



Mid-Atlantic Fishery Management Council

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Michael P. Luisi, Chairman | P. Weston Townsend, Vice Chairman
Christopher M. Moore, Ph.D., Executive Director

January 4, 2021

Mr. Michael Pentony
Regional Administrator
National Marine Fisheries Service
Greater Atlantic Region
55 Great Republic Drive
Gloucester, MA 01930-2276

Dear Mr. Pentony:

During their December 2020 meeting, the Mid-Atlantic Fishery Management Council (Council) adopted a 2021 Implementation Plan, which includes initiation of an action to implement a possession limit for frigate mackerel (*Auxis thazard*) and bullet mackerel (*A. rochei*) in the Mid-Atlantic. Further consideration of the appropriate type of management action and the specific options to be considered will take place in 2021 in coordination with GARFO.

Bullet and frigate mackerel are prey for many species, including wahoo, blue marlin, yellowfin tuna, and dolphin. Their ecosystem importance is underscored by the South Atlantic Fishery Management Council's recent action to designate them as Ecosystem Components through Amendment 12 to their Dolphin Wahoo Fishery Management Plan.

Available data suggest that catch of bullet and frigate mackerel in the Mid-Atlantic is low. The Mid-Atlantic Council wishes to consider a proactive approach to preventing increased harvest of these ecologically important species, unless such harvest can be done in a sustainable manner supported by the best scientific information available.

As a first step in determining the most appropriate path forward, the Council requests clarified guidance from NMFS on the use of the Ecosystem Component (EC) designation, including how measures intended to protect the ecosystem roles of such species may be implemented across jurisdictions and fishery management plans.

The National Standards Guidelines at 50 CFR 600.310(c)(5) state that "Councils may choose to identify stocks...as EC species...if a Council determines that the stocks **do not require conservation and management** based on the considerations and factors in paragraph (c)(1) of this section...Consistent with NS9, MSA Section 303(b)(12)...**management measures can be adopted** in order to...protect the role of EC species in the ecosystem, and/or to address other ecosystem issues" (emphasis added).

The South Atlantic Council's Dolphin Wahoo Amendment 12 brought to light regional differences in interpretation regarding permissible management measures for species which do not "require conservation and management." The Councils would benefit from clarified guidance regarding how discretionary management measures can be used to protect the ecosystem role of a prey species,

without such measures implying that the stocks “require conservation and management” (and thus should not be designated as ECs).

In addition, given that the ecosystem importance of bullet and frigate mackerel is not restricted to the jurisdiction of a single Council, guidance is also requested for how the EC designation can be used to protect the ecosystem role of a stock across jurisdictions and fishery management plans.

We look forward to working with GARFO on this issue in the new year.

Sincerely,

A handwritten signature in black ink, appearing to read "C. Moore". The signature is fluid and cursive, with a large initial "C" and a long horizontal stroke at the end.

Christopher M. Moore, Ph.D.
Executive Director

CC: M. Luisi, P. Townsend, T. DiLernia, D. Hemilright, P. deFur, J. Beaty, E. Gilbert, J. Carmichael, J. Hadley