

DECISION DOCUMENT

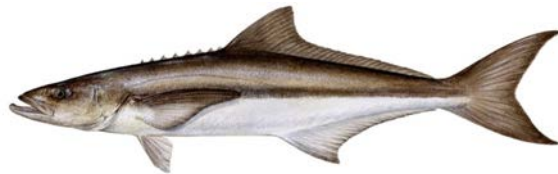
for

AMENDMENT 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
Wilmington, NC
December 2013**

Actions in Amendment 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).

Expected Schedule

August 2013- Public hearings

September 2013- South Atlantic Council final approval

October 2013- Gulf Council final approval, with a change to the preferred alternative in Action 1

December 2013- South Atlantic Council review and re-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.

- a. Western Zone at 3,000 lbs.
- b. Eastern Zone Northern Subzone at 1,250 lbs. until 75% of the quota is taken, at which time the trip limit decreases to 500 lbs.
- c. Eastern Zone Southern Subzone at 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 2,000 lbs. with no reduction.

Option a: For the Western zone

Option b: For the Eastern Zone Northern Subzone

South Atlantic 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/Gulf Preferred Option a: For the Western zone

Option b: For the Eastern Zone Northern Subzone

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

Gulf Preferred Option c: For the Eastern Zone Southern Subzone

Preferred Alternatives:

Western Zone	Eastern Zone	
	Northern Subzone	Southern Subzone
3,000 lbs no reduction	1,250 lbs no reduction	2,000 lbs no reduction (S Atl Pref) 1,250 lbs no reduction (Gulf Pref)

Gulf Council Actions

In October 2013 the Gulf Council:

- removed Alternative 2 Option c as a Preferred and selected Alternative 4 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)

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
Western Zone	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
Eastern Zone Northern Subzone	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
Eastern Zone Southern Subzone	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	Alt. 3	Alt 4
Trip Limit	1,250 lbs. ww w/ TLR	2,500 lbs. ww w/o TLR	3,000 lbs. ww w/o TLR	1,250 lbs. ww w/o TLR
Eastern Zone - Northern Subzone	1-Oct* (Pref)	27-Sep	26-Sep	28-Sep
Eastern Zone - Southern Subzone	7-Mar**	14-Feb	9-Feb (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)

Committee Actions

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

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.

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

South Atlantic Preferred / 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

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

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 group king mackerel that were legally harvested in the EEZ off Monroe County.

South Atlantic Preferred / Gulf Preferred Alternative 3: 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.

Alternative 4: Establish a provision allowing transit through the Florida west coast 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

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.
- South Atlantic Preferred/Gulf Preferred 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.

South Atlantic Preferred/Gulf Preferred 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.

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.
- South Atlantic Preferred/Gulf Preferred 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.

South Atlantic Preferred/Gulf Preferred 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.

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:

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.

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:

Gulf Migratory Group	Atlantic Migratory Group
ACL = 1,460,000 lbs.	ACL = optimum yield (OY) = 1,571,399 lb Commercial ACL (8% ACL) = 125,712 lb 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:

Gulf Migratory Group	Atlantic Migratory Group
(See Table 2.6.1 for values)	
ACL = ABC	ACL = ABC = OY Commercial ACL = 8% ACL 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.
 - 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 Commercial ACL = 8% ACL Recreational ACL = 92% ACL	ACL = ABC = OY Commercial ACL = 8% ACL 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	36.6%
Opt a	Average (2002-2012)	1,702,899	616,726	1,086,173	36.2%
Opt b	Average (2008-2012)	1,528,211	671,623	856,588	43.9%
Opt c*	(0.5*(Average (2003-2012)))+(0.5*(Average (2008-2012)))	1,630,132	652,593	977,539	40.0%
Opt c	(0.5*(Average (2002-2012)))+(0.5*(Average (2008-2012)))	1,615,555	644,175	971,381	39.9%
Opt d	Average (1998-2012)	1,729,311	623,255	1,106,056	36.0%
Opt e	(0.5*(Average (1993-2008)))+(0.5*(Average (2006-2008)))	1,804,756	577,702	1,227,054	32.0%
Opt f	(0.5*(Average (1990-2008)))+(0.5*(Average (2006-2008)))	1,794,279	580,520	1,213,760	32.4%

Source: SEFSC, ALS and MRIP databases

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?