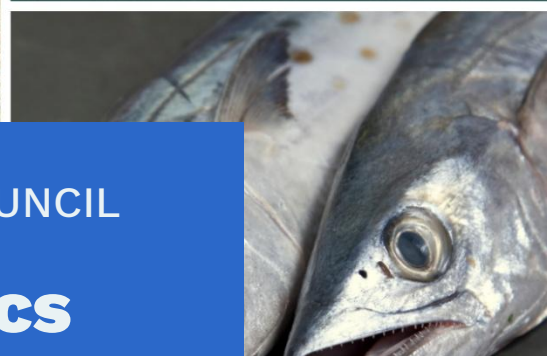




THE SOUTH ATLANTIC FISHERY MANAGEMENT COUNCIL

Coastal Migratory Pelagics Amendment 38

Atlantic Spanish mackerel fishing season and Atlantic king mackerel and Atlantic Spanish mackerel tournament sales and CMP FMP framework procedure.

Discussion Document
November 2026

Amendment Background

Amendment 38 to the Fishery Management Plan (FMP) for Coastal Migratory Pelagic (CMP) Resources in the Gulf of Mexico and Atlantic Region (CMP FMP) was initiated by the South Atlantic Fishery Management Council (South Atlantic Council) in June 2026. Amendment 38 to the CMP FMP considers modifications to the commercial fishing year for Atlantic migratory group Spanish mackerel (Atlantic Spanish mackerel), changes to provisions that allow tournament caught Atlantic migratory group king mackerel (Atlantic king mackerel) and Atlantic Spanish mackerel to be sold, and updates to the CMP FMP framework procedure. Respectively, these actions are intended to easy transfer of commercial Spanish mackerel quota between the Northern Zone (NY/CT/RI line to the NC/SC line) and the Southern Zone (NC/SC line to the Miami-Dade/Monroe County line, FL), address stakeholder concerns surrounding tournament caught Atlantic king and Spanish mackerel, and improve the efficiency with which the South Atlantic Council can take certain management actions.

Mackerel Port Meetings Update

In 2023, members of the South Atlantic Council's Mackerel Cobia Advisory Panel (AP) requested the Council hold a series of port meetings to gather more information on the Atlantic king and Spanish mackerel fisheries. AP members felt that a focused look into these fisheries was needed, especially as changing environmental conditions alter fishery dynamics. In response, the South Atlantic Council hosted a series of port meetings along the Atlantic coast throughout 2024. Port meetings attendees had the chance to actively discuss their perspectives with other fishery participants and local South Atlantic Council members.

In March and June 2025, the Council reviewed the results from Mackerel Port Meetings but ultimately decided to hold off on any changes to management until a new Atlantic Spanish mackerel stock assessment could be completed inclusive of updates to recreational catch estimates based on the FES pilot study.

Stock assessments for both Atlantic king mackerel and Atlantic Spanish mackerel are on the SEDAR schedule for 2027. While this amendment does address some concerns that were brought up during Mackerel Port Meetings, the South Atlantic Council does not intend to address any catch-level related actions until after those stock assessments have been completed and they have received new catch-level advice from their Scientific and Statistical Committee (SSC).

[Read the Final Report from Mackerel Port Meetings](#)

Tentative Amendment Timing

Process Step*		Timeline
	Council initiates development of an amendment.	June 2026
	Mackerel Cobia Advisory Panel reviews proposed amendment topics and provides input.	November 2026
	Council reviews Mackerel Cobia Advisory Panel input and provides guidance on actions and alternatives to include in amendment.	March 2027
	Council reviews and approves draft actions and alternatives for analysis.	June 2027
	Council reviews analysis, selects preferred alternatives, and approves the amendment for public hearings.	September 2027
	Public hearings conducted.	Fall 2027
	Council reviews public comments and modifies the amendment, as needed.	December 2027
	Council reviews the final amendment document and considers for formal approval.	March 2028
	Amendment is submitted to the NMFS to begin the rulemaking process.	Spring 2028
	Amendment is implemented.	2028/2029

*The CMP FMP is a joint FMP with the Gulf Fishery Management Council. Throughout this process the amendment will also go to the Gulf Council for their review and discussion.

Objectives for this Advisory Panel Meeting

- Review possible actions for Amendment 38 and provide input on possible alternatives and factors to consider during discussion.

Commercial Fishing Year for Atlantic Spanish Mackerel

The commercial Atlantic Spanish mackerel fishery has faced recurring challenges with seasonal closures in both the Northern and Southern Zones over the past five years (Table 1), affecting fishermen's ability to access the resource and plan their fishing seasons. The commercial fishery has an annual quota of 3.33 million pounds, allocated between the Northern Zone (662,670 pounds, 20%) and the Southern Zone (2,667,330 pounds, 80%). The allocation between the two zones was based on based on commercial landings from the 2002/2003 through 2011/2012 fishing years ([see Amendment 20B to the CMP FMP](#)).

Table 1. Closure dates and quota usage for Atlantic Spanish mackerel from the 2016/2017 fishing year through the 2025/2026 fishing year.

Fishing Year	Fishing Zone	Closure Date ¹	Landings	Percent Quota
2016/2017	Northern	None	653,972	98.7%
	Southern	None	2,551,274	95.6%
2017/2018^a	Northern	November 7	844,718	110.8%
	Southern	None	2,487,557	96.9%
2018/2019	Northern	November 4	827,674	124.9%
	Southern	February 5	3,297,801	123.6%
2019/2020	Northern	August 24	959,729	144.8%
	Southern	None	2,745,302	102.9%
2020/2021	Northern	July 22	899,054	135.7%
	Southern	February 3	3,146,381	118%
2021/2022	Northern	June 28	1,097,579	165.6%
	Southern	January 5	2,478,237	92.9%
2022/2023	Northern	June 21	877,357	132.4%
	Southern	None	1,738,065	65.2%
2023/2024	Northern	September 23	747,870	112.9%
	Southern	None	1,406,301	52.7%
2024/2025	Northern	July 28	833,647	125.8%
	Southern	None	1,368,990	61.3%
2025/2026^b	Northern	September 20 (Reopened September 29 to October 7)	790,172	80%
	Southern	February 7	2,147,325	91.7%

¹The Southern Zone operates using an adjusted quota system. The trip limit begins at 3,500 lbs. After 75% of the adjusted quota has been reached or is projected to be reached, the trip limit is reduced to 1,500 lbs. After 100% of the adjusted quota has been reached or is projected to be reached the trip limit is reduced to 500 lb. Once the full Southern Zone quota has been reached the fishery closes, this is the only date presented here.

^aOn November 1, 2017, 100,000 pounds were transferred from the Southern Zone to the Northern Zone.

^bOn July 25, 2025, 250,000 pounds were transferred from the Southern Zone to the Northern Zone. On September 23, 2025, 75,000 pounds were transferred from the Southern Zone to the Northern Zone.

The fishing year currently runs from March 1 through the end of February. Because Spanish mackerel are migratory, the current seasons results in the Northern Zone experiencing its fishing season earlier in the fishing year than the Southern Zone. As a result, Northern Zone fishermen often reach their quota and face closure while the Southern Zone still has quota available but has not yet completed their fishing season.

Federal regulations allow North Carolina Division of Marine Fisheries (NC DMF) and the Florida Fish and Wildlife Conservation Commission (FWC), in consultation with other states in their respective zones, to request approval from NOAA Fisheries to transfer commercial quota between the zones. However, these transfers require balancing the needs of Northern Zone fishermen with those of Southern Zone fishermen, and FWC often must make decisions about transferring quota before the Southern Zone season has concluded and there is a clear indication of how much quota will be needed locally.

To ease this challenge, the South Atlantic Council is proposing to change the fishing year so that the Southern Zone fishes first, allowing state managers to better assess the amount of unused quota available for transfer to the Northern Zone. This change is intended to improve coordination between the zones, provide greater flexibility in quota management, and help maximize fishing opportunities while accounting for the needs of fishermen in both regions.

Questions for the Advisory Panel

1. What are your thoughts on the current process for transferring commercial Spanish mackerel quota between the Northern and Southern Zones?
2. What months of the year it is critical to have the commercial Atlantic Spanish mackerel fishery open in your state?
3. Do you have any concerns or see any disadvantages to modifying the Atlantic Spanish mackerel fishing year so that the Southern Zone fishes first?
4. Should the Council consider modifying the recreational Atlantic Spanish mackerel fishing year as well to maintain consistency?
5. What other approaches, if any, should the South Atlantic Council consider to address challenges with quota transfers?

Sale of Tournament Caught Atlantic King and Spanish Mackerel

Current regulations allow king and Spanish mackerel that are harvested in a state-permitted fishing tournament to be donated to a state dealer or federal dealer. A dealer who accepts tournament caught king or Spanish mackerel must be permitted and must comply with all transfer and reporting requirements. Dealers who accept these fish must then donate the monetary value (sale price or cash equivalent) from the sale to a charitable organization, as determined by the state. The monetary value received from the sale of tournament caught fish may not be used to pay for tournament expenses. Additionally, the fish must be handled and iced

according to the HACCP standards and must be reported as “tournament catch” and comply with all state and federal reporting requirements.

The South Atlantic Council has received public comment identifying challenges and concerns with the current process for sale of tournament caught king and Spanish mackerel, as well as public comment expressing the importance of these tournaments and donations to charity. As a result, the Council received several presentations from the NMFS on the topic ([see the June 2023 Council briefing book](#)) and requested that tournament sales be a topic of discussion for the AP and during mackerel port meetings. Input on sale of tournament caught king and Spanish mackerel from those groups is summarized below:

Input Received During Mackerel Port Meetings:

Opinions on the sale of Atlantic king mackerel caught during state-permitted tournaments were split between sectors. Commercial fishermen expressed concern about flooding of the market during tournaments (and pre-fishing), illegal behaviors, and poorly handled fish. Recreational fishermen discussed the importance of tournaments to communities both in terms of the sale of fish supporting local charities but also in introducing community members to a family fishery.

- There is concern about accounting for the sale of tournament caught Atlantic king mackerel, especially if allocations and quota become tight in the future. Fishermen felt that it was important to ensure that trip tickets accurately capture tournament catch. Information on the number of tournament sold fish needs to be more readily available to fishermen, including how many tournament caught fish are landed by vessels with a commercial king mackerel permit.
- Commercial fishermen expressed concerns about tournament removal of large Atlantic king mackerel which are an important part of the breeding stock. Additionally, many tournament caught fish are landed by vessels with a commercial king mackerel permit and Atlantic king mackerel that are caught during practice days are sold by commercially permitted vessels. This floods the commercial market causing prices to drop. Finally, there was concern that tournament caught fish are not being handled to HACCP standards. Histamine in poorly handled Atlantic king mackerel is dangerous and will reflect poorly on the commercial industry, hurting sales.
- Alternatively, recreational fishermen noted that Atlantic king mackerel tournaments are important to local communities and charities. They boost the economy with expenditures on fuel, food, hotels, and boat builders. Additionally, tournaments are how a lot of individuals get their start in the Atlantic king mackerel fishery. Finally, many local charities rely on tournament sales for donations.

Previous Mackerel Cobia AP Discussion (November 2023):

At their December 2022 meeting the Council requested NMFS provide information on king and Spanish mackerel tournament landings over the last ten years and how those landings were accounted for against the annual catch limit. The SEFSC worked with the state agencies to provide these landings to the Council at their June 2023 meeting. The Council requested this information also go to the AP for discussion. Council staff presented this information to the Mackerel AP, along with the current regulations for the sale of tournament caught king and Spanish mackerel. AP members provided the following input:

- King mackerel tournaments have been an important part of recreational fishing in Florida for many years. In the early late 1990s there were thousands of boats participating in individual tournaments but the recession significantly decreased participation and now you only see a few hundred boats.
 - That decrease has been rebounding in recent years, and tournaments are moving to new formats (one-day vs. two-day tournaments, establishing boundaries so large boats cannot outcompete small boats, etc.)
 - Some AP members felt that tournaments have become big business and moved away from the traditional community focus.
 - AP members felt the average weights provided by the SEFSC and state agencies were low.
- Commercial AP members noted that king mackerel tournament sales have a significant impact on the market price fishermen are able to receive for king mackerel. The king mackerel market is sensitive to the number of fish available and when tournament caught fish flood the market the price will drop.
 - The drop in price happens overnight, but it can take the market weeks to recover.
 - Concern that tournament caught fish are not being handled according to Hazard Analysis Critical Control Point (HAACP) standards and may hurt the reputation of king mackerel as safe seafood for the entire industry.
- It was noted that tournament sales do not incentivize catch and release. However, tournaments are conservation-minded and there needs to be something to do with the king mackerel that are landed to prevent any waste.
- Tournaments also increase the number of boats in the water (creating user conflict) because participants will come up early to pre-fish the tournament.
- It was noted that enforcing the sale of tournament caught fish is incredibly challenging and some AP members are concerned that tournament fish are being sold illegally (not through the process designated in the CMP FMP) and that the money from the sale of tournament caught fish is not being donated to charity and/or being used to cover tournament expenses.

MOTION 4: END THE SALE OF TOURNAMENT CAUGHT KING AND SPANISH MACKEREL.

MOTION APPROVED (8-1-1)

MOTION 5: ASK THE COUNCIL TO HAVE THE LAW ENFORCEMENT AP DISCUSS ILLEGAL TOURNAMENT SALES OF KING MACKEREL.

MOTION APPROVED (UNANIMOUS).¹

¹ Two advisory panel members had left the meeting to catch a flight when this motion was passed.

Questions for the Advisory Panel

1. Are there concerns regarding Atlantic king mackerel tournaments that were not captured previously? Alternatively, are there other benefits of Atlantic king and Spanish mackerel tournaments not captured previously?
2. What management approaches should the Council consider to address concerns about tournament landings?
3. Are there ways to preserve charitable fundraising while improving accountability for fish sold?

Coastal Migratory Pelagics FMP Framework Procedure

The South Atlantic Council has been looking for possible avenues to expedite making changes to trip limits and other management measures. An abbreviated framework amendment can be completed in two Council meetings and involves a letter or short document addressed to the Regional Administrator containing the Council's recommendations for adjustments to a catch level along with the analysis to support the action. Abbreviated Framework Procedures are in place for the Snapper Grouper, CMP, and Dolphin Wahoo FMPs.

While the *abbreviated* framework procedure is a relatively fast process for implementing specific management changes, a framework amendment can also be developed and approved by the Council in a similar timeframe provided the same narrow scope of action is applied. In other words, under the current process, if the Council wanted to increase a bag limit of a species by one fish, for example, this could be accomplished in the same timeframe under either a "regular" or "abbreviated" framework, as long as the scope of the management change is narrow.

The Snapper Grouper and Dolphin Wahoo Abbreviated Framework Procedures can currently *only be used to adjust catch levels according to the existing ABC Control Rule(s) and formulas for specifying ACLs and ACTs* because these formulas have already undergone analysis and review.

The CMP FMP's framework procedure already includes changes to trip limits (not more than 10% of prior limit) and bag limits (not more than one fish). At their September 2026 meeting, the South Atlantic Council requested addition of several actions to the list of actions that can be completed via an abbreviated framework amendment and removal of the prescriptive language from the CMP FMP. Proposed actions that could be accomplished via an abbreviated framework:

- Vessel trip limit changes
- Bag and possession limit changes
- Reporting and monitoring requirements
- Permitting requirements
- Gear marking requirement
- Vessel marking requirements

- Restrictions relating to maintaining fish in a specific condition (whole condition, filleting, use as bait, etc.)
- Size limit changes
- Closed seasons
- Restricted areas (seasonal or year-round)
- Re-specification of ACL, ACT or quotas that had been previously approved as part of a series of ACLs, ACTs or quotas
- Specification of MSY, OY, and associated management parameters (such as overfished and overfishing definitions) where new values are calculated based on previously approved specifications
- Gear restrictions, except those that result in significant changes in the fishery, such as complete prohibitions on gear types
- Quota changes or retention of a portion of an annual quota in anticipation of future regulatory changes during the same fishing year
- Release gear requirements for sea turtles and other protected resources
- Handling requirements for sea turtles and other protected resources

Questions for the Advisory Panel

1. Are there management actions on the proposed list that you think would be particularly beneficial to address through an abbreviated framework?
2. Are there any proposed actions that you believe should not be eligible for an abbreviated framework process?
3. Should the South Atlantic Council retain thresholds for when a proposed change is too substantial for an abbreviated process?