

**SOUTH ATLANTIC FISHERY MANAGEMENT COUNCIL
DOLPHIN/WAHOO ADVISORY PANEL REPORT**

North Charleston, SC

April 7-8, 2011

(Agenda & List of AP Members included at end of report.)

I. PRESENTATIONS

- a. **Update on Dolphin Research Findings** – Donald Hammond, Cooperative Sciences Services, LLC. Don Hammond gave the AP an update on cooperative research results and the presentation is available from the Council office.
- b. **SSC Input on OFL & ABC** – Dr. Carolyn Belcher, SSC Chair presented the following input for the AP’s use. The complete SSC report is included in the June 2011 Council briefing book and is available from the Council office and the Council’s web site in the briefing book information.
 - i. OFL for Dolphin and for Wahoo is UNKNOWN
 - ii. Dolphin ABC = 14,596,216 pounds
 - iii. Wahoo ABC = 1,491,785 pounds

II. DOLPHIN MOTIONS (Note: The AP voted on each of these alternatives and some were in the form of motions and some were just voted on. In order to make the record clear, all AP positions are shown as motions. The minutes are available from the Council office.

Motion #1. Alternative 2 (Preferred). Establish an ABC Control Rule where ABC equals OFL. This is 13,709,523 lbs whole weight.

New SSC Value ABC = 14,596,216 pounds

AP – 9 yes, 1 no

Motion #2. Alternative 3. Adopt the SAFMC’s SSC Control Rule and set ABC equal to a percentage of OFL

Subalternative 3a. ABC = 65%OFL = 8,911,190 lbs whole weight.

Subalternative 3b. ABC = 75%OFL = 10,282,142 lbs whole weight.

Subalternative 3c. ABC = 85%OFL = 11,653,095 lbs whole weight.

AP – 0 yes, 7 no

Motion #3. Alternative 4. Establish ABC based on the Gulf Council’s ABC control rule. Note: The Gulf Council’s Control Rule, if applied to dolphin, would likely be Tier 3a and would set the OFL = mean 10 years most recent landings + 2 SD and set the ABC = mean or mean + 0.5-1.5 SD.

AP – 0 yes, 7 no

Motion #4. New Alternative 5. Allocate dolphin 90% recreational and 10% commercial
8yes/1no approved by AP

Motion #5. Alternative 1 (No Action). There is no ACL specified for dolphin. OY for dolphin is the amount of harvest that can be taken by fishermen while not exceeding 75% of MSY (between 14.1 and 34.9 million pounds).

AP – 11 NO

Motion #6. Alternative 2. ACL = OY = ABC = 13,709,523 pounds. **Note: New SSC value = 14,596,216 pounds.**

AP SUPPORT ACL = ABC = 14,596,216 POUNDS

AP 11 YES

Motion #7. Alternative 3 (Preferred). ACL = OY = 85% of the ABC = 11,653,095 pounds.

AP 0 YES/11 NO

Motion #8. Alternative 4. ACL = OY = 75% of the ABC = 10,282,142 pounds.

AP 0 YES/11 NO

Motion #9. Alternative 5. ACL = OY = 65% of the ABC = 8,911,190 pounds.

AP 0 YES/11 NO

Motion #10. Alternative 2. Specify commercial sector ACTs for dolphin, apply to commercial AM Alternatives 3 and 4.

Subalternative 2a (Preferred). Do not specify a commercial sector ACT.

AP 9YES/0 NO

Subalternative 2b. The commercial sector ACT equals 90% of the commercial sector ACL.

AP 0YES/11 NO

Subalternative 2c. The commercial sector ACT equals 80% of the commercial sector ACL.

AP 0YES/11 NO

Motion #11. Alternative 3 (Preferred). After the commercial ACL is met or projected to be met, all purchase and sale of dolphin is prohibited and harvest and/or possession is limited to the bag limit.

AP 1YES/10 NO

Motion #12. Alternative 4. If the commercial sector ACL is exceeded, the Regional Administrator shall publish a notice to reduce the commercial sector ACL in the following season by the amount of the overage.

AP 1YES/8 NO

Motion #13. New Alternative 5. Develop a method of notifying the sector (commercial, for-hire and private recreational) when 90% of their quota is being met

AP 9 YES/0 NO

Motion #14. Alternative 5. Specify recreational sector ACTs for dolphin, apply to recreational AM Alternatives 6-7.

Subalternative 5a. The recreational sector ACT equals 85% of the recreational sector ACL.

AP 0Y/10N

Subalternative 5b. The recreational sector ACT equals 75% of the recreational sector ACL.

AP 0Y/10N

Subalternative 5c (Preferred). The recreational sector ACT equals sector ACL[(1-PSE) or 0.5, whichever is greater] Council guidance in December was to use the 3-year average (7.0)

AP 10Y/0N

Motion #15. Alternative 6. For post-season accountability measures, compare recreational ACL with recreational landings over a range of years. For 2011, use only 2011 landings. For 2012, use the average landings of 2011 and 2012. For 2013 and beyond, use the most recent three-year running average.

Subalternative 6a. If the recreational sector ACL is exceeded, the Regional Administrator shall publish a notice to reduce the recreational sector ACL in the following season by the amount of the overage.

AP 0Y/10N

Subalternative 6b. If the recreational sector ACL is exceeded, the Regional Administrator shall publish a notice to reduce the length of the following fishing year by the amount necessary to ensure landings do not exceed the recreational sector ACL for the following fishing year.

AP 0Y/10N

Subalternative 6c (Preferred). If the recreational sector ACL is exceeded, the Regional Administrator shall publish a notice to reduce the bag limit by the amount necessary to ensure landings do not exceed the recreational sector ACL for the following fishing year.

AP 0Y/10N

Motion #16. Alternative 7. The Regional Administrator shall publish a notice to close the recreational fishery when the ACL is projected to be met.

AP 0Y/10N

Motion #17. New Alternative 8. Recommend the Council modify the Accountability Measures to only adjust bag limits and deduct overages only if the total ACL is exceeded.

AP 10Y/0N

Motion #18. Alternative 1 (No Action). Retain current management regulations.

- Sale of recreationally caught dolphin in or from the Atlantic EEZ prohibited. For-hire vessels possessing the necessary state and Federal commercial permits can sell dolphin harvested under the bag limit in or from the Atlantic EEZ.
- Commercial soft cap of 1.5 million pounds or 13% of total landings, whichever is greater.
- Recreational daily bag limit of 10 dolphin per person per day in or from the EEZ not to exceed 60 dolphin per boat per day whichever is less. Bag limit of 10 dolphin per paying passenger on headboats.
- Minimum size limit for dolphin of 20 inches fork length off Florida and Georgia, and no minimum size limit north of Georgia. Note: Florida regulations require a minimum size limit of 20 inches fork length; a 10 fish per person bag limit with a 60 fish boat limit; and a saltwater products license, a restricted species endorsement, and a federal commercial vessel permit to sell dolphin, exceed the 10-fish bag limit, or exceed 60 per vessel per day statewide.
- Vessel permits and operator permits are required for commercial and for-hire sectors.

AP 0Y/10N

Motion #19. Alternative 2 (Preferred). Prohibit bag limit sales of dolphin from for-hire vessels.

Note: It is the Council's intent that if a for-hire vessel has a commercial permit, they would be allowed to sell their catch only when they are not operating under a for-hire mode.

AP 2Y/7N

Motion #20. Alternative 3 (Preferred). Establish a minimum size limit of 20 inches fork length off South Carolina.

AP 9Y/0N

Motion #21. Alternative 4. Establish a minimum size limit of 20 inches fork length from Florida through New England.

AP 6Y/2N

Motion #22. Alternative 5. Increase the minimum size limit in Florida and Georgia to 22 inches or 24 inches fork length.

AP 0Y/9N

Motion #23. Alternative 6. Reduce the boat limit (e.g. reduce by 1/3). Note: this applies only to charterboats and recreational vessels, not headboats.

AP 1Y/8N

Subalternative 6a. Reduce the boat limit by 25%.

Subalternative 6b. Reduce the boat limit by 33%.

Subalternative 6c. Reduce the boat limit by 50%.

Motion #24. Alternative 7. Consider a series of trip limits for the commercial fishery (e.g., 4,000 pounds with alternatives higher and lower).

AP 0Y/9N

Subalternative 7a. Establish a 3,000 pound trip limit for dolphin north of 31° N. Latitude and a 1,000 pound trip limit for dolphin south of 31° N. Latitude (between Jekyll Island and Little Cumberland Island, Georgia) in the EEZ southward through the SAFMC's area of jurisdiction for dolphin (landed head and tail intact) with no transfer at sea allowed.

Subalternative 7b. Establish a 5,000 pound trip limit.

Subalternative 7c. Establish a 4,000 pound trip limit.

Subalternative 7d. Establish a 3,000 pound trip limit.

Subalternative 7e. Establish a 2,000 pound trip limit.

Subalternative 7f. Establish a 1,000 pound trip limit.

SUBALTERNATIVE 7G. ESTABLISH NO TRIP LIMIT

Motion #25. Alternative 8. Reduce the recreational bag limit to 9 dolphin per person .

AP 0Y/9N

Motion #26. New Alternative 9. Establish a minimum size limit of 20 inches fork length from Florida through Maine with no size limit for dolphin caught from shore.

AP 7Y/2N

III. WAHOO MOTIONS (Note: The AP voted on each of these alternatives and some were in the form of motions and some were just voted on. In order to make the record clear, all AP positions are shown as motions. The minutes are available from the Council office.

Motion #27. Adopt the SSC value for ABC = 1,491,785 pounds.

AP 9Y/0N

Motion #28. Alternative 1 (No Action). Do not define allocations for wahoo.

AP 0Y/7N

Motion #29. Alternative 2. Define allocations for wahoo based upon landings from the ALS, MRFSS, and headboat databases. The allocation would be based on landings from the years 2006-2008. The allocation would be 4% commercial and 96% recreational. The commercial and recreational allocation specified for 2011 would remain in effect beyond 2011 until modified.

AP 0Y/7N

Motion #30. Alternative 3 (Preferred). Define allocations for wahoo based upon landings from the ALS, MRFSS, and headboat databases. The allocation would be based on the following formula for each sector:

Sector apportionment = (50% * average of long catch range (lbs) 1999-2008) + (50% * average of recent catch trend (lbs) 2006-2008). The allocation would be 4.3% commercial and 95.7% recreational. The commercial and recreational allocation specified for 2011 would remain in effect beyond 2011 until modified.

AP 8Y/0N

Motion #31. Alternative 4. Define allocations for dolphin based upon landings from the ALS, MRFSS, and headboat databases. The allocation would be based on the following formula for each sector:

Sector apportionment = (50% * average of long catch range (lbs) 1999-2008) + (50% * average of recent catch trend (lbs) 2006-2008). The allocation would be 4.3% commercial, 29.1% for-hire, and 66.6% private recreational. The commercial, for-hire, and private recreational allocations specified for 2011 would remain in effect beyond 2011 until modified. Note: IPT Recommendation: Delete last sentence because new data are presented by sector.

AP 0Y/8N

Motion #32. Alternative 1 (No Action). There is no ACL specified for wahoo. Currently OY for wahoo is the amount of harvest that can be taken by fishermen while not exceeding 100% of MSY (between 1.41 and 1.63 million pounds).

AP 0Y/8N

Motion #33. Alternative 2 (Preferred). ACL = OY = ABC = 1,022,498 pounds. New SSC value for ABC = 1,491,785 pounds.

AP Motion: ACL=OY=ABC=1,491,785 POUNDS

AP 9Y/0N

Motion #34. Alternative 3. ACL = OY = 85% of the ABC = 869,123 pounds.

AP 0Y/9N

Motion #35. Alternative 4. ACL = OY = 75% of the ABC = 766,874 pounds.

AP 0Y/9N

Motion #36. Alternative 5. ACL = OY = 65% of the ABC = 664,624 pounds.

AP 0Y/9N

Motion #37. Alternative 1 (No Action). There is no hard quota for wahoo and there are no AMs in place for wahoo.

AP 0Y/7N

Motion #38. Alternative 2. Establish commercial sector ACT for wahoo, apply to commercial AM Alternatives 3 or 4.

Subalternative 2a (Preferred). Do not specify a commercial sector ACT.

AP 8Y/0N

Subalternative 2b. The commercial sector ACT equals 90% of the commercial sector ACL.

AP 0Y/8N

Subalternative 2c. The commercial sector ACT equals 80% of the commercial sector ACL.

AP 0Y/8N

Motion #39. Alternative 3 (Preferred). After the commercial ACL is met or projected to be met, all purchase and sale of wahoo is prohibited and harvest and/or possession is limited to the bag limit.

AP 0Y/8N

Motion #40. Alternative 4. If the commercial sector ACL is exceeded, the Regional Administrator shall publish a notice to reduce the commercial sector ACL in the following season by the amount of the overage.

AP 0Y/8N

MOTION #41. Alternative 5. Establish recreational sector ACT for wahoo, apply to recreational AM Alternatives

Subalternative 5a. The recreational sector ACT equals 85% of the recreational sector ACL.

AP 0Y/8N

Subalternative 5b. The recreational sector ACT equals 75% of the recreational sector ACL.

AP 0Y/8N

Subalternative 5c (Preferred). The recreational sector ACT equals sector ACL[(1-PSE) or 0.5, whichever is greater] based on the 5 year average PSE (2005-09) of 13.9. The recreational sector ACT = ~~765,639~~ lbs whole weight. 1,229,197

AP 8Y/0N

Motion #42. Alternative 6 (Preferred). For post-season accountability measures, compare recreational ACL with recreational landings over a range of years. For 2011, use only 2011 landings. For 2012, use the average landings of 2011 and 2012. For 2013 and beyond, use the most recent three-year running average.

Subalternative 6a. If the recreational sector ACL is exceeded, the Regional Administrator shall publish a notice to reduce the recreational sector ACL in the following season by the amount of the overage.

AP 0Y/9N

Subalternative 6b. If the recreational sector ACL is exceeded, the Regional Administrator shall publish a notice to reduce the length of the following fishing year by the amount necessary to ensure landings do not exceed the recreational sector ACL for the following fishing year.

AP 0Y/9N

Subalternative 6c (Preferred). If the recreational sector ACL is exceeded, the Regional Administrator shall publish a notice to reduce the bag limit to 1 fish and reduce the season as necessary to ensure landings do not exceed the recreational sector ACL for the following fishing year.

AP 0Y/9N

Motion #43. Alternative 7. The Regional Administrator shall publish a notice to close the recreational fishery when the ACL is projected to be met.

AP 0Y/9N

Motion #44. New Alternative 8. If required in the future, reduce the bag limit (e.g., 2 per person or 6 per boat whichever is less) to achieve the necessary reduction.

AP 9Y/0N

Motion #45. New Alternative 9. Develop a method of notifying the sector (commercial, for-hire and private recreational) when 90% of their quota is being met
AP 9 YES/0 NO

Motion #46. New Alternative 10. Recommend the Council modify the Accountability Measures to only adjust bag limits and deduct overages only if the total ACL is exceeded.
AP 9Y/0N

REVISED AGENDA

Dolphin Wahoo Advisory Panel Meeting

Crowne Plaza Hotel
4831 Tanger Outlet Boulevard
North Charleston, SC

Thursday, April 7, 2011 – 1:00 PM to 5:00 PM & Friday, April 8 – 8:30 AM to NOON

1. Approval of Agenda – David Harter, Chair

2. Introductions – each person introduce themselves

3. Presentations
 - a. Update on Dolphin Research Findings (**Attachment 1**) – Donald Hammond, Cooperative Sciences Services, LLC
 - b. Overview of Dolphin Wahoo Actions (**Attachment 2**) – Gregg Waugh

4. Comprehensive ACL Amendment (ACLs & AMs)
 - a. Questions/Clarifications – Gregg Waugh
 - b. Advisory Panel Discussion & Recommendations – David Harter, Chair

5. Other Business – David Harter, Chair

6. Adjourn – David Harter, Chair

Attachments:

Attachment 1. Update on Dolphin Research Findings

Attachment 2. Dolphin/Wahoo Actions in Comprehensive ACL Amendment (ACLs & AMs)

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* Denotes year of appointment