



# PUBLIC HEARING GUIDE

7/24/12



## Coastal Migratory Pelagics Amendment 20 Boundaries and Transit Provisions





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### What is a Public Hearing?

A public hearing gives you an opportunity to comment on a fishery management plan or amendment that the Gulf of Mexico Fishery Management Council is developing. Public hearings are conducted after the Council has selected a preferred alternative for each proposed action, and comments should focus on possible benefits and drawbacks of the alternatives contained in each action. Suggestions, issues, and concerns expressed during the public hearings will be presented to the Council for review and consideration before final action is taken.

### How does a public hearing affect fisheries management?

Comments provided during the public hearing process are reported to the full Council prior to final action. Your input is considered as the Council deliberates and chooses the most appropriate management measures to address the issue(s) at hand.

### How else can I get involved?

There are many ways you can help the Gulf of Mexico Fishery Management Council identify fishery management needs and develop reasonable management alternatives, each dependent on how actively involved you want to become. The first step to becoming involved is to educate yourself about the management process by visiting our website at [www.gulfcouncil.org](http://www.gulfcouncil.org), signing up to receive our communications, and contacting council members and staff to discuss management. You can attend meetings, serve on panels and committees that advise the Council on fishery issues, and even apply to become a Council member.

## Introduction to Amendment 20

The Gulf of Mexico and South Atlantic Fishery Management Councils created zones and subzones in the mackerel fishery to allow for fair distribution of allowable harvest as fish migrate. In this amendment, the Councils are considering whether the current allocations, seasons, and trip limits provide the greatest benefit to the commercial industry. The Councils are also considering allowing vessels to transit through closed areas with legally caught fish, and modifying the standard way management changes are handled in the mackerel fishery management plan.

## Amendment 20 - Summary of Actions

### **Action 1. Modify the Commercial Hook and Line Trip Limits for Gulf Migratory Group King Mackerel**

The current 3,000 pound trip limit for the Western Zone was implemented in 1999. The trip limit helps to extend the season, which opens on July 1 and closes within months.

The Eastern Zone is subdivided into Northern and Southern Subzones. Both subzones have 1,250 pound trip limits until 75% of the quota is harvested, then the trip limit is reduced to 500 pounds. While the trip limit extends the fishing season, it may not allow for enough income to make a trip profitable.

**Alternative 1:** No action.

**South Atlantic/Gulf Preferred Option a:** Western zone at 3,000 pounds.

**Option b:** Eastern Zone Northern Subzone at 1,250 pounds until 75% of the quota is taken, at which time the trip limit decreases to 500 pounds.

**Option c:** Eastern Zone Southern Subzone at 1,250 pounds until 75% of the quota is taken, at which time the trip limit decreases to 500 pounds.

**Alternative 2:** Set the commercial hook and line trip limit at 2,500 pounds with no reduction.

**Option a:** For the Eastern Zone Northern Subzone.

**Option b:** For the Eastern Zone Southern Subzone.

**Alternative 3:** Set the commercial hook and line trip limit at 3,000 pounds with no reduction.

**Option a:** For the Eastern Zone Northern Subzone.

**South Atlantic/Gulf Preferred Option b:** For the Eastern Zone Southern Subzone.

**Alternative 4:** Set the commercial hook and line trip limit at 1,250 pounds with no reduction.

**South Atlantic/Gulf Preferred Option a:** For the Eastern Zone Northern Subzone.

**Option b:** For the Eastern Zone Southern Subzone.

## **Action 2: Change the Fishing Season for Gulf Group King Mackerel for the Eastern and Western Zone**

The commercial hook-and-line season opens for both Eastern and Western Zones on July 1. In the Western Zone king mackerel move closer to shore in the fall. Opening the season later may allow fishermen to catch fish more efficiently, but bad weather may make fishing more dangerous.

**Alternative 1:** No action.

**South Atlantic Preferred Alternative 2:** Change the season opening for Gulf group king mackerel to September 1.

**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 3:** Change the season opening for Gulf group king mackerel to October 1.

**Option a:** For the Western Zone

**Gulf Preferred Option b:** For the Eastern Zone Northern Subzone

**Option c:** For the Eastern Zone Southern Subzone.

### **Action 3: Establish Transit Provisions**

Fishermen cannot fish for or possess king mackerel in a closed zone. The Eastern Zone Southern Subzone is comprised of Collier and Monroe Counties. Beginning in April of each year Monroe County is considered to contain Atlantic migratory group king mackerel and the Southern Subzone is then comprised only of Collier County. At this time fishermen fishing the northern portion of Monroe County must travel up to 100 miles to land fish at Monroe County dealers.

**Alternative 1:** No action.

**Alternative 2:** Allow 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 of Monroe County from April 1 through June 30.

**Alternative 3:** Allow transit through Collier County when the Florida west coast Southern Subzone is closed for vessels possessing Atlantic group king mackerel that were legally harvested in the EEZ off Monroe County only from April 1 – June 30.

**South Atlantic/Gulf Preferred Alternative 4:** Allow transit through areas closed to king mackerel fishing for vessels possessing king mackerel that were legally harvested in the EEZ.

**Alternative 5:** Allow 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.

*For Alternatives 2 through 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: Establish Regional Annual Catch Limits for Atlantic Migratory Group King and Spanish Mackerel**

### **Action 4.1: Regional ACLs for Atlantic Migratory Group King Mackerel**

### **Action 4.2: Regional ACLs for Atlantic Migratory Group Spanish Mackerel**

There is currently one commercial Annual Catch Limit (ACL) for Atlantic migratory group king mackerel and one commercial ACL for Atlantic migratory group Spanish mackerel. The South Atlantic Council is concerned that fishermen in one state will fill the commercial ACL before the fish migrate and become available to fishermen in other states.

### **The following alternatives are the same for Action 4.1 (king mackerel) and Action 4.2 (Spanish mackerel).**

**Alternative 1:** No Action

**Alternative 2:** Establish a separate commercial ACL for North Carolina based on Options a through d below. Monitoring and implementation would be based on Options e through 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 2011-12.

**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 2011-12 and 50% of the proportion of landings in North Carolina from 1997-98 through 2011-12.

**Option d:** Each zone 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:** The 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. The NMFS would monitor landings in the rest of the states and close the entire EEX 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 EEX off North Carolina. The 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 ACL's 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 EEX 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

**Option b:** Each zone ACL would be the Atlantic migratory group ACL times the year of the proportion of landings in that zone from 2002-03 through 2011-12.

**Option c:** Each zone ACL would be the Atlantic migratory group ACL time the average (50% of the proportion of landings from that zone to 2002-03 through 2011-12 and 50% of the proportion of landing 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.

**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 the other states.

**Table 2.4.1.** Expected portion of Atlantic group king mackerel ACL that would be allocated to North Carolina under each option.

	North Carolina KM Commercial Allocation		General Atlantic Group KM Commercial Allocation	
	% of Quota	Lbs under Current ACL	% of Quota	Lbs under Current ACL
<b>Option a</b> NC proportion of total landings 2007/08-2011/12	24.8%	920,080	75.2%	2,789,920
<b>Option b</b> NC proportion of total landings 2002/03-2011/12	33.2%	1,231,720	66.8%	2,478,280
<b>Option c</b> Boyles Law (a+b)/2	29.0%	1,075,900	71.0%	2,634,100
<b>Option d</b> NC proportion of total landings 1997/98-2011/12	37.2%	1,443,360	62.8%	2,436,644

**Table 2.4.2.** Expected portion of Atlantic group Spanish mackerel ACL that would be allocated to North Carolina under each option.

	North Carolina SM Commercial Allocation		General Atlantic Group SM Commercial Allocation	
	% of Quota	Lbs under Current ACL	% of Quota	Lbs under Current ACL
<b>Option a</b> NC proportion of total landings 2007/08-2011/12	18.7%	677,323	81.3%	2,942,677
<b>Option b</b> NC proportion of total landings 2002/03-2011/12	16.7%	604,880	83.3%	3,015,120
<b>Option c</b> Boyles Law (a+b)/2	17.7%	641,101	82.3%	2,978,899
<b>Option d</b> NC proportion of total landings 1997/98-2011/12	18.2%	569,660	81.8%	2,560,340

## Action 5: Modify the Framework Procedure

Framework actions are used for making changes to fishery management plans that are equipped with a framework procedure. Framework procedures are a standardized way to implement management measures that are relevant to the provisions already included in a fishery management plan. The Coastal Migratory Pelagic Framework procedure was developed in Amendment 18.

**Alternative 1:** No action.

**South Atlantic/Gulf Preferred Alternative 2:** Modify the framework procedure to include changes to 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/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.

**This pertains to:**

Responsibilities of each Council:

1. Recommendations with respect to the Atlantic migratory groups of king mackerel, Spanish mackerel, and cobia will be the responsibility of the South Atlantic Council, and those for the Gulf migratory groups of king mackerel, Spanish mackerel, and cobia will be the responsibility of the Gulf Council, with the following exceptions:
  - a. The South Atlantic Council will have responsibility to set vessel trip limits, closed seasons or areas, or gear restrictions for (1) the Eastern Zone - East Coast Subzone for Gulf migratory group king mackerel and (2) the east coast of Florida including the Atlantic side of the Florida Keys for Gulf migratory group cobia.
2. For stocks where a stock assessment indicates a different boundary between the Gulf and Atlantic migratory groups than the management boundary, a portion of the ACL for one migratory group may be apportioned to the appropriate zone, but management measures for that zone will be the responsibility of the Council within whose management area that zone is located.
3. Both councils must concur on recommendations that affect both migratory groups.

**South Atlantic/Gulf Preferred Alternative 5:** Make editorial changes to the framework procedure to reflect changes to the names of the Council advisory committees and panels.

**Action 6. Modify the Gulf and Atlantic Migratory Group Cobia Annual Catch Limits (ACLs) and Annual Catch Targets (ACTs)**

Amendment 18 established Annual Catch Limits and Annual Catch Targets for Gulf and South Atlantic migratory groups of cobia. Stock assessments determined the eastern biological boundary of the Gulf migratory group to be at the Florida/Georgia state line. This Action provides alternatives for allocating the portion of the Gulf migratory group residing off the east coast of Florida.

**Alternative 1:** No action. The entire Gulf migratory group cobia ACL applies to the Gulf Council jurisdictional area and the entire South 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	South Atlantic
ACL = 1,460,000 lbs	ACL = 1,571,399 lbs Commercial ACL (8% ACL) = 125,712 lbs Recreational ACL (92% ACL) = 1,445,687 lbs
Stock ACT = 1,310,000 lbs	Recreational ACT = 1,184,688 lbs

**Alternative 2:** The ACL = ABC as determined by the SSC for each migratory group. The entire Gulf migratory group cobia ACL applies to the Gulf Council jurisdictional area and the entire South Atlantic migratory group cobia ACL applies to the South Atlantic jurisdictional area. The ACLs and ACTs would be as follows:

Year	Atlantic Migratory Group		Atlantic Zone ACL		Atlantic Zone ACT	Gulf Migratory Group		Gulf Zone ACL	Gulf Zone ACT
	OFL	ABC	Commercial	Recreational	Recreational	OFL	ABC	Stock	Stock
2014	0.81	0.73	0.06	0.67	0.55	2.56	2.46	2.46	2.21
2015	0.76	0.69	0.06	0.63	0.52	2.59	2.52	2.52	2.27
2016	0.73	0.67	0.05	0.62	0.50	2.66	2.60	2.60	2.34

**South Atlantic/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 SSC) would be divided into a Gulf Zone ACL and Florida East Coast ACL (FL/GA border to Council jurisdictional boundary) based on the options below.

**Option a:** Use 2002-2012 (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 Boyles law: 50% of landings from 2002-2012 + 50% of landings from 2008-2012 to establish the percentage split for the Gulf ABC.

**South Atlantic/Gulf Preferred Option d:** Use 1998-2012 (15 years) landings to establish the percentage split for the Gulf ABC. (SA Mackerel AP Preferred)

**Option e:** Based on yellowtail: 50% of average landings from 1993 through 2008 + 50% of average landings from 2006 through 2008 to establish the percentage split for the Gulf ABC.

**Option f:** Based on mutton: 50% of average landings from 1990 through 2008 + 50% of average landings from 2006 through 2008 to establish the percentage split for the Gulf ABC.

- The South Atlantic ACL would equal the ABC for Atlantic migratory group cobia (as determined by the SSC).

The following table is an excerpt from Chapter 2 of Draft CMP Amendment 20 (Tab C, No. 6):

**Table 2.6.3.** ACLs and ACTs for Gulf migratory group cobia (as recommended by the Gulf SSC, based on results from SEDAR 28) for each option in **South Atlantic Preferred/Gulf Preferred Alternative 3**. 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. All weights for OFL, ABC, ACL, and ACT are in millions of pounds, whole weight. Note: ACLs and ACTs for the Atlantic migratory group would be the same as in **Alternative 2** and are shown in Table 2.6.1.

Option	% landings from FLEC	Year	Gulf Migratory Group		FLEC Zone ACL		FLEC Zone ACT	Gulf Zone ACL	Gulf Zone ACT
			OFL	ABC	Commercial	Recreational	Recreational	Stock	Stock
Opt a	36.6	2014	2.56	2.46	0.07	0.83	0.68	1.56	1.40
		2015	2.59	2.52	0.07	0.85	0.69	1.60	1.44
		2016	2.66	2.60	0.08	0.88	0.72	1.65	1.48
Opt b	43.9	2014	2.56	2.46	0.09	0.99	0.81	1.38	1.24
		2015	2.59	2.52	0.09	1.02	0.83	1.41	1.27
		2016	2.66	2.60	0.09	1.05	0.86	1.46	1.31
Opt c	40	2014	2.56	2.46	0.08	0.91	0.74	1.48	1.33
		2015	2.59	2.52	0.08	0.93	0.76	1.51	1.36
		2016	2.66	2.60	0.08	0.96	0.78	1.56	1.40
Opt d	36	2014	2.56	2.46	0.07	0.81	0.67	1.57	1.42
		2015	2.59	2.52	0.07	0.83	0.68	1.61	1.45
		2016	2.66	2.60	0.07	0.86	0.71	1.66	1.50
Opt e	32	2014	2.56	2.46	0.06	0.72	0.59	1.67	1.51
		2015	2.59	2.52	0.06	0.74	0.61	1.71	1.54
		2016	2.66	2.60	0.07	0.77	0.63	1.77	1.59
Opt f	32.4	2014	2.56	2.46	0.06	0.73	0.60	1.66	1.50
		2015	2.59	2.52	0.07	0.75	0.62	1.70	1.53
		2016	2.66	2.60	0.07	0.78	0.63	1.76	1.58

The Council is collecting input on this proposed amendment at a series of meetings across the Gulf coast. Each of the following meetings will begin at 6 p.m. local time and conclude no later than 9:00 p.m.

**August 5, 2013**

**D'Iberville, MS**

Courtyard Marriott  
11471 Cinema Drive  
D'Iberville, MS 39540  
(228) 392-1200

**August 6, 2013**

**Panama City, FL**

Holiday Inn Select  
2001 N. Cove Boulevard  
Panama City, FL 32405  
(850) 769-0000

**August 8, 2013**

**Mobile, AL**

Renaissance Mobile Riverview Plaza  
64 S. Water Street  
Mobile, AL 36602  
(251) 438-4000

**August 12, 2013**

**Corpus Christi, TX**

Hilton Garden Inn  
6717 S. Padre Island Drive  
Corpus Christi, TX 78412  
(361) 991-8200

**August 12, 2013**

**St. Petersburg, FL**

Hilton St. Petersburg Carillon Parkway  
950 Lake Carillon Drive  
St. Petersburg, FL 33716  
(727) 540-0050

**August 13, 2013**

**League City, TX**

Hampton Inn & Suites  
2320 Gulf Freeway S.  
League City, TX 77573  
(281) 614-5437

**August 15, 2013**

**Key West, FL**

Harvey Government Center  
1200 Truman Avenue  
Key West, FL 33040  
(305) 295-5000

**August 15, 2013**

**Grand Isle, LA**

Louisiana Wildlife & Fisheries Lab  
195 Ludwig Lane  
Grand Isle, LA 70358  
(985) 787-2163

If you are unable to attend a public hearing, your input is still important. Submit comments online at: [http://www.gulfcouncil.org/council\\_meetings/comment\\_forms/Mackerel\\_20.php](http://www.gulfcouncil.org/council_meetings/comment_forms/Mackerel_20.php), or click on the thermometer icon on our home page.





## **Gulf of Mexico Fishery Management Council**

2203 N. Lois Avenue  
Suite 1100  
Tampa, FL 33607

Tel: 888-833-1844

Fax: 813-348-1711

Email: [gulfcouncil@gulfcouncil.org](mailto:gulfcouncil@gulfcouncil.org)

Web site: [www.gulfcouncil.org](http://www.gulfcouncil.org)

