

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



**Stuart, FL
June 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

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.

Purpose for Actions

The purpose of this amendment is to modify the following management measures in the Atlantic migratory group king mackerel and Atlantic migratory group Spanish mackerel: (1) minimum size limit for king mackerel, (2) the restrictions on transfer-at-sea and gillnet allowances for Spanish mackerel, (3) the king mackerel trip limit, and (4) the system of quota and trip limit adjustments for Spanish mackerel.

Need for Actions

The need for the action is to modify current king and Spanish mackerel regulations to minimize dead discards and reduce the potential of lost fishing opportunities for mackerel fishermen in the Atlantic, and optimize utilization of the resource, while minimizing adverse biological impacts.

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.

Summary of Expected Effects:

Keeping the current 24-inch FL size limit is not expected to increase or decrease the rate of harvest of the species, nor would it be likely to negatively impact overall abundance. Reducing the minimum size limit to 23 inches FL under **Alternative 2** would be unlikely to substantially impact the number king mackerel able to spawn before being harvested; however, more fish that may not have had a chance to spawn may be removed from the population when compared to **Alternative 1 (No Action)**. **Alternative 3** would result in slightly greater negative biological impacts since it would allow more fish that may have not yet reached sexual maturity from the population before they have had a chance to spawn. Compared to **Alternatives 2 and 3**, **Alternative 4** would result in the lowest level of biological impacts. Under this alternative fewer younger fish would be removed from the population, and fewer subsequent impacts on the spawning stock would be realized.

Alternative 1 would have no impact on commercial or recreational landings beyond the status quo.

Alternative 2 would have no impact on commercial or recreational landings in Georgia, Florida, North Carolina, South Carolina, Maryland and Virginia, but could increase commercial and recreational landings in New York and New Jersey; however, landings in New York and New Jersey are rare.

Alternative 3 would have no impact on commercial or recreational landings in Georgia, Florida, North Carolina, South Carolina, Maryland and Virginia, but could increase commercial and recreational landings in New York and New Jersey, but that increase would be no larger than allowed by **Alternative 2**. **Alternative 4** would have no impact on commercial or recreational landings in Florida or in states north of Florida.

South Atlantic Mackerel AP Recommendations (April 2013)
The AP recommended Alternative 1 (No Action) as the Preferred Alternative.

South Atlantic Mackerel AP Recommendations (April 2012)
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) Does the committee want to select a Preferred Alternative?

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.

Summary of Expected Effects:

Because the commercial Spanish mackerel fishery is managed under a 3.87 million pound ACL, overall harvest would be capped at that level and no biological impacts would be expected. However, if transfer at sea of excess fish is allowed, the ACL may be reached much faster than in previous years since more vessels, notably runner boats, may participate due the open access nature of the Spanish mackerel permit.

Alternative 1 would have no economic impact beyond the status quo in the short and long run.

Alternative 2 Option A would directly benefit owners and crews of commercial vessels that could and would use more than two run-around gillnets in federal waters to increase their landings of Spanish mackerel. However, under **Option A**, safety-related trip costs would likely increase. **Alternative 2 Option C** could directly benefit owners and crews of commercial vessels that receive the third gillnet during a transfer or are capable of having a redundant gill net on board in the event one of the other two

gillnets is damaged. Hence, **Alternative 2 Option A** may provide for the largest increase in landings, revenues and net revenues, followed in turn by **Option C**.

Table 1. Percentage of commercial Spanish mackerel landings (lbs ww) in South Atlantic jurisdiction landed by gillnet.

YEAR	Gill Net
2006	41%
2007	33%
2008	25%
2009	26%
2010	39%
2011	40%

Source: SEFSC ACL Data (Mar 2013). Note 2012 landings are incomplete, thus excluded.

Provision for transfer at sea of scup caught with otter net in the Mid-Atlantic region

(Framework Amendment 4 to the FMP for Summer Flounder, Scup and Black Sea Bass, 2003):

The Council intends that the transfer of scup at sea would occur only under safe weather and sea conditions. Under the transfer at sea alternative, any amount of scup less than the possession limit could be transferred between two vessels given the following conditions:

- transfers could only occur between vessels with Federal scup permits
- transfer could only occur seaward of a boundary line that is roughly 20 nm from shore
- the donating and receiving vessels must possess gear which is Federally approved for scup harvest
- transfers would occur in the Winter I or Winter II period
- only one transfer would be allowed per fishing trip for the donor vessel
- the transfer would include the entire codend
- only scup and its normal bycatch could be transferred
- only scup could be retained by the receiving vessel
- the donating and receiving vessel would report the transfer amount on the vessel trip report for each vessel

Because scup are a schooling species, otter trawl vessels operating where scup occur will occasionally make very large hauls that consist almost entirely of scup. Under the current system, when one of these hauls is brought up, the trip limit may be kept by the hauling vessel while the remaining catch must be discarded. Under the proposed action alternative the contents of a large scup haul could be shared with another Federally permitted scup vessel. This would convert regulatory discards of scup into landings, thus reducing bycatch and improving the efficiency of the commercial scup fishery. Transfer at sea is not associated with risk to the scup stock or stocks of other species, and should also provide economic and social benefits to fishermen and their communities. This framework adjustment would apply only to the scup otter trawl fishery.

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

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).

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.

South Atlantic Mackerel AP Recommendations (April 2013)
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The AP recommended Alternative 4 as the Preferred Alternative.
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South Atlantic Mackerel AP Recommendations (April 2012)
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The AP recommended Alternative 2 as the Preferred Alternative.
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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 2. 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	?

Summary of Expected Effects:

Under **Alternative 1 (No Action)** the current system of trip limits and the trip limit increase would not be modified and fishermen will likely continue to reach the commercial ACL prior to the Lent season. The biological impacts of **Alternative 2** are expected to be neutral as there would be an increase in overall harvest, and in-season accountability measures (AMs) are in place to close the fishery when the ACL is met. Total harvest of king mackerel is limited the ACL, is monitored in-season, and the commercial sector is closed when the commercial ACL is projected to be met. Based on this information, **Alternative 3** would not result in negative biological impacts even though the ACL may be

met early in the fishing season. Regardless what system of trip limits is established under this action, overall harvest of king mackerel in Florida East Coast Sub-Zone is limited by the ACL and the commercial AM; therefore, biological impacts under **Alternative 4** are expected to be neutral.

As stated previously, Florida's stricter trip and possession limit determine Florida's landings of king mackerel. A higher federal limit does not allow vessels to exceed the state's trip limit of 50 fish per vessel per day. **Alternatives 1, 3 and 4** continue federal trip limits that exceed Florida's limit. **Alternative 2** would establish a 50-fish limit in federal waters. Consequently, **Alternatives 1 through 4** would have no impact on Florida's commercial landings of king mackerel and trips beyond the status quo from November 1 through March 31.

Committee Actions

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

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.

Table 3. 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 adjusted 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				

ACL= 3,180,000 lbs

Adjusted ACL=2,930,000 lbs [buffer is 250,000 lbs]

Summary of Expected Effects:

Alternative 1 would have no effect on the length of the fishing season or total landings. **Alternative 3** could increase the length of the open season beyond the status quo.

It is reasonable to expect that **Alternatives 2a – 2c** and **3** would increase the duration of Period 2 because of the reduced Monday through Friday limit: from unlimited to 3,500 lbs, although the weekend limit would rise from 1,500 to 3,500 lbs. **Alternative 3** could result in the longest open season because the only period that could be shortened is Period 2, but that would be offset by the slower landings rate from Monday through Friday during that time.

Alternatives 1, 2a – 2c and **3** would have the same impact, which is none beyond the status quo. All of them result in the fishery being closed for the rest of the season. However, that is not to say the lengths of the closed seasons would be the same.

Table 4. Projected fishing days and closure dates for the 2014-2015 fishing season for each alternative under Action 4.

Alternative	Alternative 1	Sub-Alternative 2a	Sub-Alternative 2b	Sub-Alternative 2c	Alternative 3
Projected Closure Date	February 15, 2015	January 28, 2015	February 5, 2015	No Closure	February 15, 2015
Projected Fishing Days	351	333	341	365	351

(Source: NMFS 2013)

South Atlantic Mackerel AP Recommendations (April 2013)
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The AP recommended Alternative 3 as the Preferred Alternative.
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South Atlantic Mackerel AP Recommendations (April 2012)
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The AP recommended Alternative 3 as the Preferred Alternative.
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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 a Preferred Alternative?

This action is suggested by the IPT to include in the Framework Actions. It is currently not in the amendment.

Possible Action 5. Modify the Annual Catch Limit (ACL) for Atlantic Migratory group Spanish Mackerel

Alternative 1 (No Action): Maintain $ACL = OY = ABC$ (currently 5.69 mp which is the 3rd highest year of landings recommended by the SSC; Recreational Sector $ACL = 45\% = 2.56$ mp; Commercial Sector $ACL = 55\% = 3.13$ mp)

Alternative 2. For Atlantic Migratory Group Spanish Mackerel, retain the current ACL and ACT formulas and revise the ACLs and recreational ACT for the 2013/2014 fishing season and beyond until modified as shown in the table below. $ACL = OY = ABC$ The specified OY, ABC, ACLs, and recreational ACT would remain in place until modified.

Alternative 3. For Atlantic Migratory Group Spanish Mackerel, revise the total ACL, sector ACLs, recreational ACT, and OY values based on results from the new stock assessment. Change the ACL formula to: $ACL = OY = X\%$ of $ABC = \underline{\hspace{2cm}}$ mp The specified OY, ABC, ACLs, and recreational ACT would remain in place until modified.

- Option a.** $ACL = 75\%ABC$
- Option b.** $ACL = 80\%ABC$
- Option c.** $ACL = 85\%ABC$
- Option d.** $ACL = 95\% ABC$
- Option e.** $ACL = 90\% ABC$

Alternative 4. For Atlantic Migratory Group Spanish Mackerel, revise the total ACL, sector ACLs, recreational ACT, and OY values based on results from the new stock assessment. Change the ACL formula to $ACL = OY = \text{yield at } 75\%FMSY$. The specified OY, ABC, ACLs, and recreational ACT would remain in place until modified.

Committee Actions

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