

Scoping Comments Summary for Dolphin Wahoo Amendment 5

Oral comments received

Total: 10  
 New Bern 1  
 Charleston 0  
 Pooler 0  
 Jacksonville 2  
 Cocoa Beach 2  
 Key Largo 5

Written Comments received

Total: 21  
 Total Comments Received: 31

12 comments were essentially identical with all in favor of alternative 1, no action for each action

	In Favor	Opposed
<b>Action 1</b>		
Alternative 1	12	
Alternative 2	3	1
<b>Action 2</b>		
Alternative 1	14	
Alternative 2	3	1
Alternative 3		1
Alternative 4		1
Alternative 5	3	1
Alternative 6	1	2
Alternative 7		2
Alternative 8		2
Alternative 9	3	2
<b>Action 3</b>		
Alternative 1	16	
Alternative 2	6	1
<b>Action 4</b>		
Alternative 1	13	
Alternative 2	5	1
Alternative 3	1	1

Opposed opinions were counted only if the person expressly stated they were opposed to an alternative.

Other comments :

Two in Key Largo commenting on adjusting the size limit to some variation of having no size limit for dolphin.

One person commented in favor of allowing sale of dolphin from the for-hire sector.

Two comments that the Council should wait until a stock assessment to change anything regarding dolphin.

One commenter wanted the Council to consider establishing a daily trip limit for the commercial sector.

One commenter suggested that dolphin be moved to HMS for management.

Dear SAFMC,

Below are my comments/recommendations for the recent amendment 5 hearings. Please consider these comments as reasonable actions to be taken.

Action 1: Revise ABC, ACL (including sector ACLs), sector allocations, and recreational ACT for dolphin and wahoo based on MRIP estimates.

I support Alternative 1. No action. (Do not revise ABC, ACLs, allocations, and ACTs for dolphin and wahoo. Data will not be updated with data from Marine Recreational Information Program (MRIP), commercial, and for-hire landings.)

The present status of the dolphinfish is very stable based on the statistics from NMFS quarterly updates. Dolphinfish are not listed as overfished, undergoing overfishing, have a FSSI score of 4 (the maximum) and have maintained a Biomass to Biomass max sustainable yield ratio of 1.56 for every year since 2008. This conclusively proves that the fishery is strong and not in need of any additional regulations. Action 2: Revise the accountability measures for dolphin and wahoo

I support Alternative 1. No action. There is no need for any changes in the regulations for the reasons set forth above. Action 3: Modify the dolphin sector allocations

Alternative 1. No action. Do not modify the current sector allocations for dolphin. The recreational sector allocation for dolphin is 92.7% NOTE: The advisory panel recommended changing the allocation to 87% recreational/13% commercial Action 4:

Revise the framework procedure in the Dolphin Wahoo FMP

I support Alternative 1. No action. Do not modify the framework

Sincerely,

Darryl J. Braun

**From:** Mac Currin [<mailto:maccurrin@gmail.com>]

**Sent:** Wednesday, January 23, 2013 10:13 AM

**To:** David Cupka

**Cc:** Kim Iverson; Ben Hartig; Anna Beckwith; Duval, Michelle; Tom Burgess; Gregg Waugh; Myra Brouwer

**Subject:** Comments on Scoping for changes to the Dolphin Wahoo FMP

All-

I would like to provide comments on possible changes to the Dolphin-Wahoo FMP.

**-I ask that you add an action to the Amendment that would consider establishing daily trip limits for the commercial sector.**

As you all know, the original plan established a trip limit but against the advice of the SAFMC, it was removed by NMFS before being approved by the Sec. of Commerce. In 2010, the commercial sector met or exceeded the 1.5 million pound allocation with ramped-up long-line effort in the south Atlantic. This caused- and is still causing- conflict with the charter fleet in North Carolina, especially out of Hatteras. Historically, Dolphin has been the bread and butter fish for those charter fishermen and local disruptions in their availability has a huge impact on their business.

**- I ask that you drop the action that considers changing the current allocation among sectors.**

The council has consistently used "Boyle's Law" in establishing allocations and that approach was used to set the allocation for Dolphin. I know there are a few species where widely varying recreational landing estimates over a 3 year time frame have caused some problem. And I have no problem with the council looking at a 5 year versus a 3 year "recent" time-frame to try to smooth widely varying estimates of recreational catch IF dolphin is one that exhibits those trends- I do not believe that it is. But any argument that 13% was the historically established commercial allocation is hollow. Since the original 13% was a percentage of the recreational catch, it was a moving target that was never known until months after the fishing year had ended.

Until you have sound economic data on the value to each sector, please remain consistent in how you establish allocations. The council spent a long time considering allocations and I believe took a step forward when it derived Boyle's Law, by using recent trends in the fishery in addition to historic values.

Thank you for the opportunity to comment on actions being considered by the council.

Mac Currin

801 Westwood Drive

Raleigh, NC 27607

I would like to comment on sections 2 and 3 of the proposed amendments.

Rule 2 - It would seem logical to hold the sector (recreational and/or commercial) responsible for overfishing the allotted and/or targeted amount of fish responsible in attempting to meeting the target in the next fishing year. I don't see this listed as a management option, only hold everyone responsible and/or not.

Rule 3 - I don't see any justification for doubling the commercial sector catch of dolphin and wahoo. Really, none is given. Seems that the commercial sector would just like twice as much as they are currently getting? I am definitely against allocating additional resources to the commercial sector at the expense of the recreational fisherman.

Charles W. Downer

**From:** [Brenda Finley](#)

**To:** [DWAmend5 Comments](#)

**Date:** Friday, February 01, 2013 6:27:57 AM

Do not amend! There is no reason to change any of the rules or regulations governing Dolphin or Wahoo. There is no commercial fishery and there is no signs of declining numbers of fish Leave it alone.

My comments for Amendment 5 are: Dolphin catches have extreme variations because of [1] habitat [sargassum weed existence], [2] weather conditions in May and June; and [3] the cost of fuel discourages the recreational [private boat] fishermen!

**Action 1:** Alternative 2. Revise the ABC,ACLs[including sector ACLs], sector allocations, and the recreational ACT for dolphin and wahoo with updated data from MRIP, commercial and for-hire landings.

**Action 2:** Alternative 5 and 9 are preferred

**Action 3:** Alternative 2. Preferred.

**Action 4:** Alternative 2 would make the catch data more accurate. In table 3, I don't feel hook size or type [circle] should be dictated to fishermen. Circle hooks in my experience do a lot more damage to fish when dehooking, especially to dolphin that are so active when boated. Bleeding at the gills ,etc are results!

Capt. Robert Freeman

Sunrise Charters

221 Smith Street

Atlantic Beach, NC 28512-7347

252 726 9814

Comments for Dolphin Wahoo public hearings Amendment 5 Action 1: Revise ABC, ACL (including sector ACLs), sector allocations, and recreational ACT for dolphin and wahoo based on MRIP estimates. I support Alternative 1. No action. (Do not revise ABC, ACLs, allocations, and ACTs for dolphin and wahoo. Data will not be updated with data from Marine Recreational Information Program (MRIP), commercial, and for-hire landings.) The present status of the dolphinfish is very stable based on the statistics from NMFS quarterly updates. Dolphinfish are not listed as overfished, undergoing overfishing, have a FSSI score of 4 (the maximum) and have maintained a Biomass to Biomass max sustainable yield ratio of 1.56 for every year since 2008. This conclusively proves that the fishery is strong and not in need of any additional regulations. Action 2: Revise the accountability measures for dolphin and wahoo We support Alternative 1. No action. There is no need for any changes in the regulations for the reasons set forth above. Action 3: Modify the dolphin sector allocations Alternative 1. No action. Do not modify the current sector allocations for dolphin. The recreational sector allocation for dolphin is 92.7% NOTE: The advisory panel recommended changing the allocation to 87% recreational/13% commercial Action 4: Revise the framework procedure in the Dolphin Wahoo FMP We support Alternative 1. No action. Do not modify the framework

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Capt. Alan Hand  
4436 Glenmoor Ct.  
Winter Park, FL 32792  
407-383-3605  
[ahand3330@gmail.com](mailto:ahand3330@gmail.com)

Do to the nature of Dolphin being Highly Pelagic, they are not sought after by a directed Commercial Fleet. At best, they are caught on Pelagic Longlines. It makes no sense to shift any allocation from the Recreational Sector to the Commercial Sector. The imported Dolphin you are eating in the markets now is much cheaper for the stores/rest/diners to buy. I spoke with a Commercial Fish house here in the Lower keys on the subject of Commercially Caught Dolphin. Because of the price on the imports, the fish house won't pay more than \$0.90 a pound for locally caught Dolphin. There are no Commercial Fishermen that are going to run out and chase Dolphin around knowing that at best they make cover part of their fuel expense. I have made the proposal to the Council in the past that Dolphin/Wahoo should not fall under the management of the Council, but should be moved to the Highly Migratory Species (HMS) section of NMFS. That change would take an act of congress that no one is willing to propose. The Magnuson/Stevens Act delineated which species would fall under the control of the Councils, and that's how it came to be. The Dolphin/Wahoo Management plan of 2003 was the first step in reducing the Recreational Angler from the fishery. It stated, "While not overfished, the Council has adopted a precautionary and risk-averse approach to management for this fishery. The South Atlantic Council, in cooperation with the Mid-Atlantic and New England Councils, has developed a Dolphin Wahoo Fishery Management Plan for the Atlantic. Recognizing the significant importance of the dolphin wahoo fishery to the recreational fishing community in the Atlantic, the goal of the plan is to maintain the current harvest levels of dolphin and ensure that no new fisheries develop. With the potential for effort shifts in the historical commercial long line fisheries for sharks, tunas, and swordfish, these shifts or expansions into nearshore coastal waters to target dolphin could compromise the historical (1994-1997) and current allocation of the dolphin resource between recreational and commercial fishermen." There still is no way for any study to be conducted on the Biomass of Dolphin/Wahoo. There is no indication of any level of overfishing. This attempt to re-allocate the ACL is in direct conflict of the spirit of the Dolphin/Wahoo Management Plan as it does not indicate any overfishing in fishery and is an attempt to shift efforts in the Commercial Sector and undermine the historical allocations noted in the management plan.

Respectfully,

Capt Rob Harris

Director, Key West Fishing Tournament

SAFMC, Snapper/Grouper AP Member



**From:** [Henry Hauch](#)

**Sent:** Tuesday, January 22, 2013 2:10 PM

**To:** [DolphinWahooAmend5ScopingComments@safmc.net](mailto:DolphinWahooAmend5ScopingComments@safmc.net)

**Subject:** Dolphin / Wahoo Amendment 5 comments

Please consider these comments when making decisions on the Dolphin / Wahoo management. Like so many of our fisheries, the "Best Available Science" is most often data extrapolated from commercial landings and estimated Recreational Landings. This has led us to several likely "Under-fishing" scenario's, such as Red Snapper, Vermillion Snapper and black Sea Bass. While the "Science" used may be all that the NMFS allows to be used, its not the best science out there, nor reflective of real conditions on the water. As such, any regulatory option needs to fully consider this very real lack of basic data, and the pattern seen in fishery management where the "Over-abundance of Caution" has in most cases led to un-necessary restrictions.

With Mahi, these highly Pelagic fish are found all around the world, and by US Fishery managers own admission have no indication of being overfished. That being said, imposing hard limits without sound science leaves a very real likelihood of unnecessary restriction at some future time. While the idea of a marginal increase in the overall quota seems to be a good step, the hard AM's placed on such makes no assurance that an early closure could come, despite very little real data being used.

While common sense dictates that ONLY Reliable Science Based data should be used, the reality is that ONLY NMFS supplied data is available to consider. With studies showing the number of recreational participants to estimate recreational harvest are likely overestimated by 350% to 400%, we continue to rightly be suspicious about management options.

The idea of increasing the Commercial Percentages, and decreasing Recreational percentages is also something I oppose. Again, with sparse data, there is no real word basis for this large reallocation. Recreational catch of Dolphin being eliminated from dual permitted boats list of fish they can sale commercially is no reason to reward one user group to the detriment of another.

In conclusion, I ask that any decision that introduces options that decrease potential access to this resource without Reliable and independently verifiable science based data, be considered with safeguards in place for the stakeholders as well as the resource. With a stock that is likely much healthier that landings suggest, any AM's should ensure they do not unnecessarily shorten seasons, as has been the case with other stocks. Until the NMFS fixes its recreational data system, including the real number of recreational participants, regulatory actions need to be balanced so as to not deny access to the public resource that does not have Sound Science showing a need for extraordinary protection.

Captain Henry  
ACME Ventures Fishing  
Port Canaveral, Fl

Comments for Dolphin Wahoo public hearings Amendment 5

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David Heil

Florida Saltwater Anglers

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***Have a Wonderful Day!***

***Jeff***

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Action 3: Modify the dolphin sector allocations

Alternative 1. No action. Do not modify the current sector allocations for dolphin. The recreational sector allocation for dolphin is 92.7%

NOTE: The advisory panel recommended changing the allocation to 87% recreational/13% commercial

Action 4: Revise the framework procedure in the Dolphin Wahoo FMP

I support Alternative 1. No action. Do not modify the framework procedure established in the Dolphin Wahoo FMP (SAFMC 2003)



Comments for Dolphin Wahoo public hearings Amendment 5

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Thanks,

David Malcomb

1026 Willa Lake Circle

Oviedo, Florida 32765

I am Chris McCaffity. I support the comments made by Captain Robert Freeman regarding Amendment 5 and with his permission I submit them for my comments. "My comments for Amendment 5 are: Dolphin catches have extreme variations because of [1] habitat [sargassum weed existence], [2] weather conditions in May and June; and [3] the cost of fuel discourages the recreational [private boat] fishermen!

**Action 1:** Alternative 2. Revise the ABC,ACLs[including sector ACLs], sector allocations, and the recreational ACT for dolphin and wahoo with updated data from MRIP, commercial and for-hire landings.

**Action 2:** Alternative 5 and 9 are preferred

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Capt. Robert Freeman  
Sunrise Charters"

## Dolphin Wahoo Amendment 5

Action 1: Revise ABC, ACL, sector allocations and recreational ACT

I support Alternative 2 to revise these values based on landings and MRIP data.

Action 2: revise AMs

I support reductions to subsequent years ACL in the event an ACL is exceeded only if the species is overfished.

Action 3: Dolphin sector allocations

I support Alternative 2 which increases commercial ACLs.

In addition, there should be mechanisms in place to allow transfer of ACL from one sector to the other in the event it is evident a sector will not catch what has been allocated to it. There should be as much pressure to NOT underfish a resource as there is to not overfish a resource. The goal is to harvest as close to MSY as possible. Under utilization results in market pressures pulling resources from other parts of the world that may not manage their fisheries creating imbalances.

This also applies to golden tilefish that will have a 25% hook and line quota once 18B is implemented.

Action 4: Revise DW Framework procedure

I support Alternative 2 as it was explained to me this would allow ABC, ACL and ACT to be adjusted upward in a timely manner. It was pointed out that emergency closures are allowed to happen quickly, however, openings or increases in these parameters do not. Anything that allows management to closer reflect what actually exists will aid in management credibility.

Mike Merrifield

Cape Canaveral Shrimp Co.

Wild Ocean Seafood Market

321-383-8885 office

321-383-8886 fax

321-615-5228 cell

I live in Central Florida and fish most often out of Port Canaveral. We do catch some Wahoo but it is not a huge fishery for us. However the Dolphin is. We already lost red snapper due to poor management decisions. It would be devastating to the local economy if we lost Dolphin as well. I would support a change in size to 24 inches on the Dolphin otherwise leave the regs the way they are. As I hope you are aware fishing pressure is down 50% in this area since the economy crashed and you closed red snapper.

Comments for Dolphin Wahoo public hearings  
Amendment 5

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Action 2: Revise the accountability measures for dolphin and wahoo

We support Alternative 1. No action.

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Action 3: Modify the dolphin sector allocations

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NOTE: The advisory panel recommended changing the allocation to 87% recreational/13% commercial

Action 4: Revise the framework procedure in the Dolphin Wahoo FMP

We support Alternative 1. No action. Do not modify the framework

Jeff Page

Past President

Central Florida Offshore Anglers

11220 Credo Ct

Orlando, Fl. 32837

407 353 0120



# SOUTHEASTERN FISHERIES ASSOCIATION (SFA) EAST COAST FISHERIES SECTION (ECFS)

111 W. GRANADA BLVD ORMOND BEACH, FLORIDA 32174-6303 [SFAECFS@AOL.COM](mailto:SFAECFS@AOL.COM)

Robert Mahood, Executive Director  
South Atlantic Fishery Management Council (SAFMC)  
4055 Faber Place Drive, Suite 201  
North Charleston, South Carolina 29405  
[DWAmend5Comments@safmc.net](mailto:DWAmend5Comments@safmc.net)

Thursday January 31, 2013

Regard to: Dolphin Wahoo (DW) Fishery Management Plan (FMP) Amendment 5 Scoping Document  
To: Bob Mahood,

Thank you for considering this Southeastern Fisheries Association (SFA) East Coast Fisheries Section (ECFS) written comment with regard to the DW Amendment 5 Scoping document for the four Actions with various Alternatives. Below are the choices we wish to support for this scoping effort.

## ***Action 1: Revise ABC, ACL (including sector ACLs), sector allocations, and recreational ACT for dolphin and wahoo based on MRIP estimates.***

SFA ECFS Prefers Alternative 2 for Action 1 to revise ABC, ACLs (including sector ACLs), sector allocations and the recreational ACT for DW with updated data from MRIP, commercial, and for-hire landings.

**Alternative 2.** Revise the ABC, ACLs (including sector ACLs), sector allocations, and the recreational ACT for dolphin and wahoo with updated data from MRIP, commercial, and for-hire landings.

## ***Action 2: Revise the accountability measures for dolphin and wahoo***

SFA ECFS supports the existing Accountability measures as detailed with Alternative 1 and the addition of Alternative 2 if a future Dolphin stock assessment finds this species to be overfished.

**Alternative 2.** If the commercial ACL for dolphin and wahoo is exceeded, the Regional Administrator (RA) shall publish a notice to reduce the ACL in the following season by the amount of the overage, only if the species is overfished.

## ***Action 3: Modify the dolphin sector allocations***

SFA ECFS Prefers Alternative 2 for Action 3 in combination with Alternative 2 of Action 1. Like the DW AP we support Alternative 2 for Action 3 to increase the commercial ACL from the current ACL.

**Alternative 2.** Establish the sector allocations for dolphin that were in place prior to the Comprehensive ACL Amendment making the "soft cap" allocations the sector allocations. The recreational sector allocation for dolphin would be 87%. Should the Council select **Alternative 2** of **Action 1**, the new recreational ACL would be 13,350,016 lbs ww (**Table 2**). The commercial sector allocation would be 13%. Should the Council select **Alternative 2** of **Action 1**, the **new commercial ACL** would be **1,994,830 lbs ww**.

## ***Action 4: Revise the framework procedure in the Dolphin Wahoo FMP***

SFA ECFS supports Alternative 2 for Action 4 to revise the framework procedure in the DW FMP.

**Alternative 2.** Include the following in the Dolphin Wahoo FMP framework: Update the framework procedure to revise the specification of Total Allowable Catch (TAC) for the Dolphin Wahoo FMP in terms that incorporate ACLs, ACTs, and AMs. Such modifications would be based upon new scientific information indicating such modifications are prudent. Changes to the ACLs, ACTs and AMs will be made using the following procedure once the new ACLs, ACTs and AMs are established by the Council.

**Acceptable Biological Catch (ABC), Annual Catch Limits (ACLs) and Annual Catch Targets (ACTs) Adjustment Procedure**

1. Stock assessments will be conducted for Dolphin Wahoo species in the management area through the SEDAR process.
2. Following the Scientific and Statistical Committee (SSC)'s review of the stock assessment and a public hearing, the Council will determine if changes are needed in the OFL, ABC, ACLs, and ACTs and so advise the RA.
3. Following a review for consistency with the FMP and applicable law, the RA may reject or may implement changes by notice in the *Federal Register* to be effective for the next fishing season.

Jimmy Hull, Chairman

SFA ECFS

JGH/rhh

Comments for Dolphin Wahoo public hearings

**Amendment 5** Action 1: Revise ABC, ACL (including sector ACLs), sector allocations, and recreational ACT for dolphin and wahoo based on MRIP estimates.

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Regards,

*Mark P. Wilson*

Director, Engineering

Here are some suggested comments: Comments for Dolphin Wahoo public hearings Amendment 5  
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Joe Falcone

Amendment 5

Action 1. No action. Dolphin and wahoo are very stable and great populations. They are a staple of FL offshore fishing so please don't mess around with new regs.

Action 2. No action. No need for changes.

Action 3. No action. These are primarily sport fish and we don't need a larger commercial allocation.

Action 4. No action. Don't modify the framework.

1. Comments for Dolphin Wahoo public hearings Amendment 5 Action 1: Revise ABC, ACL (including sector ACLs), sector allocations, and recreational ACT for dolphin and wahoo based on MRIP estimates. We support Alternative 1. No action. (Do not revise ABC, ACLs, allocations, and ACTs for dolphin and wahoo. Data will not be updated with data from Marine Recreational Information Program (MRIP), commercial, and for-hire landings.) The present status of the dolphinfish is very stable based on the statistics from NMFS quarterly updates. Dolphinfish are not listed as overfished, undergoing overfishing, have a FSSI score of 4 (the maximum) and have maintained a Biomass to Biomass max sustainable yield ratio of 1.56 for every year since 2008. This conclusively proves that the fishery is strong and not in need of any additional regulations. Action 2: Revise the accountability measures for dolphin and wahoo We support Alternative 1. No action. There is no need for any changes in the regulations for the reasons set forth above. Action 3: Modify the dolphin sector allocations Alternative 1. No action. Do not modify the current sector allocations for dolphin. The recreational sector allocation for dolphin is 92.7% NOTE: The advisory panel recommended changing the allocation to 87% recreational/13% commercial Action 4: Revise the framework procedure in the Dolphin Wahoo FMP We support Alternative 1. No action. Do not modify the framework

[Kevin Walker](#)

[Lockheed Martin](#)

[LONGBOW FCR](#)

[Logistics Management Analyst Stf](#)

[\(407\) 356-9142](#)

[kevin.b.walker@lmco.com](mailto:kevin.b.walker@lmco.com)