:** Allow for transfer of quota between regions. North Carolina and Florida would be designated as the coordinating states for any transfer request, in consultation with other states.

**Table 1.** Expected Allocations for King Mackerel under each option.

Comparison of Options under Alternative 2 (King Mackerel)

**Table 2.** Percentage and pounds that would be allocated to North Carolina under each option.

|   | North Carolina<br>KM Commercial Allocation |                          |
|---|--|--------------------------|
|   | % of<br>Quota                              | Lbs under Current<br>ACL |
| <b>Option a</b><br>NC proportion of total<br>landings 2007/08-2011/12 | 24.8%                                      | 920,080                  |
| <b>Option b</b><br>NC proportion of total<br>landings 2002/03-2011/12 | 33.2%                                      | 1,231,720                |
| <b>Option c</b><br>Boyles Law<br>(a+b)/2                              | 29.0%                                      | 1,075,900                |
| <b>Option d</b><br>NC proportion of total<br>landings 1997/98-2011/12 | 37.2%                                      | 1,443,360                |

| Year        | North Carolina KM<br>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                             |

**Table 3.** Percentage and pounds for the General KM Commercial ACL under each option.

|  | <b>General<br/>KM Commercial Allocation</b> |                       |
|--|---|-----------------------|
|  | % of Quota                                  | Lbs under Current ACL |
| <b>Option a</b><br>NC proportion of total landings 2007/08-2011/12 | 75.2%                                       | 2,789,920             |
| <b>Option b</b><br>NC proportion of total landings 2002/03-2011/12 | 66.8%                                       | 2,478,280             |
| <b>Option c</b><br>Boyles Law<br>(a+b)/2                           | 71.0%                                       | 2,634,100             |
| <b>Option d</b><br>NC proportion of total landings 1997/98-2011/12 | 62.8%                                       | 2,436,644             |

| <b>Year</b> | <b>SC/GA/FL<br/>KM Landings (Lbs)</b> |
|-------------|---------------------------------------|
| 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                             |

Comparison of Options under Alternative 3 (Spanish Mackerel)

**Table 4.** Expected Allocations for Spanish Mackerel under each option.

|                 | <b>North Carolina SM Allocation</b> | <b>General Atlantic Group SM Allocation</b> |
|-----------------|-------------------------------------|---|
| <b>Option a</b> | 18.7%                               | 81.3%                                       |
| <b>Option b</b> | 16.7%                               | 83.3%                                       |
| <b>Option c</b> | 17.7%                               | 82.3%                                       |
| <b>Option d</b> | 18.2%                               | 81.8%                                       |

**Table 5.-** Percentage and pounds that would be allocated to North Carolina under each option.

|  | <b>North Carolina<br/>SM Commercial Allocation</b> |                       |
|--|--|-----------------------|
|  | % of Quota   | Lbs under Current ACL |
| <b>Option a</b><br>NC proportion of total Landings 2007/08-2011/12 | 18.7%  | 677,323               |
| <b>Option b</b><br>NC proportion of total landings 2002/03-2011/12 | 16.7%  | 604,880               |
| <b>Option c</b><br>Boyles Law<br>(a+b)/2                           | 17.7%  | 641,101               |
| <b>Option d</b><br>NC proportion of total landings 1997/98-2011/12 | 18.2%  | 569,660               |

| <b>Year</b> | <b>North Carolina SM Landings (Lbs)</b> |
|-------------|---|
| 2002 - 2003 | 698,827                                 |
| 2003 - 2004 | 456,968                                 |
| 2004 - 2005 | 455,616                                 |
| 2005 - 2006 | 445,975                                 |
| 2006 - 2007 | 471,631                                 |
| 2007 - 2008 | 487,209                                 |
| 2008 - 2009 | 415,074                                 |
| 2009 - 2010 | 961,865                                 |
| 2010 - 2011 | 911,897                                 |
| 2011 - 2012 | 871,275                                 |

**Table 6.-** Percentage and pounds for the General SM Commercial Allocation under each option.

|  | <b>General<br/>SM Commercial Allocation</b> |                       |
|--|---|-----------------------|
|  | % of Quota                                  | Lbs under Current ACL |
| <b>Option a</b><br>NC proportion of total Landings 2007/08-2011/12 | 81.3%                                       | 2,942,677             |
| <b>Option b</b><br>NC proportion of total landings 2002/03-2011/12 | 83.3%                                       | 3,015,120             |
| <b>Option c</b><br>Boyles Law<br>(a+b)/2                           | 82.3%                                       | 2,978,899             |
| <b>Option d</b><br>NC proportion of total landings 1997/98-2011/12 | 81.8%                                       | 2,560,340             |

| <b>Year</b> | <b>SC/GA/FL SM Landings (Lbs)</b> |
|-------------|-----------------------------------|
| 2002 - 2003 | 2,353,648                         |
| 2003 - 2004 | 3,151,032                         |
| 2004 - 2005 | 2,631,953                         |
| 2005 - 2006 | 3,163,591                         |
| 2006 - 2007 | 3,155,226                         |
| 2007 - 2008 | 2,520,799                         |
| 2008 - 2009 | 2,591,088                         |
| 2009 - 2010 | 3,073,962                         |
| 2010 - 2011 | 3,600,523                         |
| 2011 - 2012 | 3,094,138                         |

## **Action 4.2 – Establish Regional Annual Catch Limits (ACLs) for Atlantic Migratory Group Spanish Mackerel.**

**Alternative 1:** No Action - retain one commercial ACL for the Atlantic migratory group Spanish mackerel

**Alternative 2:** Establish a separate commercial ACL of Atlantic migratory group Spanish mackerel for North Carolina based on Options a-d below. Monitoring and implementation would be based on Options e-g below.

**Option a-** The North Carolina ACL would be the Atlantic migratory group ACL times the average of the proportion of landings in North Carolina from 2007-08 through 2011-12.

**Option b-** The North Carolina ACL would be the Atlantic migratory group ACL times the average of the proportion of landings in North Carolina from 2002-03 through 2011-2012.

**Option c-** The North Carolina ACL would be the Atlantic migratory group ACL times (50% of the proportion of landings in North Carolina 2002-03 through 2011-2012 and 50% of the proportion of landings in North Carolina 2007-08 through 2011-12).

**Option d-** The North Carolina ACL would be the Atlantic migratory group ACL times the average of the proportion of landings in North Carolina from 1997-98 through 2011-12.

**Option e-** NMFS would monitor landings in both North Carolina and the rest of the states and close the EEZ of each area when the respective ACL is met or expected to be met.

**Option f-** North Carolina would monitor landings in North Carolina and prohibit landings in North Carolina when the North Carolina ACL is met or projected to be met. NMFS would monitor landings in the rest of the states and close the entire EEZ when the General Atlantic ACL is reached.

**Option g-** North Carolina would monitor landings in North Carolina and inform NMFS when the North Carolina ACL is met or expected to be met; NMFS would then close the EEZ off North Carolina. NMFS would monitor landings in the rest of the states and close the EEZ off those states when the ACL is reached.

**Alternative 3:** Establish ACLs for Northern and Southern Zones for Atlantic migratory group Spanish mackerel based on Options a-d below. The Northern Zone would include the EEZ off states from North Carolina north to New York. The Southern Zone would include the EEZ off South Carolina, Georgia, and the east coast of Florida. NMFS would monitor landings in both zones and close the EEZ of each zone when the respective ACL is reached.

**Option a-** Each zone ACL would be the Atlantic migratory group ACL times the average of the proportion of landings in that zone from 2007-08 through 2011-12.

**Option b-** Each zone ACL would be the Atlantic migratory group ACL times the average of the proportion of landings in that zone from 2002-03 through 2011-2012.

**Option c-** Each zone ACL would be the Atlantic migratory group ACL times the average (50% of the proportion of landings from that zone 2002-03 through 2011-2012 and 50% of the proportion of landings from that zone 2007-08 through 2011-12).

**Option d-** Each zone ACL would be the Atlantic migratory group ACL times the average of the proportion of landings in that zone from 1997-98 through 2011-12.

**Alternative 4:** Allow for transfer of quota between regions. North Carolina and Florida would be designated as the coordinating states for any transfer request, in consultation with other states.

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| <b>Gulf Council Actions</b> |
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| In June 2013 the Gulf Council tracked all South Atlantic actions. |
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| <b>Public Comments- South Atlantic</b> |
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| <ul style="list-style-type: none"><li>- One commenter (AP Chair) supported Alternative 2, Option D, to give North Carolina the quota they have been requesting.</li><li>- Two commenters supported no action.</li></ul> |
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| <b>Public Comments- Gulf</b> |
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| None |
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| <b>South Atlantic Mackerel AP Recommendations (April 2013)</b> |
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| At the April 2013 meeting, the Mackerel AP recommended Option d under Alternatives 2 and 3 as the Preferred Alternative, and supported transfer provision under Alternative 4. |
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| <b>Gulf Mackerel AP Recommendations (May 2013)</b> |
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| The Gulf AP recommended Option d under Alternatives 2 and 43 as the Preferred Alternative, and supported transfer provision under Alternative 4. |
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**Committee Actions**

1) Does the committee want to add, remove, or modify any alternatives?

2) Does the committee want to select the Preferred Alternative(s)/option(s) in **Action 4.1**?

**Table 1.** Expected allocations to North Carolina ACL and the General Atlantic Group ACL (**Action 4.1, Alternative 2**) for King Mackerel under each option

|   | North Carolina<br>KM Commercial Allocation |                       | General Atlantic Group<br>KM Commercial Allocation |                          |
|---|--|-----------------------|--|--------------------------|
|   | % of<br>Quota                              | Lbs under Current ACL | % of<br>Quota                                      | Lbs under Current<br>ACL |
| <b>Option a</b><br>NC proportion of total<br>landings 2007/08-2011/12 | 24.8%                                      | 920,080               | 75.2%  | 2,789,920                |
| <b>Option b</b><br>NC proportion of total<br>landings 2002/03-2011/12 | 33.2%                                      | 1,231,720             | 66.8%  | 2,478,280                |
| <b>Option c</b><br>Boyles Law<br>(a+b)/2                              | 29.0%                                      | 1,075,900             | 71.0%  | 2,634,100                |
| <b>Option d</b><br>NC proportion of total<br>landings 1997/98-2011/12 | 37.2%                                      | 1,443,360             | 62.8%  | 2,436,644                |

**Table 2.** Expected allocations to the Northern Zone and Southern Zone (**Action 4.1, Alternative 3**) for King Mackerel under each option

|  | Northern Zone<br>KM Commercial Allocation |                       | Southern Zone<br>KM Commercial Allocation |                          |
|--|---|-----------------------|---|--------------------------|
|  | % of<br>Quota                             | Lbs under Current ACL | % of<br>Quota                             | Lbs under Current<br>ACL |
| <b>Option a</b><br>Proportion of total<br>landings 2007/08-2011/12 | 24.8%                                     | 963,472               | 75.2%                                     | 2,916,528                |
| <b>Option b</b><br>Proportion of total<br>landings 2002/03-2011/12 | 33.3%                                     | 1,292,988             | 66.7%                                     | 2,587,012                |
| <b>Option c</b><br>Boyles Law<br>(a+b)/2                           | 29.1%                                     | 1,128,230             | 70.9%                                     | 2,751,770                |
| <b>Option d</b><br>Proportion of total<br>landings 1997/98-2011/12 | 37.4%                                     | 1,450,145             | 62.6%                                     | 2,429,855                |

3) Does the committee want to select the Preferred Alternative(s)/option(s) in **Action 4.2**

**Table 3.** Expected allocations to North Carolina ACL and the General Atlantic Group ACL (**Action 4.2, Alternative 2**) for Spanish Mackerel under each option

|   | North Carolina<br>SM Commercial<br>Allocation |                          | General Atlantic Group<br>SM Commercial Allocation |                          |
|---|---|--------------------------|--|--------------------------|
|   | % of<br>Quota                                 | Lbs under Current<br>ACL | % of Quota   | Lbs under<br>Current ACL |
| <b>Option a</b><br>NC proportion of total<br>landings 2007/08-<br>2011/12 | 19.2%   | 601,073                  | 80.8%  | 2,528,927                |
| <b>Option b</b><br>NC proportion of total<br>landings 2002/03-<br>2011/12 | 17.2%   | 537,399                  | 82.8%  | 2,592,601                |
| <b>Option c</b><br>Boyles Law<br>(a+b)/2                                  | 18.2%   | 569,236                  | 81.8%  | 2,560,764                |
| <b>Option d</b><br>NC proportion of total<br>landings 1997/98-<br>2011/12 | 18.2%   | 569,666                  | 81.8%  | 2,560,334                |

**Table 4.** Expected allocations to the Northern Zone and Southern Zone (**Action 4.2, Alternative 3**) for Spanish Mackerel under each option

|  | Northern Zone<br>SM Commercial Allocation |                       | Southern Zone<br>SM Commercial Allocation |                          |
|--|---|-----------------------|---|--------------------------|
|  | % of<br>Quota                             | Lbs under Current ACL | % of<br>Quota                             | Lbs under Current<br>ACL |
| <b>Option a</b><br>Proportion of total<br>landings 2007/08-2011/12 | 22.0%                                     | 689,006               | 78.0%                                     | 2,440,994                |
| <b>Option b</b><br>Proportion of total<br>landings 2002/03-2011/12 | 19.9%                                     | 622,621               | 80.1%                                     | 2,507,379                |
| <b>Option c</b><br>Boyles Law<br>(a+b)/2                           | 21.0%                                     | 655,813               | 79.0%                                     | 2,474,187                |
| <b>Option d</b><br>Proportion of total<br>landings 1997/98-2011/12 | 22.8%                                     | 712,422               | 77.2%                                     | 2,417,578                |

## **Action 5. 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 acceptable biological catches (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: **(SA Mackerel AP Preferred) (Gulf Mackerel AP Preferred)**

### 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. **(SA Mackerel AP Preferred) (Gulf Mackerel AP Preferred)**

### **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 names of the Council advisory committees and panels. **(SA Mackerel AP Preferred) (Gulf Mackerel AP Preferred)**

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| <b>Public Comments- South Atlantic</b> |
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- |   |
|---|
| <ul style="list-style-type: none"> <li>- Two commenters supported Preferred Alternative 2.</li> <li>- One commenter also supported Preferred Alternatives 4 and 5.</li> </ul> |
|---|

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|------------------------------|
| <b>Public Comments- Gulf</b> |
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|------|
| None |
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| <b>South Atlantic Mackerel AP Recommendations (April 2013)</b> |
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| At the April 2013 meeting, the Mackerel AP recommended Alternatives 2, 4, and 5 as the Preferred Alternatives. |
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|--|
| <b>Gulf Mackerel AP Recommendations (May 2013)</b> |
|--|

|   |
|---|
| The Gulf AP recommended Alternatives 2, 4, and 5 as the Preferred Alternatives. |
|---|

**Committee Actions**

- 1) Does the committee want to add, remove, or modify any alternatives?
- 2) Does the committee want to change the Preferred Alternatives?

**Action 6. 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 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:

| <b>Gulf Migratory Group</b> | <b>Atlantic Migratory Group</b>  |
|-----------------------------|--|
| ACL = 1,460,000 lbs.        | ACL = optimum yield (OY) = 1,571,399 lb<br>Commercial ACL (8% ACL) = 125,712 lb<br>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 SSCs for each migratory group. The entire Gulf migratory group cobia ACL applies to the Gulf Council jurisdictional area and the entire Atlantic migratory group cobia ACL applies to the South Atlantic jurisdictional area. The ACLs and ACTs would be as follows:

| <b>Gulf Migratory Group</b>  | <b>Atlantic Migratory Group</b>   |
|------------------------------|---|
| (See Table 2.6.1 for values) |   |
| ACL = ABC                    | ACL = ABC = OY<br>Commercial ACL = 8% ACL<br>Recreational ACL = 92% ACL |
| Stock ACT = 90% ACL          | Recreational ACT = ACL [(1-PSE) or 0.5, whichever is greater]           |

**South Atlantic Preferred/Gulf Preferred Alternative 3:** The ACL for each jurisdictional area would be determined as follows:

- The Gulf migratory group cobia ABC (as determined by the SSCs) would be divided into a Gulf Zone ACL and a Florida East Coast Zone ACL (Florida/Georgia border to the Gulf and South Atlantic Council jurisdictional boundary) based on the options below.
  - Option a:** Use 2003-2012 (10 years) landings to establish the percentage split for the Gulf ABC.
  - Option b:** Use 2008-2012 (5 years) landings to establish the percentage split for the Gulf ABC.
  - Option c:** Use 50% of landings from 2003-2012 + 50% of landings from 2008-2012 to establish the percentage split for the Gulf ABC.
  - South Atlantic Preferred/Gulf Preferred Option d:** Use 1998-2012 (15 years) landings to establish the percentage split for the Gulf ABC. **(SA Mackerel AP Preferred)**
  - Option e:** Based on yellowtail: 50% of average landings from 1993-2008 + 50% of average landings from 2006-2008 to establish the percentage split for the Gulf ABC.
  - Option f:** Based on mutton: 50% of average landings from 1990-2008 + 50% of average landings from 2006-2008 to establish the percentage split for the Gulf ABC.
- The Atlantic migratory group ACL would be equal to the ABC for the Atlantic migratory group cobia (as determined by the SSCs).

- Management measures set by the South Atlantic Council for the Atlantic migratory group would also apply to the Gulf migratory group Florida East Coast Zone.

The ACLs and ACTs would be as follows:

| Gulf Migratory Group                         |   | Atlantic Migratory Group  |
|--|---|---|
| (see Table 2.6.3 for values for each option) |   |   |
| Gulf Zone                                    | FL East Coast Zone  |   |
| ACL = x% ABC                                 | ACL = x% ABC<br>Commercial ACL = 8% ACL<br>Recreational ACL = 92% ACL | ACL = ABC = OY<br>Commercial ACL = 8% ACL<br>Recreational ACL = 92% ACL |
| Stock ACT = 90% ACL                          | Recreational ACT = ACL [(1-PSE) or 0.5, whichever is greater]         | Recreational ACT = ACL [(1-PSE) or 0.5, whichever is greater]           |

**Table 5.** Landings for the Gulf migratory group cobia (as defined by SEFSC) for each option in **Alternative 3** and the percentage attributable to the Florida east coast. The Florida East Coast Zone (FLEC) would range from the FL/GA border to the Council jurisdictional boundary in the Florida Keys. The Gulf zone would range from the TX/Mexico border to the Council jurisdictional boundary.

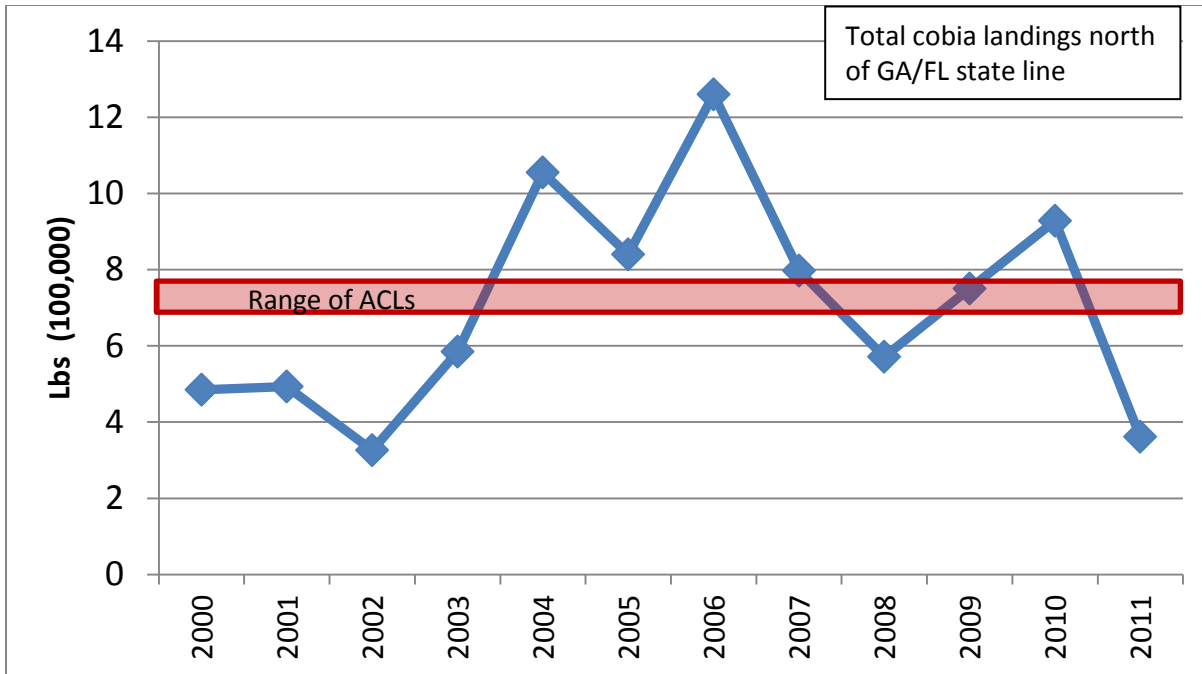
| Option | Method/Years  | Landings (lbs ww) |           |           | % FLEC Zone  |
|--------|---|-------------------|-----------|-----------|--------------|
|        |   | Gulf Total        | FLEC Zone | Gulf Zone |              |
| Opt a* | Average (2003-2012)                                     | 1,732,052         | 633,563   | 1,098,490 | <b>36.6%</b> |
| Opt a  | Average (2002-2012)                                     | 1,702,899         | 616,726   | 1,086,173 | <b>36.2%</b> |
| Opt b  | Average (2008-2012)                                     | 1,528,211         | 671,623   | 856,588   | <b>43.9%</b> |
| Opt c* | (0.5*(Average (2003-2012)))+(0.5*(Average (2008-2012))) | 1,630,132         | 652,593   | 977,539   | <b>40.0%</b> |
| Opt c  | (0.5*(Average (2002-2012)))+(0.5*(Average (2008-2012))) | 1,615,555         | 644,175   | 971,381   | <b>39.9%</b> |
| Opt d  | Average (1998-2012)                                     | 1,729,311         | 623,255   | 1,106,056 | <b>36.0%</b> |
| Opt e  | (0.5*(Average (1993-2008)))+(0.5*(Average (2006-2008))) | 1,804,756         | 577,702   | 1,227,054 | <b>32.0%</b> |
| Opt f  | (0.5*(Average (1990-2008)))+(0.5*(Average (2006-2008))) | 1,794,279         | 580,520   | 1,213,760 | <b>32.4%</b> |

Source: SEFSC, ALS and MRIP databases

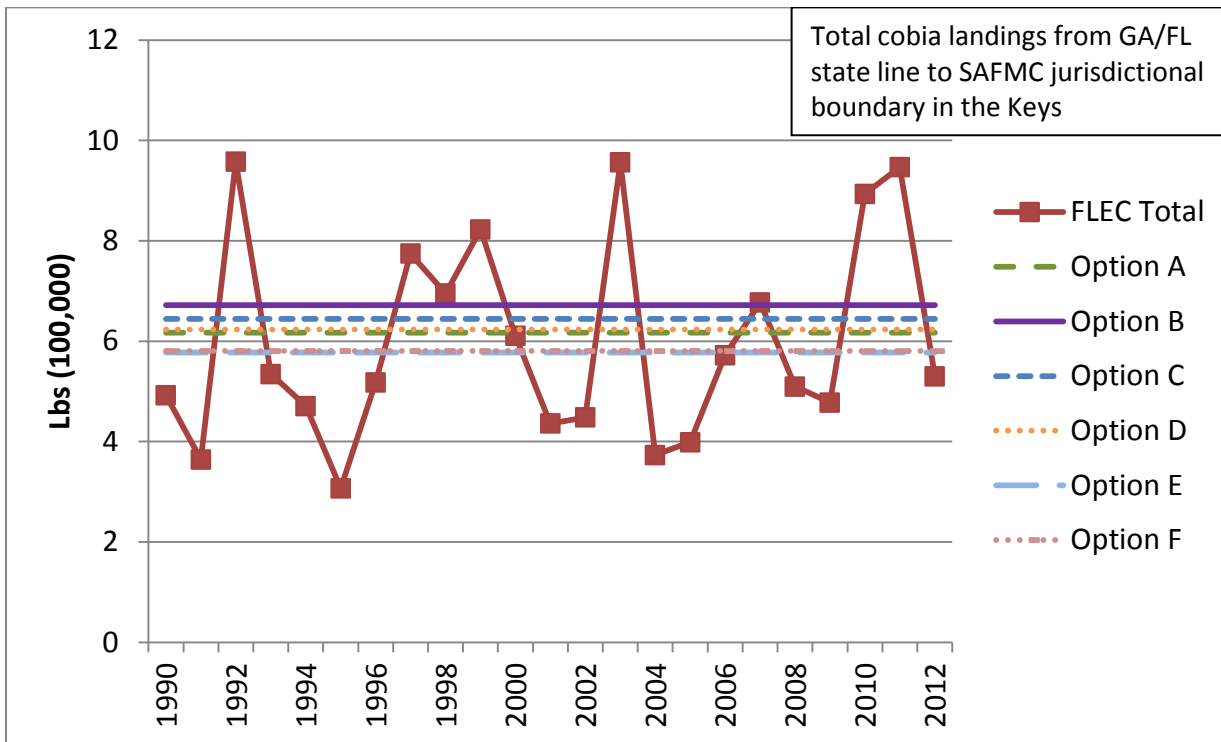
**Table 6.** ACLs and ACTs for Gulf migratory group cobia (as recommended by the Gulf SSC, based on results from SEDAR 28) for each option in **Alternative 3**. All weights for ABC, ACL, and ACT are in millions of pounds, whole weight.

| Option | % landings from FLEC | Year | Gulf Migratory Group ABC | FLEC Zone ACL |              | FLEC Zone ACT | Gulf Zone ACL | Gulf Zone ACT |
|--------|----------------------|------|--------------------------|---------------|--------------|---------------|---------------|---------------|
|        |                      |      |                          | Commercial    | Recreational | Recreational  | Stock         | Stock         |
| Opt a* | 36.6                 | 2014 | 2.46                     | 0.07          | 0.83         | 0.68          | 1.56          | 1.40          |

|        |      |      |      |      |      |      |      |      |
|--------|------|------|------|------|------|------|------|------|
|        |      | 2015 | 2.52 | 0.07 | 0.85 | 0.69 | 1.60 | 1.44 |
|        |      | 2016 | 2.60 | 0.08 | 0.88 | 0.72 | 1.65 | 1.48 |
| Opt a  | 36.2 | 2014 | 2.46 | 0.07 | 0.82 | 0.67 | 1.57 | 1.41 |
|        |      | 2015 | 2.52 | 0.07 | 0.84 | 0.69 | 1.61 | 1.45 |
|        |      | 2016 | 2.60 | 0.08 | 0.87 | 0.71 | 1.66 | 1.49 |
| Opt b  | 43.9 | 2014 | 2.46 | 0.09 | 0.99 | 0.81 | 1.38 | 1.24 |
|        |      | 2015 | 2.52 | 0.09 | 1.02 | 0.83 | 1.41 | 1.27 |
|        |      | 2016 | 2.60 | 0.09 | 1.05 | 0.86 | 1.46 | 1.31 |
| Opt c* | 40   | 2014 | 2.46 | 0.08 | 0.91 | 0.74 | 1.48 | 1.33 |
|        |      | 2015 | 2.52 | 0.08 | 0.93 | 0.76 | 1.51 | 1.36 |
|        |      | 2016 | 2.60 | 0.08 | 0.96 | 0.78 | 1.56 | 1.40 |
| Opt c  | 39.9 | 2014 | 2.46 | 0.08 | 0.90 | 0.74 | 1.48 | 1.33 |
|        |      | 2015 | 2.52 | 0.08 | 0.93 | 0.76 | 1.51 | 1.36 |
|        |      | 2016 | 2.60 | 0.08 | 0.95 | 0.78 | 1.56 | 1.41 |
| Opt d  | 36   | 2014 | 2.46 | 0.07 | 0.81 | 0.67 | 1.57 | 1.42 |
|        |      | 2015 | 2.52 | 0.07 | 0.83 | 0.68 | 1.61 | 1.45 |
|        |      | 2016 | 2.60 | 0.07 | 0.86 | 0.71 | 1.66 | 1.50 |
| Opt e  | 32   | 2014 | 2.46 | 0.06 | 0.72 | 0.59 | 1.67 | 1.51 |
|        |      | 2015 | 2.52 | 0.06 | 0.74 | 0.61 | 1.71 | 1.54 |
|        |      | 2016 | 2.60 | 0.07 | 0.77 | 0.63 | 1.77 | 1.59 |
| Opt f  | 32.4 | 2014 | 2.46 | 0.06 | 0.73 | 0.60 | 1.66 | 1.50 |
|        |      | 2015 | 2.52 | 0.07 | 0.75 | 0.62 | 1.70 | 1.53 |
|        |      | 2016 | 2.60 | 0.07 | 0.78 | 0.63 | 1.76 | 1.58 |



**Figure 1.** Comparison of total landings of cobia north of the GA/FL line to the range of ACLs for Atlantic migratory group cobia



**Figure 2.** Comparison of Florida East Coast total landings of cobia to allocation under Options A-F.



**Gulf Council Actions**

In June 2013 the Gulf Council selected Alternative 3 Option d as the Preferred.

**Public Comments- South Atlantic**

- Three commenters supported the Preferred Alternative 3 and Preferred Option d.

**Public Comments- Gulf**

None

**South Atlantic Mackerel AP Recommendations (April 2013)**

At the April 2013 meeting, the Mackerel AP recommended setting ACL=ABC and to use the longest time period available when determining the allocation of the Gulf ACL to the Florida East Coast.

**Gulf Mackerel AP Recommendations (May 2013)**

The Gulf AP recommended Alternatives 2 as the Preferred Alternative, and will convene a web-based meeting to discuss the recommendations from the Gulf SSC on ABC for cobia.

**Committee Actions**

- 1) Does the committee want to add, remove, or modify any alternatives?
- 2) Does the committee want to change the Preferred alternative/option?

**Approve for Secretarial Review**

- 1) Does the Committee approve the amendment for submission for Secretarial review?
- 2) Does the Committee deem the codified text as necessary and appropriate?