



THE SOUTH ATLANTIC FISHERY MANAGEMENT COUNCIL

# Coastal Migratory Pelagics Framework Amendment 13

*Atlantic migratory group Spanish mackerel catch levels*

Mackerel Cobia Advisory Panel Discussion Document

November 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).

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



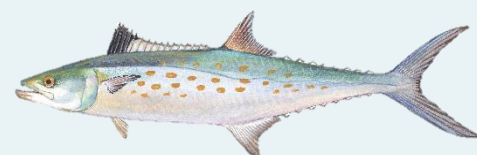


based on the Marine Recreational Information Program’s (MRIP) newer Fishing Effort Survey (FES) method.

**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 <sub>2020</sub> /MSST)		1.40		
Overfishing Evaluation (F <sub>2018-2020</sub> /F <sub>MSY</sub> )		0.77		
MFMT (F <sub>MSY proxy</sub> )		0.516		
SSB <sub>MSY</sub> (metric tons)		6,406		
MSST (metric tons)		4,804		
MSY (1000 lbs.)		8,210		
Y at 75% F <sub>MSY</sub> (1000 lbs.)		8,024		
ABC Control Rule Adjustment		10%		
P-Star		40%		
M		0.35		
OFL RECOMMENDATIONS				
Year <sup>1</sup>	Landed (lbs ww)	Discard (lbs ww)	Landed (number)	Discard (number)
2023	8,210,000	581,000	5,413,000	1,147,000
2024	8,210,000	581,000	5,413,000	1,147,000
2025	8,210,000	581,000	5,413,000	1,147,000
2026	8,210,000	581,000	5,413,000	1,147,000
2027	8,210,000	581,000	5,413,000	1,147,000
ABC RECOMMENDATIONS				
Year	Landed (lbs ww)	Discard (lbs ww)	Landed (number)	Discard (number)
2023	8,024,000	469,000	4,977,000	916,000
2024	8,024,000	469,000	4,977,000	916,000
2025	8,024,000	469,000	4,977,000	916,000
2026	8,024,000	469,000	4,977,000	916,000
2027	8,024,000	469,000	4,977,000	916,000

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.

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.

## Recreational Survey Updates

In 2018, the Marine Recreational Information Program (MRIP) adopted a new method to collect recreational fishing data. The new Fishing Effort Survey (FES) is **mailed** to a sample of households from a national database. The previous method (the Coastal Household Telephone Survey or CHTS) used **landline phones** to contact households and gather information about fishing activities from anglers.

The FES method better presents the current fishing population and is more efficient. To learn more, visit the [NOAA Fisheries Effort Improvement Website](#). Recreational data from the updated FES have been used in recent stock assessments, including for Atlantic Spanish mackerel (SEDAR 78).

In August 2023, NOAA Fisheries published a report, [Evaluating Measurement Error in the MRIP Fishing Effort Survey](#), that summarized results from a small-scale study to evaluate potential sources of bias in the FES. The study, using data from July to December 2015, found that switching the current sequence of survey questions resulted in fewer reporting errors and illogical responses. As a result, effort estimates for shore and private boat anglers were generally 30 to 40 percent lower. NOAA Fisheries is now conducting a large-scale follow up study to gain a better understanding of differences in effort estimates between the current survey design and revised survey designs. This study will be conducted throughout 2024, with results available the following year(s).



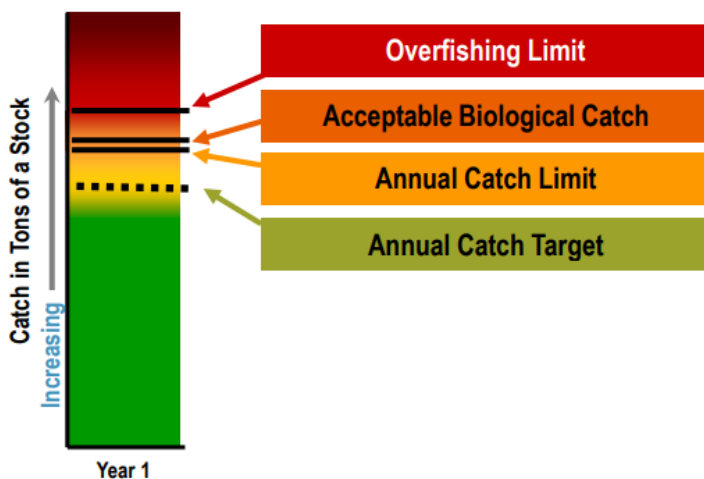


In September 2023, the South Atlantic Council’s Mackerel Cobia Committee discussed how dependent Framework Amendment 13 is on MRIP-FES data, the federal deadlines associated with completion of the amendment, and whether they were interested in moving forward. Ultimately, the Committee chose to continue work on Framework Amendment 13 noting the importance of moving away from MRIP CHTS to FES to reduce confusion in how the recreational ACL is tracked vs. how recreational landings are estimated. Additionally, stakeholders have been awaiting an updated stock assessment for many years and updated catch levels will help guide stakeholder input during upcoming port meetings (see below) for the king and Spanish mackerel fisheries.

## Catch Levels Definitions

**Overfishing Limit (OFL):** The number or amount (usually in pounds) of fish above which fishing activities would be removing fish from the population faster than they could be replaced (i.e., overfishing would be occurring). The Scientific and Statistical Committee (SSC) determines this limit based on information from the most recent stock assessment.

**Acceptable Biological Catch (ABC):** The highest number or amount of fish, harvest and discards (released fish that do not survive), that can be removed from the population. The SSC recommends this level by estimating a buffer between OFL and ABC that accounts for scientific uncertainty. More uncertainty means a larger OFL-ABC buffer and a lower ABC.



**Annual Catch Limit (ACL):** The limit for how many fish (or pounds of fish) can be landed in a year. The ACL is set by the South Atlantic Council and must be less than or equal to the ABC. The South Atlantic Council can set the ACL lower than the ABC to further decrease the risk of overfishing and address other fishery objectives.



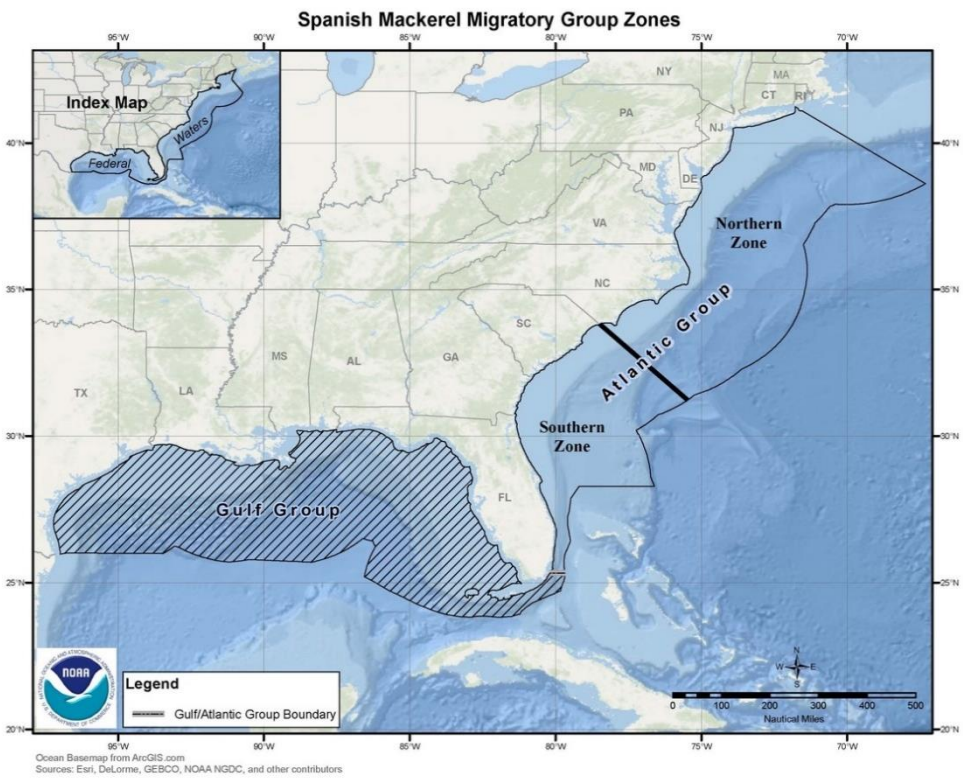


**Annual Catch Target (ACT):** The amount of annual catch that is the management target of the fishery. The South Atlantic Council can set the ACT lower than the ACL as an accountability measure and to account for management uncertainty.

## Atlantic Spanish Mackerel Management

Spanish mackerel is jointly managed by the South Atlantic Council and the Gulf of Mexico Fishery Management Council (Gulf Council) through the CMP FMP. There are two separate migratory groups of Spanish mackerel, Gulf and Atlantic.

In the exclusive economic zone (EEZ), Atlantic Spanish mackerel is managed from a line extending 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.



*Note: The Atlantic States Marine Fisheries Commission (ASMFC) coordinates management of Atlantic Spanish mackerel in state waters through their Coastal Pelagics Management Board.*





## 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.

## Objectives for this Meeting:

- Review draft action and alternatives and provide input to the Council.

## Tentative Amendment Timing

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) makes recommendations for the Council to consider.	November 2023
Council reviews MC AP and 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
Regulations implemented	2024/2025





## Proposed Action 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.**

**Purpose of Action:** Update the Atlantic Spanish mackerel catch levels to be consistent with SEDAR 78, SSC recommendations, and the best scientific information available. 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 (**Alternative 3** and **Alternative 4**).

**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.

ABC	Buffer	Total ACL	Rec. ACL	Rec. ACT	Comm. ACL	Comm. Northern Zone	Comm. Southern Zone
8,024,000	None	8,024,000	3,610,800	3,112,510	4,413,200	882,640	3,530,560

**Alternative 3.** 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 95% of 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.

ABC	Buffer	Total ACL	Rec. ACL	Rec. ACT	Comm. ACL	Comm. Northern Zone	Comm. Southern Zone
8,024,000	5%	7,622,800	3,430,260	2,956,884	4,192,540	838,508	3,354,032

**Alternative 4.** 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 90% of 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.

ABC	Buffer	Total ACL	Rec. ACL	Rec. ACT	Comm. ACL	Comm. Northern Zone	Comm. Southern Zone
8,024,000	10%	7,221,600	3,249,720	2,801,259	3,971,880	794,376	3,177,504

## Discussion:

**Sector Allocations** 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

For recent commercial and recreational landings, see the [Atlantic Spanish Mackerel Fishery Overview](#).





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.

**Recreational ACT:** The recreational ACT is based on adjusting the ACL by 50% or one minus the five-year average of the proportional standard error (PSE) from the recreational sector, whichever is greater. The average PSE for the last five fishing seasons (2018-2022) was 13.8% (**Table 2**). The recreational ACT is utilized in the post-season recreational accountability measure for Atlantic Spanish mackerel. If the recreational landings exceed the recreational ACL and the sum of the commercial and recreational landings, exceeds the total ACL, the bag limit may be reduced 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.

**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

**Commercial Quota Allocations** Commercial quota allocations between the and Southern Zone 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.

## Questions for the Mackerel Cobia Advisory Panel:

1. Should the South Atlantic Council consider placing a buffer between the ABC and ACL to account for management uncertainty?
2. What information should the South Atlantic Council consider when setting catch levels for the Atlantic Spanish mackerel fishery?
3. Are there issues in the Spanish mackerel fishery that need to be addressed immediately, before port meetings have concluded?

