

DECISION DOCUMENT
for
**SOUTH ATLANTIC
COASTAL MIGRATORY
PELAGICS
FRAMEWORK ACTION 2013**



**Charleston, SC
September 2013**

Framework Actions

1. Modify restrictions on transfer-at-sea and gillnet allowances for Atlantic migratory group Spanish mackerel.
2. Modify the king mackerel commercial trip limit in the East Coast Florida Subzone.

Expected Schedule

September 2013 - Approve for Secretarial Review

October 2013 - Gulf Council Approve for Secretarial Review

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 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 0.25 inch (0.64 cm) 622.377(b)(2)(iii). 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 (§622.385).

Alternative 2. Alternative 2 applies only to commercial harvest of Atlantic migratory group Spanish mackerel with gillnet. This alternative recognizes that the current biomass levels of Spanish mackerel may result in catches of Spanish mackerel in excess of the commercial trip limit by vessels using gillnets. Specifically, even with very short sets, these gillnets may exceed the daily trip limit. As such, the regulations would be modified to allow for the transfer of Spanish mackerel at sea. Any amount of Spanish mackerel less than the commercial trip limit could be transferred between two vessels given the following conditions:

- 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 receiving vessel may possess no more than three gillnets on board after the transfer is complete.
- d) 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 trip limit.
- e) Call-in is required for both vessels engaged in the transfer.

The following describes how transfer at sea may occur: After catching Spanish mackerel in the gillnet in excess of the trip limit, the donor vessel would cut the net into two sections. The captain would transfer the portion of the net to the receiving vessel. The receiving vessel would accept the portion of the net and retrieve that portion on the vessel. Call-in by both vessels must be made prior to the net being cut.

Public Comments

- One commenter felt that there was no need for a call-in requirement because the Mid-Atlantic did not have this requirement, and this would be unnecessary.
- Three commenters (including the AP Chair) supported Alternative 2 as the Preferred. The AP Chair felt like it was necessary and would not be abused.

South Atlantic Mackerel AP Recommendations (April 2013)

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

Committee Actions

- 1) Does the committee want to add, remove, or modify any alternatives?
- 2) Select a Preferred Alternative.

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

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).

Preferred 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 % or more of the [Gulf group] Florida east coast subzone quota has been taken-- not to exceed 50 fish.
 - (2) If less than 70 % of the [Gulf group] Florida east coast subzone quota has been taken --not to exceed 75 fish.

Public Comment
- Four commenters supported Preferred Alternative 4 as the Preferred. - One commenter supported an increase in the trip limit.

South Atlantic Mackerel AP Recommendations (April 2012)
The AP recommended Alternative 2 as the Preferred Alternative.

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	?

Committee Actions

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

Final Approval

- 1) Approve for submission for Secretarial review.
- 2) Deem the codified text as necessary and appropriate.