

Coastal Migratory Pelagics Amendment 34

(Atlantic king mackerel catch levels and Atlantic king and Spanish mackerel management measures)

January 2022

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Amendment Background

- Stock Assessment - SEDAR 38 Update: 2020
 - Terminal data year: 2017
- Updated recreational catch data (MRIP-FES)
 - Adjusts estimates back in time.
 - Recreational landings are greater than previously estimated.
- *Stock Status*: consistent with the original stock status determined by SEDAR 38, that Atlantic migratory group king mackerel (Atlantic king mackerel) was not overfished or undergoing overfishing.

Amendment Background

- Modifications to Management Measures:
 - Based on input from the South Atlantic Council's Mackerel Cobia Advisory Panel.
- 1. Consider *raising the bag limit in federal waters off the east coast of Florida* to three fish per person to allow all fishermen the same opportunity to harvest king mackerel.
- 2. Consider *decreasing the recreational minimum size limit* for Atlantic king mackerel because many smaller king mackerel are often caught when fishing recreationally for other species, such as Spanish mackerel, and are released as dead discards.
- 3. Allowed recreational fishermen to *keep cut/damaged king and Spanish mackerel that meet minimum size limits* due to increased shark depredation.



Amendment Purpose and Need

The *purpose* of this amendment is to revise the ~~catch limits annual catch limits and annual optimum yield~~ for Atlantic migratory group king mackerel; to revise recreational and commercial allocations for Atlantic migratory group king mackerel; and to revise or establish management measures for Atlantic migratory group king and Spanish mackerel.

The *need* for this amendment is to ensure ~~annual~~ catch limits are based on the best scientific information available and to ensure overfishing does not occur in the Atlantic migratory group king and Spanish mackerel fisheries, while increasing social and economic benefits through sustainable and profitable harvest of Atlantic migratory group king and Spanish mackerel.



Amendment Development Timeline

	Process Step	Date
✓	South Atlantic Council directs staff to start work on an amendment.	June 2020
✓	Mackerel Cobia Advisory Panel reviews assessment and makes recommendations for actions to include in amendment.	November 2020
✓	South Atlantic Council reviews options paper and approves amendment for scoping.	December 2020
✓	South Atlantic Council reviews scoping comments and approves action/alternatives to be analyzed.	March 2021
✓	Gulf Mackerel Cobia Advisory Panel reviews amendment	March 2021
✓	South Atlantic Mackerel Cobia Advisory Panel reviews amendment	Spring 2021
✓	South Atlantic Council reviews draft amendment, selects preferred alternatives.	June 2021
✓	Gulf Council reviews document and provides direction to staff.	June 2021
✓	South Atlantic Council reviews draft amendment, selects preferred alternatives, and approves for public hearings.	September 2021
✓	Gulf Council reviews draft amendment, selects preferred alternatives, and approves for public hearings.	October 2021
✓	Public Hearings	Fall 2021
✓	South Atlantic Council reviews the draft amendment, modifies the document as necessary.	December 2021
	Gulf Council reviews the draft amendment, modifies the document as necessary.	January 2022
	South Atlantic Council approves for formal review.	March 2022
	Gulf Council approves for formal review.	April 2022
	CMP Amendment 34 transmitted for Secretarial Review.	Spring 2022



Actions and Alternatives



Action 1: Revise the acceptable biological catch, total annual catch limit and annual optimum yield for Atlantic migratory group king mackerel.

The Councils must consider adjusting the Atlantic king mackerel ACLs and OY to be consistent with SSC recommendations.

Year	OFL Recommendations (lbs)	ABC Recommendations (lbs)
2022/2023	33,900,000	32,800,000
2023/2024	29,400,000	28,400,000
2024/2025	26,300,000	25,400,000
2025/2026	24,200,000	23,300,000
2026/2027+	22,800,000	21,800,000

Public Hearing Comments:

- Support for Action 1: Preferred Alternative 3: ACL = 95% ABC



Action 1: Revise the acceptable biological catch, total annual catch limit and annual optimum yield for Atlantic migratory group king mackerel.

South Atlantic and Gulf Council Preferred Alternative 3. Revise the acceptable biological catch, total annual catch limit and annual optimum yield for Atlantic migratory group king mackerel, based on the acceptable biological catch recommendation from the South Atlantic Fishery Management Council's Scientific and Statistical Committee. The total annual catch limit and annual optimum yield are is equal to 95% of the ~~updated~~ recommended acceptable biological catch level. The ~~updated~~ recommended acceptable biological catch level is inclusive of recreational estimates from the Marine Recreational Information Program's Fishing Effort Survey.



Action 1: Revise the acceptable biological catch, total annual catch limit and annual optimum yield for Atlantic migratory group king mackerel.

*Annual Catch Limit levels based on revised MRIP estimates for Atlantic migratory group king mackerel under **Action 1** proposed alternatives.*

Fishing Year	Annual Catch Limits (lbs.)				
	Alternative 1 (No Action)	Alternative 2 (ACL=ABC)	Preferred Alternative 3 (ACL=95% ABC)	Alternative 4 (ACL=90% ABC)	Alternative 5 (Constant Catch)
2022/2023	Not BSIA, not a viable alternative.	32,800,000	31,160,000	29,520,000	21,800,000
2023/2024		28,400,000	26,980,000	25,560,000	21,800,000
2024/2025		25,400,000	24,130,000	22,860,000	21,800,000
2025/2026		23,300,000	22,135,000	20,970,000	21,800,000
2026/2027+		21,800,000	20,710,000	19,620,000	21,800,000



Action 2. Revise sector allocations and sector annual catch limits for Atlantic migratory group king mackerel.

- Current sector allocations for king mackerel were established in Amendment 1 to the CMP FMP (1985). Catch was allocated based on the largest number of years, beginning in 1979 using the average percent distribution of catch between commercial and recreational fishermen.
- The SEDAR 38 update includes revised recreational landings that are based on MRIP's newer FES method, the Council may want to consider revising current sector allocations.
- The revised total annual catch limit in this action reflect the preferred alternative in **Action 1 (Preferred Alternative 3)**.

Public Hearing Comments:

- Support for Action 2, Preferred Alternative 1 (No Action): Retain the current sector allocation percentages.



Action 2. Revise sector allocations and sector annual catch limits for Atlantic migratory group king mackerel.

South Atlantic and Gulf Council Preferred Alternative 1 (No Action). Retain the current recreational sector and commercial sector allocations of 62.9% and 37.1%, respectively, of the revised total annual catch limit for Atlantic migratory group king mackerel. Apply these percentages to the revised total annual catch limit.



Action 2. Revise sector allocations and sector annual catch limits for Atlantic migratory group king mackerel.

Current and revised sector ACLs (lbs) for Atlantic king mackerel based on the revised total ACL from Alternative 2 in Action 1.

Fishing Year	Preferred Alternative 1 (No Action)			Alternative 2			Alternative 3		
	Commercial (37.1%)		Recreational (62.9%)	Commercial (22.7%)		Recreational (77.3%)	Commercial (31.1%)		Recreational (68.9%)
	Northern	Southern		Northern	Southern		Northern	Southern	
2022/23	2,663,507	8,896,853	19,599,640	1,629,693	5,443,627	24,086,680	2,232,751	7,458,009	21,469,240
2023/24	2,306,207	7,703,373	16,970,420	1,411,076	4,713,384	20,855,540	1,933,236	6,457,544	18,589,220
2024/25	2,062,594	6,889,636	15,177,770	1,262,018	4,215,492	18,652,490	1,729,021	5,775,409	16,625,570
2025/26	1,892,064	6,320,021	13,922,915	1,157,678	3,866,967	17,110,355	1,586,070	5,297,915	15,251,015
2026/27+	1,770,258	5,913,152	13,026,590	1,083,150	3,618,020	16,008,830	1,483,963	4,956,847	14,269,190



Action 3. Revise the recreational annual catch target for Atlantic migratory group king mackerel.

~~Alternative 1 (No Action).~~ Retain the current recreational annual catch target for Atlantic migratory group king mackerel [$ACL[(1 - PSE) \text{ or } 0.5]$, whichever is greater] based on the previous acceptable biological catch (ACT = 7,400,000 pounds).

South Atlantic and Gulf Council Preferred Alternative 1 (No Action). ~~Alternative 1 (No Action).~~ Revise the recreational annual catch target to reflect the updated acceptable biological catch recreational annual catch limit level. The recreational annual catch target equals sector $ACL[(1 - PSE) \text{ or } 0.5]$, whichever is greater].

~~South Atlantic and Gulf Council Alternative 2.~~ Revise the recreational annual catch target to reflect the updated acceptable biological catch level. The recreational annual catch target equals sector $ACL[(1 - PSE) \text{ or } 0.5]$, whichever is greater].

Alternative 2. Revise the recreational annual catch target to reflect the updated acceptable biological catch recreational annual catch limit. The recreational annual catch target equals 90% sector ACL.

Alternative 3. Revise the recreational annual catch target to reflect the updated acceptable biological catch recreational annual catch limit. The recreational annual catch target equals 85% sector ACL.

Public Hearing Comments:

- Support for Action 3, Preferred Alternative 1 (No Action): Revise the ACT to reflect the updated ACL/ABC.



Action 4. Increase the recreational bag and possession limit for Atlantic migratory group king mackerel in the exclusive economic zone off Florida.

The current bag limit for Atlantic king mackerel and Gulf king mackerel is three fish per person except for the east coast of Florida to the Miami-Dade/Monroe County line where the bag limit is set to match the daily bag limit specified for Florida state waters (currently two fish per person).

Fishermen and Mackerel Cobia Advisory Panel members have requested to raise the east coast of Florida bag limit in federal waters to three fish per person to match the rest of the CMP FMP management area.



Action 4. Increase the recreational bag and possession limit for Atlantic migratory group king mackerel in the exclusive economic zone off Florida.

Support for Action 4, Alternative 1 (No Action): Maintain the 2-fish per person recreational bag limit in federal waters off the east coast of Florida.

- King mackerel are not as desirable as other Florida species, recreational fishermen don't need to increase the bag limit, and the extra poundage should be allocated to the commercial sector.
- There is an unknown amount of recreational fishing occurring between Miami Dade and Monroe County.

Support for Action 4, Alternative 2: Increase the recreational bag limit in federal waters off the east coast of Florida to 3-fish per person.

- Private recreational anglers are not making multiple trips a day to circumvent the 2-fish per person bag limit and should be allowed 3-fish per person.
- Increasing the bag limit will create consistency with the rest of the king mackerel management area.



Action 4. Increase the recreational bag and possession limit for Atlantic migratory group king mackerel in the exclusive economic zone off Florida.

South Atlantic and Gulf Council Preferred Alternative 2. Increase the daily bag limit for Atlantic migratory group king mackerel to three fish per person in the exclusive economic zone off Florida.



Action 5. Reduce the minimum size limit for recreational harvest of Atlantic migratory group king mackerel.

- In recent years, Atlantic king mackerel landings have been below the total ACL, fishing mortality rates are well below target, and the recent stock assessment suggests that the total ACL can be increased.
 - The South Atlantic Council is considering regulatory changes directed towards increasing harvest.
 - *Note: commercial trip limits were increased via CMP Framework Amendment 6 and Amendment 8.*
- The AP has suggested revising the minimum size limit for Atlantic king mackerel to account for smaller king mackerel sometimes landed when targeting other species.
- For the recreational sector, the discarded Atlantic king mackerel length data shows that majority (about 44%) of the recreational discards at 23 inches fork length.
 - Discards were also seen down to 22 (19% of discard lengths) and 20 inches fork length (17% of discard lengths).



Action 6. Reduce the minimum size limit for commercial harvest of Atlantic migratory group king mackerel.

- Commercial AP members have expressed concerns from dealers that smaller king mackerel would result in more fish of lower value entering the market.
- For the commercial sector, the majority of the discarded fish were about 29 inches fork length (FL) suggesting a larger percentage of legal sized fish are discarded.
- Commercial fishermen are currently allowed to possess undersized king mackerel in quantities that do not exceed five percent, by weight, of the king mackerel on board.



Actions 5 and 6. Reduce the minimum size limit for recreational/commercial harvest of Atlantic migratory group king mackerel.

Public Hearing Comments:

- Support for Action 5 and 6, Preferred Alternative 1 (No Action): Maintain the 24-in FL minimum size limit for the recreational and commercial sector, respectively.
 - Fish smaller than 24-inches FL yield little meat.
 - Smaller fish in the market will hurt prices and the overall market for king mackerel.
 - Harvesting smaller king mackerel has the chance to harm juvenile fish who have not spawned and ultimately the stock as a whole. There is a need to ensure that king mackerel retain a good stock status.
 - Commercial fishermen need the 5% undersized king mackerel by weight allowance. While they don't target smaller fish, it takes a lot of effort to restrain a king mackerel if you're trying to measure it and you often end up killing the fish. The allowance keeps one fish from putting you out of compliance with the regulations.



Action 5. Reduce the minimum size limit for recreational harvest of Atlantic migratory group king mackerel.

South Atlantic and Gulf Council Preferred Alternative 1 (No Action). The minimum size limit for recreational harvest of Atlantic migratory group king mackerel is 24-inches fork length.

At their December meeting the South Atlantic Council passed a motion to send Action 5 to the considered but rejected appendix.



Action 6. Reduce the minimum size for commercial harvest of Atlantic king mackerel.

South Atlantic and Gulf Council Preferred Alternative 1 (No Action). The minimum size limit for commercial harvest of Atlantic migratory group king mackerel is 24-inches fork length. Commercial fishermen may possess undersized king mackerel in quantities not exceeding 5 percent, by weight, of the king mackerel on board.

At their December meeting the South Atlantic Council passed a motion to send Action 6 to the considered but rejected appendix.



Action 7. Modify the recreational requirement for Atlantic migratory group king mackerel and Spanish mackerel to be landed with heads and fins intact.

- This action is included in the amendment to increase recreational harvest and address the increase in shark and barracuda depredation.

Public Hearing Comments

- **Support for Action 7, Alternative 2:** allow recreational fishermen to retain cut/damaged king and Spanish mackerel that meet minimum size limits.
 - Shark depredation is a serious issue.
 - Ensure these fish count towards the daily bag limit.
 - Damaged fish should not have to meet minimum size limits.
- Clarification is needed on whether the minimum size limit would be for the damaged fish as is or the portion that remains after the damaged portion is cut off?



Action 7. Modify the recreational requirement for Atlantic migratory group king mackerel and Spanish mackerel to be landed with heads and fins intact.

Alternative 1 (No Action). Cut-off (damaged) Atlantic migratory group king mackerel or Atlantic migratory group Spanish mackerel caught under the recreational bag limit may not be possessed.

South Atlantic Council Preferred Alternative 2. Cut-off (damaged) fish caught under the recreational bag limit, that comply with the minimum size limits, may be possessed, and offloaded ashore.


- **South Atlantic Council Preferred Sub-alternative 2a.** Atlantic migratory group king mackerel
- **South Atlantic Council Preferred Sub-alternative 2b.** Atlantic migratory group Spanish mackerel

The South Atlantic Council's Law Enforcement AP will discuss this action at their meeting on February 10th





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THANK YOU

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