

# **SOUTH ATLANTIC FISHERY MANAGEMENT COUNCIL**

## **DOLPHIN WAHOO COMMITTEE**

### **Webinar**

**March 3-4, 2021**

### **TRANSCRIPT**

#### **Dolphin Committee**

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LT Robert Copeland  
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#### **Invited Attendees/Participants**

Erika Burgess  
Shep Grimes  
Dr. Jack McGovern  
John Sanchez  
Dr. Clay Porch

Rick DeVictor  
Martha Guyas  
  
LT Pat O'Shaughnessy  
Monica Smit-Brunello

Additional attendees and participants attached.

The Dolphin Wahoo Committee of the South Atlantic Fishery Management Council convened via webinar on Wednesday, March 3, 2021, and was called to order by Chairman Anna Beckwith.

MS. BECKWITH: I call the Dolphin Wahoo Committee meeting to order, and it sounds like we've got a hard stop today at 3:45, so we can get ready for public comment. The first item on our agenda is Approval of the Agenda. Is there any additions to the agenda? Are there any modifications? Seeing none, the agenda is approved.

The second order of business is Approval of the December 2020 Dolphin Wahoo Committee Minutes. Does anyone have any comments on that? Shep.

MR. GRIMES: Thank you, Madam Chair. This is actually Ms. McCawley's statement, but I noticed, on page 15, and it's the second paragraph, under her statement, that there are other counties, including some small island nations, and I believe "counties" should be "countries", and that is all. Thank you.

MS. BECKWITH: Thank you for your hard work on that, Shep. I definitely lean on you for your thoroughness in the minutes, and so I really appreciate it. Okay. With that correction, unless there is any disagreement, the committee minutes are approved. Next is the Status of Amendments Under Formal Review, and I believe Mr. DeVictor.

MR. DEVICTOR: Thank you, Madam Chair. There's just one amendment, Dolphin Wahoo 12. As you all know, it was approved by the Secretary of Commerce, and the amendment would add bullet mackerel and frigate mackerel to the Dolphin Wahoo FMP and designate them as ecosystem component systems.

We have two comment periods open, the Notice of Availability of the Amendment, since it is a plan amendment, and we did an NOA, and that published in the Federal Register at the end of January, and that comment period is open through March 30. The proposed rule published on March 2, yesterday, and that comment period is open through April 1. Following these comment periods, there will be a determination by the Secretary of Commerce on the approval or disapproval or partial approval of this amendment, and then we will develop a final rule.

MS. BECKWITH: Thank you for that. The next item is Review of the Updated Dolphin Wahoo Fishery Management Plan Goals and Objectives, and so I will turn that over to John.

MR. HADLEY: All right. Thank you. I will start off with going over what is Attachment 1 in the Dolphin Wahoo portion of the council's briefing book, and the intent here is to briefly go over the updated Dolphin Wahoo Fishery Management Plan goals and objectives. As you may recall, the council, and this committee, has gone over the Dolphin Wahoo FMP goals and objectives and has included many updates to these, and this is really part -- At least initially, this was part of the allocation review policy, where you have been going through the goals and objectives of your fishery management plans that have allocations, to make sure they are updated and revised to reflect the needs and the goals and objectives, really, of the current fishery.

With that, the intent here is to go over the goals and objectives as they have been amended, based on the committee's previous input, and make sure that you're comfortable with them as they are, and, assuming that's the case, these will go along with Dolphin Wahoo Amendment 10, as far as

implementation. The final vote on Dolphin Wahoo Amendment 10, as for now, is scheduled for June, and so this version of the FMP goals and objectives would be packaged with that plan amendment and go into place through that, as sort of the avenue through which these goals and objectives will go into place.

I didn't want to go over all of the goals and objectives in detail, since these can be sort of difficult to edit by committee, but I just wanted to remind you, just in general, what has been included, since the last time you really reviewed these in any detail was December of 2019. As you may recall, the committee wanted to add a preamble, to explain some of the overarching goals and objectives for the fishery, and this is followed by a series of goals and the related objectives.

Goal 1 is emphasizing a precautionary approach. Goal 2 is emphasizing access for both the recreational and commercial sectors. Goal 3 is minimizing competition between user groups, and Goal 4 is emphasizing the economic and social importance of the dolphin and wahoo fisheries. Goal 5 is looking at ecosystem-based management research priorities, and one thing that I did want to bring to your attention is the IPT took one final review of the goals and objectives prior to this council meeting, and there were no suggested edits, however, with the exception of Objective 4 within Goal 5, that highlighted change there, changing "biologic" to "biological", and so that's the only suggested ITP edit.

Really, here again, kind of taking a close look at these, to make sure that the committee is okay with them before presumably moving forward in Amendment 10, and so, overall, just making sure that the committee doesn't have any suggested -- Are there any suggested additional edits or changes to this version of the goals and objectives? Are there topics that haven't been covered, and do you feel comfortable with implementing the updated goals and objectives along with Amendment 10? There again, it's scheduled for a final vote at the June 2021 meeting.

As far as the committee action, there is some potential language that could be turned into a motion, but, one accepting the IPT's minor edit to the revised goals and objectives, and also directing staff to include the revised goals and objectives in Amendment 10, and certainly you have the option to not accept the IPT's edits, and, also, if that's the case, requesting additional guidance on modifications and how you want to handle the goals and objectives. With that, I will turn it over to the committee.

MS. BECKWITH: Thank you, John. Jessica.

MS. MCCAWLEY: First, if you could scroll back up to Goal 5, where it has the IPT's edits right there, and so that same change that's been made by the IPT under Objective 5 needs to be made in the goal itself, in that blue box, and do you see what I'm talking about? Right there. Yes. **With that, Madam Chair, I would also move that we accept the IPT's suggested edits to the goals and objectives and that these be included in the Dolphin Wahoo FMP 10, I believe it is, that we're working on.**

MS. BECKWITH: Thank you, Jessica. Do I have a second for that motion?

MR. SAPP: Second.

MS. BECKWITH: Thank you, Mel. Okay. **The motion is on the table to accept the IPT's suggested edits to the revised goals and objectives of the Dolphin Wahoo FMP and direct staff to include the revised goals and objectives in Amendment 10 to the Dolphin Wahoo FMP.** Is there any discussion?

MR. BELL: Just for the record, that was Art doing a Mel impersonation.

MS. BECKWITH: I've got you. Art seconded, for the record. Is there any discussion? **Is there any opposition to this? Seeing none, that motion carries.**

Okay, Mel, here's a question for you. So it is coming up on 12:00, and the next discussion will begin everything associated with Amendment 10, and do you want to break for a shortened lunch now and come back in like forty-five minutes or an hour, or do you want us to start? What would you like to do?

MR. BELL: You actually got through that -- We got through that a little quicker than I thought, and so why don't we -- I would like to just go ahead and give people an hour, and so then if we come back at 1:00, and we're not too far behind, and we've banked an hour for tomorrow morning if we need it, but we'll see if we need it or not, but I think that would work, and we could just actually go from 12:00 to 1:00, instead of 1:30.

MS. BECKWITH: Okay. Sounds good, and so if folks can please be back on time at 1:00, starting sharp. Have a great lunch.

(Whereupon, a recess was taken.)

MS. BECKWITH: It's 1:00, and so I think we've got enough folks to get back started, and so the next item on the agenda is to begin discussion on Amendment 10, and I will pass it over to John, to see how he would like to get started on this.

MR. HADLEY: Sure. Thank you, Anna. Before we get into Dolphin Wahoo Amendment 10, I just wanted to pass along a reminder, for those that are logged on for public comments later, that we'll stop this discussion around 3:45, and the public comment session will start at 4:00, and so just a notice that that's coming up this afternoon.

Without further ado, I want to jump back into Dolphin Wahoo Amendment 10, and I wanted to start off with a brief introduction and overview of the public hearing comments that were received for the amendment. As you may recall, the committee voted to send this amendment out for public hearings at the December 2020 meeting, and these hearings occurred via webinar on January 26, 27, and 28, and comments were accepted via the webinars and at the end of the webinars, and, also, there were several online comments submitted as well. Overall, over 160 comments were received on the amendment, which is a pretty good amount, comparatively, and so there is a great deal of feedback on the amendment and the different actions and alternatives.

Looking at the characteristics of the commenters, or respondents, the majority were from North Carolina or Florida, and you certainly had some other commenters from South Carolina and Georgia and then spread out throughout the Mid-Atlantic and New England regions.

As far as kind of affiliation, or characterization, of the commenters, the majority were private recreational anglers. However, you did have several for-hire captains provide comment, and, additionally, several indicated affiliation with the commercial sector, commercial fishermen, and then a handful of non-governmental organizations and wholesale and retail dealers.

I am going to go over each one of the comments specifically related to the actions in detail, once we jump into Amendment 10, but I wanted to take a minute -- I'm going to skip over those for now, in the interest of time, since we're going to come back to them when we discuss each action, but I wanted to take a minute to discuss some of the comments that were received that fall outside of the actions that are really being considered in this amendment.

Just to make the committee aware, to start off with, I will cover, very quickly, the other retention limits that were mentioned, and, specifically, several commenters addressed size limits, and potentially bag limit, changes, and so, while not currently considered in Amendment 10, several commenters were in favor of increasing the minimum size limit or extending the requirement to cover the entire Atlantic region.

Many of these comments were also associated with producing the bag limit, and those in favor of this tended to be based in Florida and South Carolina, where those that tend to be not in favor of the change in the size limits tend to be based out of North Carolina. As far as the size limit changes that were mentioned, there was a pretty good range, but a lot of the size limit changes that were mentioned fell between twenty-three and twenty-five inches, and as well as a bag limit of five dolphin per person was mentioned multiple times.

Switching over from dolphin to wahoo, there were some comments supporting a reduced bag limit, but there were relatively few for implementing any sort of size limit on dolphin, and so that was a little bit of difference between the two species. If there was any support for a change in the retention limits for wahoo, it tended to be geared towards changing the vessel limit.

Very briefly, some of the other topics and general comments that were mentioned, many commenters, often from the South Florida region, expressed a great deal of concern over a decline in the dolphin fishery. Some, comparatively few, expressed concern over the status of the wahoo fishery, and so there seemed to be generally more concern over dolphin than wahoo.

It was mentioned that the fishery for dolphin and wahoo in Northeast Florida and the Carolinas is very different from the fishery in south Florida, and access, particularly off of the Carolinas and to the north, is limited, due to long rides and generally rough -- Often rough ocean conditions. It was mentioned multiple times to attempt to avoid harvest closures for both dolphin and wahoo, where possible, and there were several commenters that expressed concern over the use of MRIP to get ACLs, and, kind of in a nutshell, many of these commenters wanted to have better confidence and trust in the recreational data that was being used.

It was mentioned that the actions in Amendment 10 do not necessarily protect the earlier life stages of dolphin, and there was a mention of considering circle hooks when live baiting, drifting, or bailing dolphin, and there was concern over commercial longline and the purse seine fishery for dolphin, and particularly the longline would cover the domestic and international fishery. However, there is a large emphasis on the international component of the dolphin fishery, both

international longline fishery and international purse seine fishery, and so those are the catches occurring outside of the U.S. EEZ.

There was a suggestion to consider involving the Gulf of Mexico and the Caribbean Councils in the management of dolphin, and potentially it was brought up to bring in highly migratory species for an international working group as well. There was support mentioned for allowing for-hire bag limit sales of dolphin and considering a 2,000-pound trip limit for dolphin, and so I will take a break there. Like I said, all of the action-specific comments, I am going to save for as we go through the decision document, because they're all embedded in there, and I don't want to spend too much time going over them twice, but I will be happy to take any questions on the material that was just covered.

MS. BECKWITH: Are there any questions for John at this point? I don't see any, John.

MR. HADLEY: I see a couple there that just popped up.

MS. BECKWITH: Yes. Go ahead, Dewey.

MR. HEMILRIGHT: Thank you. I was curious about one of the comments that said about a purse seine fishery for mahi, and I'm curious. Is that in the Atlantic or in the Pacific? I have never heard of any large-scale in the Atlantic part, and I was just curious if that was in the Pacific, the reference there. Thank you.

MR. HADLEY: That's a good question, and I am not sure. I would have to go back and look at that. I can tell you that I am not -- Not to say that it doesn't exist, but I am not aware of a large purse seine fishery for dolphin, but I know that, particularly internationally speaking, there is an increased using of FADs, and potentially using purse seines around those, and so that could be what it's referring to. I certainly would assume that it would be outside of the U.S. EEZ, if it were occurring in the Atlantic.

MR. HEMILRIGHT: Thank you.

MS. BECKWITH: Art, go ahead.

MR. SAPP: Dewey stole my thunder, and I had never heard of an Atlantic purse seiner, but it could exist, and, not that it matters a whole bunch, but he just spoke, when he said that there wasn't a lot of interest in changing the size limit on mahi, and he was actually talking about wahoo there at one point, but I don't know that it matters all that much.

MR. HADLEY: I apologize if I misstated that. The size limits comments were largely specific to dolphin, and there were a handful of comments on size limits for wahoo, but those were fairly rare.

MS. BECKWITH: Great. Thanks. Tony, go ahead.

MR. DILERNIA: Thank you, Madam Chairwoman. I see that there were eight and six, and so fourteen, respondents from the Mid-Atlantic and New England region. Did any of those respondents reply or make mention of the request to be allowed to fillet the fish, or fillet dolphin, or mahi, at-sea?

MR. HADLEY: Yes, and there were comments related to that.

MR. DILERNIA: Could you describe those comments for me, please?

MR. HADLEY: Sure, and I will include that -- There is a summary there, and filleting of dolphin at-sea, and so that's Action 13, there was a comment stating that -- I guess I will state this. In general, there weren't that many comments one way or another on this topic. However, if you characterized the comments that were received, it was stated, or it was suggested, to not allow filleting of dolphin at-sea anywhere, but, if the action does move forward, consider covering the entire Atlantic. Vessels in the South Atlantic often have to travel long distances as well, and so similar to the conditions found in the Mid-Atlantic and New England regions for dolphin.

There was some support for allowing the Mid-Atlantic and New England regions -- Allowing filleting in the Mid-Atlantic and New England regions and adhering to the entire skin -- When this is allowed, or if this is allowed, maintaining the entire skin on the fillet and the equivalent of two fillets being one fish, for bag limits purposes. It was noted that that would help mates, and it's consistent with the other regulations in the region. Marinas often don't have facilities to accept fish racks, and dolphin are easily identified by their skin, and so it is a good exception to the rule that generally covers the preventing of fish being filleted at-sea.

MR. DILERNIA: So I'm going to try to summarize what you just said, and please correct me if I'm wrong. It seems like there was a sentiment in the Mid-Atlantic and southern New England region to allowing the filleting of fish at-sea, with the provision that the skin be allowed on the fillet, but that folks from the South Atlantic felt that, if you were going to do it in the Mid-Atlantic and southern New England regions, then they also -- Folks from the South Atlantic region would also like to have that opportunity to cut the fish, and is that a correct summary of what you heard?

MR. HADLEY: Yes, and that's an accurate summary.

MR. DILERNIA: Thank you very much.

MS. BECKWITH: Okay. Is there anyone else? Seeing none, it looks like we can move on.

MR. HADLEY: I see one more hand.

MS. BECKWITH: John.

MR. HADLEY: It was John Sanchez, but I see his hand went down.

MR. SANCHEZ: I was just getting back on. Disregard that. Thank you.

MR. HADLEY: Okay. No problem. If there are no further questions or comments on the public hearing comments, we'll jump into the decision document for Amendment 10. This is Attachment B2 in your briefing materials under the Dolphin Wahoo Committee portion of the briefing book.

Just to orient everyone, and just to remind everyone that the actions that are included in Amendment 10 -- You can sort of loosely group these into three different topics of actions that

accommodate revised recreational data and catch level recommendations, and so taking the information that has been deemed the best scientific information from the SSC and implementing it into the Dolphin Wahoo FMP, and so these actions really focus on revising the annual catch limits for dolphin and wahoo to reflect the updated biological catch level recommendations that were received from the Scientific and Statistical Committee.

Actions 1 and 2 focus on the total annual catch limits, and Actions 3 and 4 focus on the sector allocations and sector annual catch limits. The next grouping focuses on changing recreational accountability measures, and we'll get into the details of this, but, in summary, these focus on revising the recreational accountability measures to address some deficiencies that currently exist in the accountability measures for dolphin and wahoo.

Then the last set of actions, Actions 9 through 13, implement various management revisions in the dolphin wahoo fishery, and these are covering public comments and requests that have been made to address changes that are needed, or deemed needed, and useful in the dolphin wahoo fishery. So we'll get into the details of each one of those, but, just as a general overview, that's what we'll be covering.

As far as the objectives for this meeting, we've already reviewed -- We have reviewed the initial public hearing comments, but we'll get into the details of action-specific comments as we come to them, but we'll review the public hearing comments and review and approve some of the edits, and there's a few edits to the purpose and need statements, to largely reflect the addition of the wahoo retention limit modifications, and so I'll go over those in just a minute.

We'll review the actions and alternatives and made modifications, as appropriate, and, in the end, we're really looking for some guidance on timing of this amendment. According to the council's current work schedule, this amendment is to be prepared for formal review and a final vote at the June 2021 meeting, and so, at the very end, once we get through it, either here or during Executive Finance, we're looking for clear guidance to the IPT on whether or not you feel this amendment is ready for a final vote and to prepare it for that vote.

Looking at potential amendment timing, according to the council's work schedule, we have two meetings left to review this amendment, and we'll be reviewing it at this meeting, and then, there again, potentially we're looking for formal review and a final vote at the June 2021 meeting. If that were to take place, the regulation changes would likely go in place sometime in 2022. Before we jump into the purpose and need statements and actions, I will pause for just a second. I am not seeing any hands.

With that said there were a couple of -- There were a few edits that were suggested to the purpose and need statements, and these edits really are in relation to the actions, and so Action 12 that was added, or that was at least suggested to be added, to the amendment that addresses bag limits and vessel limit changes for wahoo, and so, as such, the purpose has been edited to reflect that properly. Before, the recreational vessel limits were only being considered for the dolphin fishery, and so that information was moved up to the dolphin and wahoo fisheries, because it covers both species now, and it covers both bag limits and vessel limits, and so it's just highlighting that change that was suggested from the IPT, and we're looking for committee guidance on whether or not those edits look acceptable.



MS. BECKWITH: Are there any comments on those edits? Mel.

MR. BELL: It seems to just be dealing with sentence structure and including new stuff, and so I don't have any objection to that.

MS. BECKWITH: Okay. **Do we want to go ahead and put up a motion to approve the IPT's suggested edits to the purpose and need statement in Amendment 10?** Mel.

MR. BELL: **I will make that motion, Madam Chair.**

MS. BECKWITH: It looks like Steve is willing to second.

MR. POLAND: Yes, I will second.

MS. BECKWITH: Is there any discussion? **Is there any opposition? Seeing none, that motion carries.**

MR. HADLEY: All right. Thank you. Moving along, we'll jump into the actions and alternatives, starting off with Action 1, and just -- I will probably go fairly quickly through Actions 1 through 4, just as a heads-up, since you've selected preferred alternatives, and I'm going to highlight some of the new information that is available, but really it's going through the first four actions and making sure that you're comfortable with your preferred alternatives, and then we'll move on to the next set of actions.

Without further ado, starting off with Action 1, and this would revise the total annual catch limit for dolphin to reflect the updated acceptable biological catch level. Currently, the annual catch limit is set equal to the current acceptable biological catch level. Preferred Alternative 2 would set the total annual catch limit for dolphin equal to the updated ABC, and, there again, the updated ABC that was -- The catch level recommendation from the SSC.

Alternatives 3 and 4 would look at building in buffers between the annual catch limit and the acceptable biological catch. Alternative 3 builds in a 5 percent buffer between the two, and Alternative 4 builds in a 10 percent buffer between the two, and so just to emphasize that, currently, the council's preferred alternative is Alternative 2, where the ABC is set equal to the updated ACL.

Just to highlight additional information that's been made available since the last time that you reviewed this, and we took a look at the buffer between the ACLs and the average landings, looking at the five-year average landings, sort of highlights, and the new ACL -- The new total ACL for dolphin is expected to be well above these five-year average landings, and you can see the different buffers there between the alternatives. Looking at Preferred Alternative 2, you're looking at about a 47 percent buffer between average landings and what would be the new ACL for dolphin.

To review, there again, very quickly, some of the comments and recommendations that have been received on this, the Dolphin Wahoo AP endorsed Alternative 2 as the preferred alternative for both Actions 1 and 2, and, as far as a summary of public hearing comments received, some comments expressed general support for the council's preferred alternative, and so that's Preferred Alternative 2.

There were comments received to consider a 5 percent buffer between the ABC and the ACL, if there is concern over dolphin abundance, and there was also some support expressed for Alternative 4, to address uncertainty over dolphin landings, particularly in regard to international commercial fisheries, and it was noted that a precautionary approach, from this standpoint, is warranted, and so, there again, no committee action is required at this point, but just to make sure that you're comfortable with your current preferred alternative, which is Alternative 2, where the ABC is equal to the ACL.

MS. BECKWITH: Thank you, John, and I'm going to open up discussion, in case anyone wants to reconsider, or, if everyone is comfortable -- Obviously, putting a buffer in between the ABC and the ACL is an appropriate path forward, if there is concerns with abundance, or some biological concerns with the species, and it looks like we've got a huge buffer from what our average landings have been to what our new ACL is going to be, and so, on an average year of catch, it appears that we're not going to get very close to achieving our ACL. Shep.

MR. GRIMES: Thank you, Chair. I think, in terms of the buffer -- Well, not think, but the buffer between ABC and ACL is really intended to address management uncertainty, and it seems to me that putting that buffer in there will address concerns about stock abundance, when your five-year average shows that you don't expect to get anywhere near that new level. If you're not going to get anywhere near it, then how is it going to do anything to address, reduce, the biomass? Thank you.

MS. BECKWITH: Okay. Great points. Is there anyone else? Seeing none, I see no desire to make any changes.

MR. HADLEY: All right. Moving along to Action 2, this is a similar action. However, we're covering wahoo and revising the total annual catch limit for wahoo to reflect the updated acceptable biological catch level. Currently, the annual catch limit for wahoo is set to the existing acceptable biological catch level, and the council's preferred alternative, which is Alternative 2, would set the total annual catch limit for wahoo to equal the updated acceptable biological catch level recommendation, there again, of the council's SSC.

Alternative 3 would set the -- Alternative 3 and 4, there again, look at implementing buffers between the ACL and the ABC, and Alternative 3 implements a 5 percent buffer between the annual catch limit for wahoo and the updated acceptable biological catch. Alternative 4 implements a 10 percent buffer in the annual catch limit for wahoo and the updated acceptable biological catch.

Looking at a similar table as we just examined for dolphin, if you look at wahoo, it's a little bit different. If you examine the five-year average landings, this ACL, total ACL, may be -- Essentially, the ACL could be met. It's set below the five-year average landings. Looking at Preferred Alternative 4, you're looking at approximately a negative 4 percent buffer there.

One thing that I would like to mention is that there is some sensitivity as far as what your assumption is with landings, and the Table 6 here shows whether or not the ACL would be expected to be met under different assumptions, using a five-year average, three year average, or a maximum landings scenario. If you use that five-year average landing scenario, the ACL is expected to be met, there again likely late in the year though, and so sort of barely met, if you will.

If you assume the average over the past three years of landings reflect the wahoo fishery going forward, the ACL will not be met. If you use sort of a maximum landings scenario, which we'll get around to several times in the document, but, just to formally kind of introduce this again, the maximum landings scenario is the highest observed landings value over the past five years, and so it's kind of an extreme scenario, if you will, but, if this ACL were to have been in place under a maximum landings scenario, it would be met likely sometime in the fall or late summer.

As a reminder, the Dolphin Wahoo AP endorsed Alternative 2 as a preferred alternative for this action, and there weren't many public hearing comments on this action. However, some commenters did express general support for the council's preferred alternative, which is Preferred Alternative 2, and, similarly, there is no action required by the committee at this point, but just to make sure that you're comfortable with your preferred alternative at this point, and we'll move forward.

MS. BECKWITH: Okay. Does anyone have any comments? All right. I am not seeing any.

MR. HADLEY: Okay. Moving along to Action 3, this looks at revising the sector allocations and sector annual catch limits for dolphin. The current sector allocation is 90 percent of the total annual catch limit for dolphin goes to the recreational sector and 10 percent to the commercial sector. Alternative 2 would examine setting allocations based on approximately maintaining the current commercial annual catch limit on -- Maintaining it at the same level on a pound basis and then allocating the remaining revised total annual catch limit to the recreational sector.

Alternative 3 is close to Alternative 2, but it does provide a little bit more of an increase in the ACL to the commercial sector, and it would allocate 93 percent of the total annual catch limit to the recreational sector and 7 percent to the commercial sector. Similarly, Alternative 4 allocates 92 percent of the total ACL for dolphin to the recreational sector and 8 percent to the commercial sector. The council's preferred alternative, I will note, is Alternative 3, which would be a 93/7 allocation, with 93 percent going to the recreational sector and 7 percent going to the commercial sector.

Given the change, notable change, in recreational landings and how they're being accounted for between the Coastal Household Telephone Survey method and the Fishery Effort Survey method, and so CHTS to FES, the comparison between the current recreational ACL and what would be the new recreational ACL really isn't a proper comparison, because we're really changing the whole currency and accounting practices, but you can compare the commercial ACL, since those will remain in the same currency, if you will, and you can look at the -- Table 8 shows the difference in the commercial ACL under the different alternatives.

Preferred Alternative 3 would increase the commercial ACL on a pound basis, and so it's decreasing on a percent basis, but, since the total ACL is increasing so much, the commercial ACL would be increasing on a pound basis, by approximately 185,000 pounds.

Looking at a similar set of projections, if you use the three-year average landings or five-year average landings, neither the commercial sector nor recreational sector is expected to reach its sector ACL under any of the alternatives being considered. If you use a maximum landings scenario, and so, there again, that extreme sort of level, the commercial sector is still not expected to reach its ACL, and the recreational sector, under the maximum landings scenario, would be

expected -- The ACL would be expected to be reached sometime in late September or early October.

Preferred Alternative 3, I will note, under the max landings scenario, would be met around -- The ACL would be met around October 8, but, there again, if you use average landings, the average three years or five years, it would not be met, and this sort of illustrates -- Figure 3 illustrates that point, and the Figure 3 shows recreational landings, and so you can see, in most years -- The dotted line is recreational lines is recreational landings, and the solid, horizontal line is what would be the new ACLs, and, outside of that blip in landings, that increase in landings that were exhibited in 2015, the landings -- There is a pretty good buffer between the recreational landings and what would be the new recreational ACL, and you're looking at approximately five-million pounds or more. On the commercial side, and this is a similar figure, the dotted blue line being the commercial landings and the solid, horizontal lines being what would be the new commercial sector ACLs.

The Dolphin Wahoo AP, when they discussed this action, chose Alternative 2 as preferred in the action, and, as a general summary of public comments that were received, some comments expressed general support for the council's preferred alternative, and so Preferred Alternative 3, and there was also support for maintaining the commercial ACL on a pound basis, and so that would be Alternative 2, and there was also support for Alternative 4, which would increase the commercial sector allocation on a pound basis more than Preferred Alternative 3, and this alternative was supported under the notion that U.S. commercial fishermen can offer a premium product for dolphin compared to those that are imported and a reduction of 3 percent in allocation is not necessary at this time.

That is the sort of suite of public hearing comments that were received on this action. No action is required by the committee at this point, but, there again, I just want to make sure that you're comfortable with your preferred alternative, which is Preferred Alternative 3, which is a 93/7 split, with 93 percent of the total ACL going to the recreational sector and 7 percent going to the commercial sector.

MS. BECKWITH: Are we still good with this, folks? Is there any desire to discuss this? I am not seeing any.

MR. HADLEY: All right. Moving along, we're looking at sector allocations for wahoo, and, currently, the sector allocations for wahoo result in a 96.07 percent of the total annual catch limit for wahoo going to the recreational sector and 3.93 percent of the total ACL for wahoo going to the commercial sector.

Alternative 2 examines an allocation based on the total catch between 1994 and 2007. As you may recall, this is the same time series that the SSC used for setting the acceptable biological catch recommendation for both dolphin and wahoo. Alternative 3 looks at setting the sector allocations for wahoo by approximately maintaining the current commercial annual catch limit on a pound basis and allocating the remaining revised total annual catch limit to the recreational sector, and Preferred Alternative -- The council's preferred alternative, which is Preferred Alternative 4, would allocate 97 percent of the total annual catch limit for wahoo to the recreational sector and 3 percent of the total annual catch limit for wahoo to the commercial sector.

Very quickly, I will just review a similar set of tables. Overall, the council's Preferred Alternative 4 would result in approximately a 16,000-pound increase to the -- A 16,000-pound increase to the commercial ACL on a pound basis. Then one thing that I did want to highlight is the analysis of whether or not the annual catch limits would be reached. There again, a similar set of assumptions are used here, a five-year average landings, three-year average landings, and a maximum landings scenario.

For the commercial sector, the sector ACL would not be reached, and is not projected to be reached, under any of these scenarios. I will note that this is slightly different than the last time you saw this analysis. Under this analysis, Alternative 3 did show the commercial sector ACL being met, just barely, and late in the year. Due to a slight change in the landings dataset, the commercial landings dataset, for wahoo, this has changed, and, essentially, the box that I'm highlighting here, and the sector ACL would not be met for the commercial sector, and so I just wanted to highlight that change, and it's a little bit different than you saw last time.

For the recreational sector, depending on the landings assumption, the ACL would likely be met on the five-year average landings for the recreational sector. The sector ACL would be met, likely sometime in late December. Under the three-year average, the recreational sector ACLs would not be met under any of the alternatives, and, using that maximum landings scenario, and so sort of that extreme scenario, if you will, where the fishery is firing on all cylinders, so to speak, and landings are elevated, the sector ACL would be met sometime in September.

There's a similar set of figures here, this time focusing on wahoo, and we have recreational wahoo landings, and you can see that there was an exhibited spike in landings in 2015, 2016, and 2017. However, since then, landings have dropped down below what would be the new sector ACLs for the recreational sector.

Then, for commercial landings of wahoo, the dotted blue line represents commercial landings, and the solid horizontal lines represent the new sector annual catch limits for the commercial sector, and you can see Preferred Alternative 3 is pretty close there, and there's not very much of a buffer. Preferred Alternative 4 adds a little bit of a buffer there for the commercial sector.

The Dolphin Wahoo AP, when they discussed this action, they chose Alternative 3, or endorsed Alternative 3, as a preferred in this, in Action 4, and there weren't that many comments during public hearings that were received on this action. However, there was general support expressed for the council's preferred alternative, which is Preferred Alternative 4, and there was support for maintaining the commercial ACLs on a pound basis, which would be Alternative 3, and so nothing required from the committee at this point, but just to confirm that you're okay with your preferred alternative, which is Alternative 4.

MS. BECKWITH: Okay. Is there anyone that would like to discuss this further? It doesn't look like it.

MR. HADLEY: Okay. Moving along, we'll get into Action 5, and so Actions 5, 6, 7, and 8 cover accountability measures. Actions 5 and 7 cover the trigger for the recreational accountability measures, and Actions 6 and 8 cover specifying what those accountability measures would be, and there is quite a bit of new information to present here, and so we'll take a second to go over particularly the highlighted language, but I just wanted to briefly introduce this topic and the

alternatives being considered, and then I'm going to turn it over to Chip for a discussion on the use of geometric mean versus arithmetic mean, since that was a request of the committee at the December meeting, but, in general, kind of the crux of the issue, as far as what is being addressed for dolphin, is that there's language within the accountability measure that specifies that one of the triggers for the accountability measure is that that the species is overfished.

Currently, there is not a stock assessment expected for dolphin, and so there's not really a clear mechanism in place that would lead to dolphin being deemed overfished. Therefore, it is unlikely that the recreational accountability measure for dolphin could be triggered, and so that's kind of the issue that's trying to be addressed here.

Alternative 2 would look at implementing a post-season accountability measure for the recreational sector if the three-year geometric mean of landings exceeds the recreational sector annual catch limit. I will go over some of the IPT-proposed language that kind of strengthens this alternative. Essentially, the IPT's proposed Alternative 2 would implement a post-season accountability measure in the following fishing year if the recreational annual catch limits are constant and the three-year mean, and this could be specified whether it's geometric or arithmetic mean, of landings exceeds the recreational sector annual catch limit.

There are specifications for what happens when the annual catch limit changes, and so, if the recreational sector annual catch limit is changed in the first year of landings, the trigger would be based on a single year of landings, and then a two-year average of landings from that single year and the subsequent year, and then a three-year average running landings of those previous two years and the subsequent year thereafter.

The reason that this suggested edit is being brought forward by the IPT is that Alternative 2, as it's currently written, doesn't necessarily specify what happens in the first few years when an annual catch limit is changed. Essentially, if you're using a three-year geometric mean, you may need to wait three years to really have that full dataset, and so you could have essentially the recreational ACL could be exceeded in year-one and year-two and nothing happens, and potentially, in year-three, that's when the trigger occurs, and then year-four is when the accountability measure would take place, and so, basically, what happens in year-one and year-two was a bit problematic, and the language that's being suggested in the IPT's proposed Alternative 2 addresses what happens in year-one and year-two.

Alternative 3 would implement the post-season accountability measures based on the sum total of the past three years of recreational landings in comparison to the sum total of the recreational sector annual catch limits. Alternative 4 would essentially trigger the accountability measures for the recreational sector if the sector annual catch limit is exceeded in two of the previous three fishing years or exceeds the total acceptable biological catch in any one year.

The council's current preferred alternative, which is Alternative 5, would set the trigger for the accountability measure as occurring if the total annual catch limit is exceeded, and so the commercial plus recreational, the ACL combined. Then Alternative 6 would implement the post-season accountability measures if the recreational sector annual catch limit is exceeded, and so I would like to come back to what is proposed Alternative 2 and currently Alternative 2 and address the committee's request to have a more in-depth discussion of the use of geometric mean. With

that, I am going to turn it over to Chip to go over the information paper that was included in the late materials of your briefing book.

DR. COLLIER: Thank you, John. As he mentioned, at the December council meeting, you guys had indicated that you would like additional information on the geometric mean and when it could be appropriate, and so staff worked together to develop this document, which we hope will clarify when the use of the geometric mean could be appropriate.

What I am going to be going through today is the DW10 GeoMean InfoPaper that was provided in your late materials, and you will also notice that the paper that John has up on the screen has some highlights in it, and those are just some highlights that I felt were important, and so John is going to, hopefully, keep me on this highlighted points, and I won't get too far off-course.

The first statement that I have highlighted there is in the second paragraph, and it's really why we're doing this. Recreational data are used in three different ways. They are used to estimate landings, monitor catch relative to the ACL, and develop management measures. These are all very similar, but they have important, subtle differences.

The first way is to estimate the landings, and, here, they're primarily used in stock assessments, and these estimates are based on finalized datasets, and they are reviewed by people prior to use in the stock assessments, and, although the landings are reviewed in detail, they are quite often not changed, and that is because the stock assessments allow some lack of fit to the individual data points, and they have some statistical estimation techniques and evaluation of uncertainty that are built into the models.

A second way that the recreational data are used is it's used to monitor landings relative to an ACL. Here, the databases, or datasets, are usually preliminary data, as well as a portion of it is predicted for the year, for the portion of the year that has not occurred, and this is important, because the data have not gone through the same review process that is used in the above scenario.

A third way that recreational data can be used is to develop management measures, and you guys have been talking about some of that already, and the datasets are typically finalized datasets, but they have not gone through the thorough review that is usually done on a stock assessment, and so they are somewhat in between the two different ways that I talked about before. What we focused on in this paper is using the recreational datasets to monitor the catch relative to the ACL, and so, John, if you will please go to page 2.

The next point that I wanted to highlight is in the third paragraph, and that talks about the MSA requirements, where the council has to prevent overfishing while minimizing negative social and economic impacts. One of the goals that the council has mentioned is they want to try to avoid the negative impacts, the negative social and economic impacts, due to closures. In the past, the council has expressed a high level of concern in closing recreational fisheries based on just a few data points that were observed in MRIP, and this includes some of the estimates that were described for blueline tilefish as well as greater amberjack. In this paper, we try to point out the balance that the council needs to consider between the risk of overfishing and the negative economic and social impacts.

In the next paragraph that's highlighted there, it points out that the catch estimate could exceed the recreational ACL if the effort increases or the number of fish brought back on a trip increases. Another way it could -- Another potential cause of this increased landings estimate is if there is random errors in the survey, and that could be causing these changes in the survey.

Because the MRIP is not a census, like the headboat survey or the commercial reports, errors could be introduced, due to coverage, sampling, non-response, or measurement errors. Implementing an accountability measure based on an error in the survey is a management risk that the council should consider when proposing accountability measures. Given this risk, the council may wish to thoroughly review a method prior to using the values to implement an accountability measure or establish a process to review the data before it is used to implement an accountability measure.

I am going to focus on reviewing the method, and specifically three different methods, to develop an accountability measure. One is a single-point value, and the other one is the sum of three years, or an average, and the third one is going to be the three-year geometric mean. A bit of foreshadowing here, and no method is perfect, and the method to monitor the fishery may vary based on species data and the council's risk tolerance. John, if you want to go to page 3.

In the second paragraph, I wanted to point out that the paper includes discussion of two types of risk, the risk of overfishing and the risk of implementing an accountability measure unnecessarily. Quantitative estimates of risk are not available for these species or this analysis, and, therefore, what I am talking about is relative risk, and the relative levels that I have included in this paper are low, intermediate, and high, and the difference between the levels are not equally different, and it's uncertain exactly where it is.

Now we'll get into some of the data. If you want to go to Figure 1, it's pretty much there, and displayed are the number of targeted trips for dolphin and wahoo based on the Marine Recreational Information Program dataset, and this includes trips from the Atlantic coast, including Monroe County, and the way that I defined a targeted trip for this analysis was they are identified as the primary species on the trip.

What we have included are trips from 2010 to 2019, and so ten years of data, and, on the left side, you will see the number of targeted dolphin trips, and the targeted dolphin trips range between 1.2 million trips to over 1.8 million trips, and I also placed a box on there highlighting the 2015 point. As John pointed out earlier, or maybe you noticed earlier in some of the data, that's an extremely high point in the time series for dolphin landings, and it's actually eight-million pounds higher than the other years.

On the right side, I have the number of trips targeting wahoo, and you will notice that this is -- The number of trips is much lower for wahoo compared to dolphin, almost an order of magnitude less, and the trips range between 100,000 to 250,000 trips. Here, I have highlighted three different years in the wahoo fishery, and the 2015 to 2017 estimates were extremely high, with 2016 being the highest in the record.

If you go to Figure 2, this one is going to be looking at the catch per angler, and what I was trying to do is look at trying to see if there were differences in the catch per angler over time, particularly looking at the years that we had highlighted before 2015 for the dolphin fishery and then 2015 to 2017 for the wahoo fishery.



What these bubbles represent are actually landings estimates coming from the MRIP survey based on the landings per angler, and what I deduced from this is that 2015 doesn't seem substantially different for the dolphin fishery, and the 2015 to 2017 don't seem substantially different for the wahoo fishery, indicating that neither the effort or the landings per trip really increased over this time series, when what we're seeing are substantial spikes in the landings.

The next thing that really popped into my brain was, all right, and so how does this actually occur for a variety of species, and, John, if you want to go to Table 1. I ended up looking at seventeen different species, and I looked at the data from 2010 to 2019, to determine if there were really any trends in the recreational data or any general patterns or deviations within the datasets.

What I did here was I looked at the mean landings over this time period, and then I established a standard deviation for each species from 2010 to 2019. If the landings had noticeable trends, they were excluded from the analysis, and you can see there's four species, black sea bass, gag, king mackerel, and vermilion snapper, and they all had trends in the data, and so they were eliminated. This left an additional thirteen species, and then we compared the landings estimate to the standard deviations, and what I looked at with this was looking at two standard deviations above or below the mean, and a spike is considered two standard deviations above, and a dip is considered two standard deviations below the mean.

What you will see here is seven species exceeded two standard deviations above the mean, once over this ten-year period, and then there were an additional two other species that came very close, and they were within 2,000 pounds of being classified as a spike, and so, given all of this information, seven of the thirteen species, with two additional species, had substantial spikes in the data, and, therefore, central tendency might not be the best way to -- Or an average might not be the best way to get to the central tendency for the dataset.

Geometric mean is a common approach to deal with data streams that have spikes like this, and it tends to better represent the central tendency. As John pointed out, geometric mean is simply done by multiplying the points and then taking the root of the number of points, and, if you want to go to the dolphin figure, John. Thank you.

I do want to apologize here, and I had some gremlins in my document, and it actually moved the documents around for me before I sent into Myra, and so I apologize for some of the figures being out of order, but, in this plot, what it includes is those ten years that you had seen earlier, or that we had considered earlier, and then it looks at the three different methods to develop an accountability measure, it includes a point estimate, an average, and a geometric mean. Then I also have the box on there representing that 2015 point estimate.

For dolphin, if these accountability measures were in place, the single point estimate would have resulted in an accountability measure being implemented in the 2016 fishing year, due to that 2015 point, and remember back to those earlier plots, where we looked at the recreational effort, and also landings per trip, and they did not have substantial differences. The geometric mean and the average both appear -- Neither of these would trigger an accountability measure, and you're not -  
- Based on this plot here, you're not seeing substantial differences between the geometric mean and the average.

John, if you want to go down to the wahoo figure, and so this is the landings of wahoo from 2010 to 2019, and you can see the general trends in the landings, and then we also have the point estimate, the average, and the geometric mean on there. One thing that I do want to point out is, when you're using the geometric mean and the average, you can have a delayed response before triggering an accountability measure, and that response can remain in there for a little bit longer than those extreme landings events.

Once again, for the point average, from 2015 to 2017, accountability measures would have been triggered for this species, and they would also have been triggered with the average as well, and it would have been triggered for three years. The geometric mean would have resulted in an accountability measure being triggered for two years, and so you're getting a reduction in the overall point estimates using the smoothing, or the averages, with the geometric mean and the arithmetic mean, and then you're getting an additional smoothing from the geometric mean, just due to how the data are treated in that averaging method.

The other thing that I want to point out is you can see there's a bit of difference between the average and geometric mean, and the geometric mean is always less for all years, and, therefore, the geometric mean would be a bit riskier, as described in the paper, than using either the landings or the average, and that's because the landings could actually be the truth, and we're not absolutely certain, when these spikes occur, whether or not it's an error or it's a true deviation in the sample or increased landings.

Given that, there is risk that the survey has some error, or multiple errors, which contributed to higher than normal landings. In thinking about all of these together, the point estimate has the lowest risk of overfishing, but it also has the highest risk of implementing accountability measures that might not be warranted, and the average is an intermediate method, in terms of the relative risk, and then the geometric mean would have the highest risk of overfishing, but lowest risk of implementing an accountability measure when it's not necessarily needed.

Another note that I do want to point out is we do not have overfishing levels for these two species, and so that can't be defined. There are some additional pieces of information on distribution and normality that some people might find interesting, and I'm not going to go over that right now, but in conclusion, the council may wish to consider past performance of the catch estimate for a particular species before deciding how to balance the risk of overfishing with the risk of unnecessary regulatory changes, and this could include the PSE of the estimates, their distribution and trends over the time series, and the frequency of spiky estimates. You can examine each species on a case-by-case basis to determine the most appropriate method for triggering accountability measures or develop a protocol to review the recreational data prior to implementing recreational accountability measures. With that, that is pretty much the entire paper. Hopefully it wasn't too boring for you guys.

MS. BECKWITH: No, Chip. The paper was great. It was super helpful, and I appreciate you guys putting the time into that to help explain it, not only to us, but also to have the public be able to reference something.

MR. HADLEY: Thank you, Chip. Are there any questions before we go back into the decision document?

MS. BECKWITH: Steve, go ahead.

MR. POLAND: Thank you, Anna, and thank you for that, Chip. I've got a -- I don't know if you can answer this question, Chip, or if it would be better for somebody from the Science Center, but, recently, we reviewed the report from MRIP's contractor looking at rare-event species and smoothing of catch estimates, at the private rec reporting workgroup meeting a couple of weeks ago, and I can't remember, but, in that report, they made the recommendation, and I think Clay mentioned it earlier, of considering five-year averages. Were those arithmetic means or geometric means that they were looking at?

MS. BECKWITH: Chip, go ahead.

DR. COLLIER: They were arithmetic means, is what they were looking at with that, and I believe they also did some modeling as well, and so I didn't exactly see the techniques that they used for the modeling part of it, but, even with the modeling, you would still have to look at the distribution of the data, to make sure you're using the appropriate techniques, and so, based on what we were looking at with the dolphin and wahoo data for the past ten years, they definitely have deviated some from normality, and so there would have to be some kind of logarithmic transformation or treatment of the data, if it is modeled.

MS. BECKWITH: Okay. Are there any other questions? All right, John. Dewey, go ahead.

MR. HEMILRIGHT: Thank you, Anna. Chip, this is a great presentation, even though I don't understand it all, but it seems like that we're having to come up with more ways not to defend, but work through the MRIP process, and is this going to be something, and I guess the council will decide, ongoing, this type of geometric or arithmetic or type of deal that's going to be going forward in the future?

It seems, and it is for me, to be difficult to follow, with all the explaining, and it seems like each council or region are making up different ways to, not get around, but to explain or come up with the numbers for the recreational estimation that MRIP is not producing, because of its efficiencies, and I am just wondering how is -- Is there going to be any going back and looking at this stuff where allocations were decided, based on MRIP, that had all of these uncertainties, and particularly to blueline tilefish in the South Atlantic, that MRIP had these uncertainties when it was decided, the allocation issue, and I was wondering if that's going to be looked at, do you think, and maybe could this type of approach be used for that, to help out and to smooth it out a little bit better, for accuracy? Thank you.

MS. BECKWITH: Dewey, I think we're talking about a couple of different things in that comment, stuff that goes on in the assessments versus triggers for accountability measures, and we're definitely working within the limitations of a survey versus a census, but I'm going to let Chip see if he has anything additional, to help clarify for you.

DR. COLLIER: I was just going to point out that management to ACLs, even though it's been in place for ten years, it takes a little bit of time to get it through the system, and I think each council is really figuring out what they have to do for recreational fisheries, and commercial fisheries have been managed through TACs in the past, and so they have developed some methods to do it. Recreational fisheries didn't necessarily have those total allowable catches in the past, and that's

one of the things that the reauthorization did, was develop the -- Make sure that everyone was accountable, and so we're just having to work through that and work it into the system, and, over time, we're going to get better with it and have more consistent approaches.

MS. BECKWITH: Carolyn.

DR. BELCHER: Just a question relative to when -- So we're dealing with the actual landings estimate, and I guess the question that kind of comes to mind, for me, is the disconnect with we're talking about a management level, looking at this after the results of the assessment have been done, and working the smoothing aspect of it, which, like I said, I understand dealing with the outliers and all, but how do you reconcile, or do you think that there's an issue with the fact that, at the data workshop, these conversations aren't being had, nor is the data being adjusted in that same way prior to going into the assessment, and do you think that that's a problem or not?

MS. BECKWITH: Would someone like to tackle that one?

DR. COLLIER: Sure. I will jump in if you want me to, Anna.

MS. BECKWITH: Sure.

DR. COLLIER: Right, and that's what we were trying to point out in the beginning, where the treatment of the different datasets is very different. Within the assessment process, you're looking at multiple series of data streams going into the assessment, and it's not just a single stream or a single point that you're looking at here for determining whether or not it has reached or exceeded an annual catch limit, and so the stock assessments are able to account for some of that maybe deviations from normality, and they do recognize a lot of these points, and they will look into exactly what caused the real high landings estimates or real low landings estimates and try to have an answer on why they're there, but they don't always change based on that.

It could be an issue, because, if you have a very high level, it is going to scale the fishery, or it might change the fishery some, but, in recent years, as SEDAR, or the Southeast Fisheries Science Center, has been going through some of their sensitivities analyses, they've been looking at the impacts of these single-year data points and whether or not you smooth them, and it's not typically having a huge impact on the overall assessment and not changing the MSY values, it seems like, in significant ways.

MS. BECKWITH: Thanks for that, Chip. Shep.

MR. GRIMES: Thank you, Chair. I just wanted to respond or, I guess, follow-up on Dewey's comment, because I didn't feel like I heard much of a direct response to it, but, as I understand Dewey, and I think he has a legitimate point, he was saying that the MRIP catch estimates are good enough to support decisions for allocation, but aren't good enough, or aren't precise enough, to support in-season management, and he was flagging somewhat of a disconnect there.

I am certainly not the best one to answer this question, but, based on what Chip said -- I mean, for one, these aren't assessed stocks, and so we're not dealing with a stock assessment that's coming in and doing stuff to the landings to inform the assessment in a more appropriate manner, but, as I understood Chip, these are -- I mean, we're getting preliminary numbers for ACL management

purposes, and we have the final numbers, at least, for allocation purposes, and there are differences between the two, but, I mean, I don't know if there's anything else we could say to support the approaches we've been following so far. Thank you.

MS. BECKWITH: Thank you. Is there anybody else? Carolyn.

DR. BELCHER: I am not really sure how to articulate it, but I think the big thing, for me, is just the idea that, if you were in the assessment, and we were talking about the data streams, like we do individually, it seems like the folks who know the survey the best should be the ones to help us identify what are problematic points and why they're problematic points.

That way, when you go to apply them elsewhere, they have already been flagged, and they have discussed if there's opportunities for ways to address them or not, and I just feel like there's two potential disconnects there, because I still see the landings stream as the same stream, whether it's in an assessment or outside of an assessment. The things that plagued the MRIP index in the assessment are the same things that you're going to get even outside of an assessment, and so is it better to get the analysts to tell you what they think is going on with the data and how to adjust it, or is it better for managers, who aren't as familiar with it, putting circles around the points?

I mean, granted, that's a little bit harsh, because I know you're talking about putting central tendency evaluation to it, but, in the sense of who is doing that, is it the people who are actually generating the index, or is it people after the fact and looking at the index and wanting to fix it? If that's clear, I hope, and, if not, maybe Chip can kind of elucidate a couple of nuggets out of what I just said.

MS. BECKWITH: Chip.

DR. COLLIER: That actually makes me think about one of the sections in the paper, and we talk about that exact point, is the council could choose to do this, could figure out a method to do this, or they could have a team review the data before it's implemented with -- Before an accountability measure is implemented, and so, even though, right now, the way that dolphin wahoo is set up, it's set up to do the method first, and this is the review of that method, another opportunity would be to set up a review team. Generally, it looks like you get these what I have defined as spikes in the landings about once every ten years, and it doesn't happen for every species, but that looks like the frequency that they occur.

MS. BECKWITH: Andy.

MR. STRELCHECK: Thanks. Chip, first, thanks for the presentation. That was really insightful. Where I guess I'm struggling with this approach is kind of exactly what we were just talking about, and how are we defining an anomaly, or a spike, or, for that matter, a dip in landings? We often concentrate and focus on what's above the line, but there certainly could be reasons why we get a very low landings estimate as well that drags things down that, in all reality, is maybe not a realistic data point either.

To me, I think, if we're going to pursue such an approach, and I'm still not sure that a geometric mean, or even a multiyear average, is even the best process, and I'm wondering if we should think through if there is ways of -- You know, people are mentioning a team approach, but putting some

bounds around when it scientifically makes sense, or from a management point makes sense, to remove data points that appear to be outliers and whether that's because of percent standard error or other factors, but to be able to draw those boundaries, so that it's kind of very clear and black-and-white with regard to how those AMs would be applied, or wouldn't be applied, going forward.

I don't have an answer for you today, but certainly we don't want management to be driven just based on very uncertain estimates. With that said, we're talking about dolphin here, and that's probably one of our more precise MRIP species, in terms of the percent standard errors, and so I struggle with using this concept for a species that actually has very low uncertainty, with regard to the landings estimates.

MS. BECKWITH: Okay. Art.

MR. SAPP: (Mr. Sapp's comment is not audible on the recording.)

MS. BECKWITH: Art, we cannot hear you. Art, we could sort of hear you, but you were not very clear. If you want to type in your comments, if that's an option, maybe someone can read it out for you, if you can't get a quieter spot. Is there anyone else? Okay. Shep.

MR. GRIMES: Thank you, Chair. Well, I guess I just wanted to note -- I know there's no motion on the table to consider changing preferred alternatives for this, but I think it's relevant. Just looking at this, and thinking back over some of the stuff that Chip went over, it's an unassessed stock, and OFL is unknown, and we've had, at least from Florida, concerns expressed about potential decreases in abundance, and I think all of that, to me anyway, would argue for wanting an effective -- At least a reasonably conservative trigger on implementing accountability measures, which are, in essence, intended to prevent overfishing, and so I would just offer that for your consideration and putting it in the record. Thank you.

MS. BECKWITH: John Carmichael.

MR. CARMICHAEL: I think one point to make in this is that this is being looked, from my understanding, because the council wants to make sure that you're not applying an accountability measure in response to what is just a very unusual MRIP observation, and, as Chip has pointed out, there's been a number of instances in the past where you get an estimate which is much out of the range of what you normally see, and there's a lot of questions about that. There's not a lot of confidence, a lot of times, that these spikes are truly representing what's going on in the fishery.

The question isn't so much about protecting the stock and preventing overfishing, but it's more about guarding against imposing these social and economic consequences when you don't have confidence, and I say you the council don't have confidence that what you're being told in these estimates is what is really going on in the fishery, and that's why reason why there is more of a concern with the spikes than the dips, because you're not imposing accountability measures because of the dips.

A lot of times, we look at the dips and just think, well, that's interesting, and I hope that doesn't tell me that the stock is not doing very well, and, a lot of times, we look at these spikes and get concerned about the estimate, because they're going to put a consequence on the fishery. If we don't see an increasing trend for a number of years, we often don't have a lot of confidence that

those spikes were what was going on in the fishery, and the geometric mean is just one way of looking at that.

We could also do other alternatives, where, if you get a spike, the council simply doesn't just authorize the National Marine Fisheries Service to, by default, apply the accountability measures, and that, instead, we actually evaluate that number and find out if it's legit and if it's a sign of something happening to the fishery. I mean, I think, for those reasons, this isn't so much about the preventing overfishing situation. If we had confidence in this data, then we would be in a different ballgame. We're talking about this for the recreational and not for the commercial, because of the issues with the recreational data.

MS. BECKWITH: Thank you, John. That's really well said, and it frames some of the discussions the council has had in the past quite well. Shep.

MR. GRIMES: Thank you, Chair. Well, so my concern with that is that the accountability measure is all about preventing overfishing, right, and that the law requires that you prevent overfishing while minimizing, to the extent practicable, adverse social and economic impacts, and what you just did is what I would say is invert those, and that your primary concern is not unnecessarily impacting and discounting information, when you don't really know how -- Admittedly, it's uncertain about the quality of that information, but, as Chip had said, the numbers could be spot-on, and it seems odd that we would be talking about this, as Andy mentioned, in the context of dolphin, which has some of the lowest CVs of any of the species you manage. Thank you.

MS. BECKWITH: Carolyn.

MR. CARMICHAEL: To that point, if I could.

MS. BECKWITH: Certainly.

MR. CARMICHAEL: I think the trouble with that is we don't have an assessment, and we don't know where overfishing is occurring, and we don't know what the OFL is. We have an arbitrary definition based on some measure of landings, and, when we get an estimate of those landings, which is considerably out of the range of what the fishery has done for twenty years, I think the council has good reason to cast doubt upon that estimate and be hesitant to apply accountability measures as a result of it. If we had an assessment, it could be a different story, in a lot of these cases.

MR. GRIMES: Well, but, if I could, but you're not hesitant to increase the ABC in response to it, right, and to increase catch levels, and so that's -- At least that's not being evenly handled.

MS. BECKWITH: Okay. Carolyn.

DR. BELCHER: I was just going to kind of come back to -- The other thing that I had kind of stated and wanted to carry through is I get John's point, and I am following along with it, but the thing, to me, is this is still the MRIP landings stream that we're using, and I understand that the assessment can do other things with it, but, to me, in and of itself, we should have the same

discussion in a data workshop and talk about the issues with the data and determine whether or not it should be smoothed with the same methodology.

If it's going to be -- If the idea is we're looking for something that we can apply across species, there's a chance that this could go into an assessment, and so, if by some divine miracle, this thing were to be assessed in a couple of months, which would you go back to, the original point estimate, or would you be arguing for using the geometric mean as a different technique? I think that's the hard part.

To me, I take the performance out of it, in terms of the preferred ACL, and I talked with Chip about this a couple of days ago, just via email, and, to me, as a stat person, they perform about the same, because the magnitude of that elevational point doesn't pull it dramatically one way or another. I would wonder why you would argue for geo over average at that point, relative to the arithmetic, and so I think there's just a couple of different ways of looking at it. To me, the time series is the time series, and we should be talking about it whether it's the science realm or the management realm, as to what the issues are, because, if it's not good on one side, I don't see how it's good on the other.

MS. BECKWITH: Well, I'm not really sure where that leaves us. What do you guys want to do? John, do you want to take us back to the document, and maybe we can discuss if the IPT's proposed Alternative 2 is something that folks want to put into the document instead of the regular Alternative 2, as a first step?

MR. HADLEY: Yes, and here it is in front of you, the IPT's proposed Alternative 2. A couple of things to note is that it does have that additional language that I went over of specifying what happens in year-one and year-two and then year-three and every year after that. The last time the committee discussed this, you wanted to further look into the use of arithmetic versus geometric mean, and we certainly don't have to. If you don't want to consider that, you don't need these sub-alternatives, Sub-Alternative 2a or 2b, but the IPT went ahead and built those in, kind of just thinking ahead, if the council does want to kind of look between those two definitions of mean.

MS. BECKWITH: Yes, and, in fact, I had spoken with John earlier, and I liked the language in the proposed Alternative 2, and, in fact, I wanted to introduce a hybrid of proposed Alternative 2 and Preferred Alternative 5 for consideration that would look at the three-year mean of the total landings, and so, John, do you want to bring up that additional language?

MR. HADLEY: Sure. I have it right here, and this is essentially the same language as proposed Alternative 2, but it essentially -- You can see what is highlighted here, or rather what is in capital letters would be the change, in the struck-through language, and, in that case, you are basically using -- Instead of using the recreational annual catch limits, you're specifying the total annual catch limits.

MS. BECKWITH: Right, and my idea behind this, again, was sort of our current Preferred Alternative 5 is to implement the post-season accountability measure in the following fishing year if the total annual catch limit is exceeded, and so I like the idea that we could use -- The commercial folks have a hard stop on theirs. If they're not catching their total, maybe it gives a little bit more of a buffer for the recreational, to make sure that we're not closing unnecessarily, and I thought that creating a hybrid between that proposed language and Preferred Alternative 5 might be



something worth considering, again, if the intent is to make sure that we're not implementing accountability measures unnecessarily, if there's not an increased trend in the fishery.

Obviously, if there's a long-term increased trend in the fishery, then additional things should be considered by the council, and so, if folks want to take a quick look at this, and maybe if we add in one of those proposed alternatives, and maybe someone can move to add in both of these options for consideration in the paper, but I will open it up for comments. Anybody?

MR. HADLEY: I am just moving this over to the decision document, so we can kind of see them side-by-side, and you can see the upper one uses the recreational annual catch limit, and the bottom one is the potential new alternative that was just introduced that focuses on the total annual catch limit.

MS. BECKWITH: Thanks. Andy.

MR. STRELCHECK: Thanks. From my perspective, I feel like this isn't quite right for inclusion in the amendment, and I think we should take some additional time, and Carolyn raised some excellent points, and I think working with some of the Science Center stock assessment biologists, kind of in coordination with the management considerations here, would be beneficial and could flesh this out further for an action to come back before the council, potentially, in a separate amendment or action, and not necessarily specific to dolphin wahoo, and so I would vote against this motion.

MS. BECKWITH: Okay, and you would be voting against inclusion of both of these proposed alternatives or just one of them?

MR. STRELCHECK: Both.

MS. BECKWITH: Okay. Jessica.

MS. MCCAWLEY: Now I'm torn, based on what I heard from Andy, because I was going to suggest adding these both in there, and I really liked this discussion, and my preference would kind of be for the geometric mean on either one of these two new alternatives, but I guess let me pose a question here. So, originally, these accountability measures were in a different amendment, and we pulled them into the dolphin wahoo amendment, and so I'm wondering if maybe somebody could remind me of the timing on that. Should we pull them back into the accountability measures amendment, but can someone remind me where that is on our priority list and all and the timing?

MS. BECKWITH: I think it was because our current accountability measure talks about overfishing, or overfished, and it's not a valid accountability measure for dolphin, and so there seemed to be a push to make sure that we had an appropriate one in place in Amendment 10. I am personally okay with these, and I wouldn't be opposed to putting them into the document, and I understand Andy's concerns, and it may not be that we have to choose one of them, and I was personally leaning towards the geometric mean, and it seems to make sense to me, but, you know, if that's not an option, then we certainly have other things to choose from, but I don't know that we would have to pull the whole action out. I see Myra and Mel.

MS. BROUWER: Thanks, Anna. I was just going to respond to Jessica's question. If I understood correctly, she was asking where we are on the recreational AMs amendment, the comprehensive one, and, if that is indeed what she was asking, that amendment was sort of put on hold, pending deliberations of the private recreational workgroup, and so we're just sort of hanging back on that one for the moment.

MS. BECKWITH: Mel.

MR. BELL: I was just trying to figure out, based on what Andy said and others, if we put this in there, if you put the green in there, and keep the yellow in there, is that going to add a lot of work and complexity to this, since we've already got a preferred in Alternative 5, but the idea was to have this ready to go in June, and are we going to add a tremendous amount of work, or should we kind of maybe follow I guess Andy's suggestion that we deal with that separately and then we just mention that, and we did sort of freeze the accountability measures amendment, and so I'm just -- It just seems like this would be a lot more work, when we already have a preferred, and it doesn't mean that we have to go back and choose one of these, but I'm just not certain how much we're maybe adding to the timeline here.

MS. BECKWITH: Mike Errigo.

DR. ERRIGO: I just have a question, from the standpoint of an IPT member, and, from what Carolyn was talking about, is the committee interested in adding some kind of alternative or doing some kind of analysis about adding the workgroup approach to analyzing the data that comes in from MRIP for each species and to look at if there's a spike, if this particular year happens to be outside of the two standard deviations, let's say, outside of the mean landings for the last several years, and why is it so, and that kind of thing, but to do that type of analysis, almost like a data workshop analysis, for each species in each year when looking at the -- You know, compared to the ACL and adding something like this into this amendment?

MS. BECKWITH: Do folks have comments on that, because, I guess, in my mind, the information is missing in some of these, like under Preferred Alternative 5, but, in theory, I almost feel like, yes, that would be a good step forward, but that language of however the recreational annual catch limit and length of the recreational -- You know, the Regional Administrator flexibility language that we've put into these triggers before, and that's sort of intended to give the Regional Administrator the opportunity to take a look at some of those skewed landings, but, yes, that's an interesting path forward.

I was personally leaning towards a geometric mean, but, if there's discomfort with that, then we can pull these two proposed and keep our current preferred, and maybe add an alternative that says, if there's some sort of spike, that it's reviewed prior to the accountability measure being implemented, to ensure that it's reasonable, but I would need some help and a path forward from some of the committee members, because I think where I was intending to go is not the direction that we're going to end up in, and so Steve.

MR. POLAND: Thank you, Anna. I'm going to try to propose a path forward, and so we know we have that recreational accountability measures action on hold waiting for the conclusion of the private rec reporting workgroup, and why don't we take this proposed AM trigger out, or not consider it right now, but obligate ourselves to look at AMs for dolphin and wahoo in that

amendment, and I don't think there's anything stopping us from going ahead and taking action on accountability measures right now and turning right around and looking at those accountability measures again in that amendment, and it looks like it's going to be about a year before we get back around to it, and that will give staff and the Science Center and SERO time to digest this, as well as myself, and there's a lot to synthesize here, and that's my attempt at providing an option for moving forward.

MS. BECKWITH: Well, in our preferred in wahoo, and a couple of action, was, I think, the geometric mean option, and so are you suggesting that we just take these proposed alternatives out and just sort of shove that forward and reconsider that language and move with one of the other options in this document, or are you suggesting that we move these actions completely out and deal with --

MR. POLAND: I was suggesting keep the actions in this document, because, like you said, the no action alternative isn't right, since it references an overfished status, and so that needs to be changed, but I was leaning more towards just taking these particular alternatives and obligating ourselves to look at it again during that other rec accountability measures amendment.

MS. BECKWITH: Okey-dokey. Shep.

MR. GRIMES: Thank you, Chair. I don't want to backtrack here, but I wanted to say something in response to what Mike E. was suggesting, and we can certainly put some sort of alternative like that in there and develop it, and it's hard for me to envision without seeing something in writing, but, as I understand it, or understood what he was suggesting, I think you would probably have difficulty building into an accountability measure an explicit review process for the data that is coming in, because you're building in a lot of discretion and a lot of uncertainty, and these are things that we implement through closed framework, and so we're not taking prior notice and opportunity for public comment, and I think that kind of process makes it harder for us to do what we normally do with it, and, given how quickly we usually need to implement accountability measures, that seems like that would be problematic. Thank you.

MS. BECKWITH: Okay. Myra.

MS. BROUWER: Thank you, Anna. I just wanted to clarify that the recreational accountability measures amendment was for the Snapper Grouper FMP, and the council could certainly expand that to cover other FMPs, but, currently, it's just for snapper grouper, and so I'm just making sure you are aware of that.

MS. BECKWITH: Andy.

MR. STRELCHECK: I would certainly encourage the council to maintain this action and select your preferred, or keep with the preferred, in this amendment. In terms of Mike's comment about a workgroup, kind of immediately what came to mind for me is how would that work, and, administratively, how burdensome it would be and who would be involved, and I think there's lots of questions, and I'm not necessarily opposed, in concept, but I think, once again, it kind of gets back to what I was mentioning about the mechanics of evaluating the geometric mean, or arithmetic mean, and the workgroup that pulls in the Science Center could potentially also come up with recommendations or suggestions for the council on alternative approaches that may not

even be related to the methods we were presented today, and we could then revisit this in a subsequent amendment.

MS. BECKWITH: Okey-dokey. The path is clearing. John Hadley.

MR. HADLEY: I just wanted to point out -- I didn't want to derail the discussion earlier, but one of the issues that I don't want to get lost is that Alternative 2, as it's currently written, it needs to be altered in some way and/or removed, and that is a -- That could be through the IPT-proposed Alternative 2 or remove it or what have you, and it's not so problematic for this action, regardless of what you want to do, but, Anna, as you mentioned, it is a bigger deal when we get to wahoo, in a couple of actions, since Alternative 2 is your current preferred alternative.

Presumably, what we do with this alternative here, we can apply that to Action 7, which we'll get to in just few minutes, but I just wanted to point out that Alternative 2, as it's currently written, has been identified as needing some work.

MS. BECKWITH: Right. Shep.

MR. GRIMES: Thank you. I just wanted to support that and say I wasn't -- Read nothing I've said as not saying Alternative 2 should be replaced with the IPT proposed, but we were talking about the sort of geometric and arithmetic mean and other issues related to ACLs and AMs generally, and so thank you.

MS. BECKWITH: Okay. I need either a motion to add the proposed IPT or to get rid of Alternative 2 or something, and so somebody throw a motion out. I am going to start calling names. Do you guys want to keep the IPT's proposed Alternative 2? Do you want to not accept either of these and leave Alternative 2 as-is, which John Hadley has already said is a problem? Mel.

MR. BELL: A quick question that John had mentioned, and so Alternative 2, as it's worded right now, has a flaw in it, apparently, and so that needs to be corrected, or you could leave it in with the flaw in it, and, again, we've already picked a different preferred, and, I mean, is it a fatal flaw if we leave it that? Do we need to correct that, or can we leave it in flawed manner? Maybe that's a John question.

MS. BECKWITH: It is a fatal flaw if we leave it as-is and then keep it as a preferred under wahoo.

MR. BELL: Okay, and so replacing it with Alternative 2 in the yellow would leave us in a better position, if we follow along that line for wahoo as well, and is that?

MR. HADLEY: Correct. It addresses that issue of what happens in year-one and year-two when you implement a new ACL.

MR. BELL: Okay. **Well, then I would say, so as not to have a fatal flaw when we hit wahoo, if we add it here, and wahoo is appropriate, then, again, we don't have to choose it as a preferred, but it's there, if that makes sense, in terms of moving forward with this.**

MS. BECKWITH: Sounds good, Mel.

MR. HADLEY: So did I hear a motion?

MS. BECKWITH: That's what I heard.

MR. BELL: **I will make that a motion.**

MS. BECKWITH: While he is putting it up there, again, the only difference between that yellow and that green was the yellow uses the recreational sector ACL, and the green would use the total ACL, and so it would give a little bit more of a buffer, and so I just want to make sure that folks understand that, even if it doesn't end up in the document, because it sounds like the Regional Administrator is uncomfortable with that direction at the moment, and it would have been the least likely to kick in an unnecessary accountability measure, because it would have used the total ACL, and so I just wanted to make sure that folks are clear on that, since it doesn't sound like it is going to be added. Andy.

MR. STRELCHECK: I'm okay with adding this, or replacing the current Alternative 2, and I will caution against what you just said though, in terms of triggering an unnecessary accountability measure, because the presumption there is that you were assuming that the landings in some way were flawed, and I don't think any of us have information to prove that one way or another, other than the fact that they were higher than other average landings in years surrounding that spike.

MS. BECKWITH: Okay. Is there anyone else? Okay. Do I have a second for this motion?

DR. BELCHER: Second

MS. BECKWITH: Perfect. I heard everybody, but Carolyn. **Is there any opposition to this motion?** Is there any further discussion? **Seeing none, the motion carries.**

MR. HADLEY: All right. So we addressed what to do with Alternative 2. Just, really quickly, to restate your preferred alternative, it's to implement post-season accountability measures in the following fishing year if the total annual catch limit is exceeded. Very quickly, I wanted to -- We went over some of the tables and figures here, but I wanted to just introduce a table that was included in your decision document that shows what -- Essentially, Chip went over it, but it shows whether or not the post-season accountability would have been triggered based on the past ten years of recreational landings data.

Under Alternatives 1 through 3, if those triggers were in place, the accountability measures would not have been triggered at all. Alternatives 4 through 6 use the point estimates, and so the single year potential estimates as triggers. Over the past ten years of available data, those AMs would have been triggered only one time, and that's based on 2015 landings data, and so that's just kind of a little bit of a comparative analysis there.

Looking at the public hearing comments, you really didn't have many public hearing comments on this action, and there was general support for the council's Preferred Alternative 5. As a reminder, when the Dolphin Wahoo AP did discuss this action, they did not choose a single alternative, but they noted that the multiyear triggers that take into account variability in landings

are preferred. We have already addressed the IPT's edits, and there is no further necessary committee action, as long as you're okay with the current preferred.

MS. BECKWITH: Okay. Based on all of that discussion, I don't see a desire to change the preferred, unless someone speaks up. Otherwise, we can move on.

MR. HADLEY: All right. I am not seeing any hands, and, on that note, we'll move on to Action 6. In Action 5, we were looking at the trigger for the recreational accountability measure for dolphin. In Action 6, we're looking at specifying what that accountability measure will be. I'm going to scroll down to a table that's included in your document, because it allows a little bit easier comparison of the alternatives in Action 6, but, essentially, under Alternative 1, a reduction in the sector annual catch limit under the accountability measure by any overage of an ACL, and then the fishing season would be reduced accordingly, to ensure that that reduced sector ACL is not exceeded, and so, in other words, there is a payback provision in the current post-season recreational accountability measure for dolphin.

Alternative 2 would reduce the fishing season to prevent the sector ACL from being exceeded, and Alternative 3 would reduce the bag limit to prevent the sector ACL from being exceeded. Alternative 4 would reduce the vessel limit to prevent the sector ACL from being exceeded, and Alternative 5, as well as the IPT's proposed Alternative 5, would seek to monitor landings, and, if the landings are projected to reach the sector annual catch limit, then you would potentially implement an in-season bag limit reduction, in-season vessel limit reduction, and, if still necessary, reduce the fishing season to prevent the sector ACL from being exceeded.

I will go over the IPT's proposed language for Alternative 5, and I will actually jump up there right now, but, as you can see, last time, this is the language that you reviewed and selected as the preferred alternative, and you provided guidance on some potential sub-alternatives to fill out for what would be bag limit reductions or vessel limit reductions under the accountability measure for dolphin.

The IPT took that guidance and used that to flesh out the bag limit sub-alternatives and vessel limit sub-alternatives that you can see in 5a through 5e, and the potential bag limit reductions would -- You essentially wouldn't go below two to five fish, and there's also an option to not include a bag limit reduction, if you only want to stick with vessel limit reductions. Similarly, in Alternative 5f through 5i, you would look at vessel limit reductions, ranging between ten to -- With vessel limits ranging between ten to thirty fish, and there's also the option to not use a vessel limit reduction.

One thing that I wanted to highlight is I think the nature of what is Preferred Alternative 5 is captured in the IPT's proposed language. However, there is additional structure that is added. Really, the rationale for this is to look at maintaining that closed framework procedure that Shep alluded to earlier and allowing that to take place, so the accountability measure can go into place without a great deal of delay. This closed framework procedure essentially mandates that you provide adequate notice ahead of time, through specifying the accountability measure, and, in turn, this allows the waiver of public notice and public comment before the temporary regulatory changes are put in place.

Of note, the landings for dolphin will be monitored, and, if you're in the scenario where it's apparent before September 1 that the data comes in and it's looking like the annual catch limit will

be met for the recreational sector, you would first look to reduce the bag limit up to a certain measure, there again looking at the Sub-Alternatives 5a through 5d. If that was not enough, then, essentially, the agency would look towards reducing the vessel limit as well, not to go below the specified number in 5f through 5h.

If the bag limit reductions and vessel limit reductions were still not sufficient, you have the stop-gap measure of essentially closing harvest for the remainder of the fishing year, and so shortening the fishing season, as sort of a last-resort stop-gap measure, which was the council's previous intent to avoid in-season closures when possible, and so it maintains the council's intent, if you will, but adds the structure.

I will note that there is the language in the first sentence of September 1, and so, essentially, if notice is given after September 1, then you would be looking at shortening the fishing season, the reason being you are likely late in the year, and bag limits and vessel reductions likely wouldn't help anyway, and this adds a little bit more structure and timing to the accountability measure, so it's clear, essentially, to the agency how to implement the accountability measure and just, there again, adding more structure, and it allows it to fall within the closed framework procedure.

With that, I will go over, very quickly, some of the recommendations that you recently received on this. As a reminder, the Dolphin Wahoo AP discussed this action, and they noted that a vessel limit reduction would be slightly preferred, compared to other alternatives being considered, and try to maintain limits that are viable for the for-hire component of the fishery.

As mentioned during the Law Enforcement AP report, when the Law Enforcement Advisory Panel reviewed this action, they noted that in-season adjustments are generally less desirable than regulation changes that are set for the beginning of the fishing season, from an enforcement standpoint, and in-season measures are enforceable, but there is lag time to educate fishermen of the temporary regulation changes in place, and communication is certainly important, to get notice of regulatory changes to stakeholders in a timely manner, stakeholders including law enforcement personnel.

There weren't many public hearing comments on this action, other than some comments endorsing the council's Preferred Alternative 5 with a vessel limit reduction, and I largely went over the IPT comments, and I wanted to go over the council action. Really, we're looking for approval, or at least comment, on the IPT's suggested edit, adding structure to the council's preferred alternative, and, in doing so, you would likely have to re-select the new alternative, and that's Alternative 5, if you were going to adopt it, and so, with that, I will turn it over to the committee.

MS. BECKWITH: Thank you, John. I guess the first point of order would be if the new proposed Alternative 5 is of interest to the committee. If so, then I would be looking for someone to add that in. Mel.

MR. BELL: I will start with, I guess, a question. If we selected Alternative 5, the old Alternative 5, and people looked at the old Alternative 5, and that's what comments were based on, and so is the new, improved version of Alternative 5 -- Does it actually have improvements in it that we feel comfortable with, and therefore would be willing to choose it? That's what I'm asking, and I guess John has pointed out some of the things that it does provide, in terms of additional structure and all, but is that a good thing? I'm just asking us.

MS. BECKWITH: Okay. Jessica.

MS. MCCAWLEY: I guess my thought is that we can't leave Preferred Alternative 5 as-is, just like in our previous discussion, and that we must select the IPT's preferred, or add that in, and then decide if we want to keep that as our preferred, because the current Preferred Alternative 5 has gaps in it, blanks in it, is my understanding, but maybe that's a wrong interpretation.

MS. BECKWITH: That is my interpretation as well, Jessica. Shep.

MR. GRIMES: Thank you, Chair. I was going to say the same thing, and I think that's exactly right. If the council doesn't like aspects of the IPT-edited, or recommended, Alternative 5, then you can make changes to those, but, at least in terms of the structure of it, it was intended to do pretty much the -- Well, the exact same thing that the council had recommended, but in a way that limited discretion and made it more amenable to implementation via closed framework. Thank you.

MS. BECKWITH: Jessica.

MS. MCCAWLEY: **I would recommend that we accept this IPT proposed Alternative 5 to replace the old Alternative 5.**

MS. BECKWITH: Okay. Is there a second to that motion?

MR. BELL: Second.

MS. BECKWITH: Okay. I think that was Mel. Is there any discussion? **Is there any opposition? Seeing none, that motion carries, and that is our new Alternative 5.** We have nothing selected as a preferred, and so we've got to start working through that process. So, do we want to talk about a -- Is this still our preferred, or would we like to stay with 5 as our preferred and pick some details within it, or do we want to consider a different preferred? Let me go with Andy, because I feel like he had raised his hand and then dropped it out. Andy.

MR. STRELCHECK: Well, I was going to clarify, but you've already answered it, with regard to if we were selecting it as preferred or not, and so I have a lot of concerns administratively of how this would work for the Fisheries Service, and I would not recommend it as a preferred. A couple of things that have even come up during this meeting, and I realize that the issue with Spanish mackerel was commercial in nature, but we saw the challenges that we had with the commercial fishery, in terms of blowing past some of the step-downs and kind of in-season management measures, and I think that's even exacerbated with the recreational fishery, given time lags in data.

Law enforcement has also spoken about the challenges with in-season management measures, and then we have, obviously, challenges with communicating with the public, and I realize that people don't like closures, but they are, obviously, kind of the most straightforward, in terms of implementing accountability measures relative to approaches like this that have kind of multiple iterations and steps administratively that have to take place in order to effectively implement the accountability measures, and so I would speak against selecting this as a preferred.



MS. BECKWITH: Okay. Noted. I saw that Jessica had her hand up, and I'm going to speak for a second on sort of how I would envision this one working, if we chose it. I know that we have the bag limit discussion for dolphin coming up in a lower action, and North Carolina has been pretty clear that we're not interested in reducing our bag limit, for lots of reasons that we can discuss later, but one thing that I had sort of envisioned, if we kept proposed Alternative 5, was, on the very, very off chance that we did have a recreational dolphin closure, I can see Alternative 5 then bringing the vessel limit down to thirty, and that presumes that South Carolina south would have wanted their bag limit down to thirty, as we've discussed.

If we did that, then, on the off chance that there was a closure, then, in the following year, then the bag limit north of South Carolina would then also be implemented at the thirty, and I felt like that might be a reasonable path forward, on the off chance that we did have to close because we achieved our ACL, and so that's my two-cents on this one, and I'm open to whatever you guys want to do, and I see John Hadley, and I think Jessica had raised her hand at some point.

MR. HADLEY: Yes, and I have to apologize that I have a big note to myself to bring up the decision tool that was included, because it is very pertinent to this action, and I don't want to derail the discussion, and I got a little carried away in the IPT edits and forgot to bring that up, and so I apologize, and I would like to introduce them to the committee, but I don't want to derail the discussion right now, but I just wanted to note that I would like to bring that up at the appropriate time.

MS. BECKWITH: Sure. Thanks, John, and most of us looked at those decision tools, and I think the recognition with the decision tool was that that was considering the sort of maximum catch levels. If those somehow became the norm, that would be sort of the extreme situation that we would have to work with, and not under the average catch. Am I stating that correctly, John?

MR. HADLEY: That's correct, and I'm not seeing any hands up right now, and so, if you don't mind, do you mind if I introduce the decision tool for dolphin?

MS. BECKWITH: Go ahead.

MR. HADLEY: Okay, and, again, I apologize for not introducing this at the very beginning, but I did want to go over the Atlantic dolphin decision tool that was included, and this was part of the -- It was in the late materials folder in your briefing book, and I did want to point it out, just kind of briefly.

This is something that we can certainly go over at the moment, but it's something that the committee members can look at, and it allows you to examine different season closures, bag limits, and so you can change different bag limits for dolphin, and then different vessel limits for dolphin, and so you can look at a vessel limit of say forty fish, under a status quo bag limit, and no season closure, and then, as you scroll down, it shows you whether or not there is a projected ACL overage. In this case, it shows you how much there is an overage, based on the scenario that you selected up here, based on, there again, season closure, bag limit, and vessel limit.

One thing to note, and I want to kind of stress this point, because it's come up in several discussions that I've had on this tool, is that the projections are based on the maximum landings scenario, the reason being that, as I alluded to earlier, when we were discussing the ACL-related actions, the

dolphin ACL is not expected to be met under a three-year or a five-year average landings scenario, and so, really, it's not applicable to the accountability measures, and so, basically, the point being that the accountability measure wouldn't be triggered in this scenario, and so it's not really applicable to the analysis under the accountability measures, and so specifically tied into Action 6.

What you're seeing here, this sort of dotted line that changes based on how you change the seasons or the bag limits or the vessel limits, reflects that maximum landings scenario, which is really 2015, and it's not sort of the year-in/year-out average that you would expect within the fishery, and so this is the only example that we have, at least in recent years, where the accountability measure would be triggered, and so that's why the maximum landings scenario is included in this decision tool, and so I just wanted to caveat that and just kind of show -- Just kind of explain this tool, and it is available.

Again, it is in the late material folders, for those that haven't had a chance to look at it, and it allows you to change the different bag and vessel limits, really reflecting the council's Preferred Alternative 5, to see what sort of effect that may have on the fishery, there again, in that elevated year, since the Preferred Alternative 5 wouldn't go into place until the ACL was at least projected to be met, and so I just wanted to introduce that, and I'm happy to answer any questions on this, and, there again, I just wanted to explain it and explain the caveats behind the results, and I will explain a similar tool when we get to wahoo.

MS. BECKWITH: Thank you, John. Tony.

MR. DILERNIA: Thank you, Madam Chairwoman. Let me get this straight, and so this would be an in-season closure that you're talking about, and is that correct?

MR. HADLEY: It could be, and so, basically, you can close off certain months and see what -- Say, if there was a December 15 closure, you're closed for 48 percent of the month, and how that may affect the landings of dolphin, under a maximum landings scenario, and so, as you can see, if you had a thirty-fish limit in the Atlantic, under the AM, and a December 15 closure, you're under, and the accountability measure would have been successful at maintaining the recreational sector landings below the ACL, and so you can see that you kind of want to get it as a negative here.

MR. DILERNIA: So if I could follow-up now, and this would be coastwide. This closure then would be coastwide, Maine to Florida, and is that correct?

MR. HADLEY: The one that I showed here, yes. You can look at -- There is some flexibility built in there, looking at South Carolina through Florida, or Florida only, but, there again, just keep in mind that the output of this tool is looking at a maximum landings scenario.

MR. DILERNIA: Okay. Just, and I'm sure that council members are aware of this, but dolphinfish, mahi, don't really arrive into the Mid-Atlantic region, or the southern New England region, and I'm sure you're probably tired of hearing me talk about the Mid-Atlantic and southern New England, but, unfortunately, the fish have decided to come up and visit us on a regular basis, and the fish don't arrive there until July or August, and in-season closure could have the potential of closing the fishery just when they arrive in the Mid-Atlantic and southern New England waters.

We had the reverse of this with black sea bass, in 2013, I think, when we were looking at in-season closures, and it appeared that the take of black sea bass from the southern New England region would be so high that it would trigger a closure in October or November, which affected the Virginia boats just when the fish were hitting their waters, and so, because of that, we decided not to go with an in-season closure, but rather to have the accountability measures go into effect the following year with a reduced predicted season and bag limit, and I just would ask council members to keep that in mind as we go forward, because we could have a disproportionate effect along the coast. Thank you.

MS. BECKWITH: Thanks, Tony. Jessica.

MS. MCCAWLEY: I guess I'm having trouble figuring out, in Action 6, how to even choose something, and I am not suggesting Alternative 5, but I'm just suggesting where even talking about Alternative 3 and 4 are reducing the bag limit, reduce the vessel limit, and I guess I'm -- If your intent is, when we get to these vessel limits and bag limits later in the document, to split this out by private anglers versus for-hire versus headboats, or however you're going to suggest, I can't -- I'm having trouble resolving, in my mind, how -- Because then these post-season recreational accountability measures aren't worded properly, and so I don't know how we spend time on this particular action until we figure out that other action, if that makes sense.

MS. BECKWITH: Yes, and, while I am a firm believer that the charter guys should have their own bag limits, I have zero expectation of that, moving that forward, and so we can -- If you want, we can either have this discussion here, or we can come back to this after we deal with the regular bag limit discussion on dolphin, and would that be your preference, Jessica?

MS. MCCAWLEY: I would suggest coming back to discussion of this action after we have that discussion later in the document, instead of having it now, but it's partly because I don't know if it's worded correctly, depending on how that other action goes, and this would need to be reworded before we could even choose a preferred, it seems like.

MS. BECKWITH: That sounds like a plan. Andy, do you have something?

MR. STRELCHECK: Yes, but I can table it for now, and I was ready to make a motion for selecting a preferred, but it sounds like we want to discuss other sections and come back to this, and I can wait to do that.

MS. BECKWITH: Okay. Mel.

MR. BELL: Andy was doing better than me, but I was going to just kind of agree with Jessica that we seem to be spinning our tires here, and maybe we move on and then come back to this, and Andy can hold that thought, perhaps.

MS. BECKWITH: My question is do you guys want to move directly into the bag limit discussion for dolphin now, or do you guys want to keep following the document? Jessica.

MS. MCCAWLEY: That's up to you. I'm up for either one.

MS. BECKWITH: All right. Let's keep it -- Let's just jump, John, to the bag limit discussion on dolphin.

MR. HADLEY: Okay. That sounds good. I can certainly do that. Before we do that, if I could, I'm seeing a note that -- I just wanted to verify that this motion was voted on, to accept the IPT's proposed Alternative 5 to replace the current alternative in Action 6, and that was approved by the committee?

MS. BECKWITH: Yes.

MR. HADLEY: Okay.

MS. BECKWITH: Shep, do you have something before we jump to the bag limit discussion?

MR. GRIMES: Yes, I do, actually something directly relevant to bag limits, please.

MS. BECKWITH: Okay. Go ahead.

MR. GRIMES: Thank you. So I just want to point this out for the council, and it's relevant to bag limit, and there's been a fairly lively IPT discussion about whether this is accurate and what we need to do analytically. It's not flagged in your decision document, but it is in the draft amendment that's in your briefing materials, and there is a table, Table 4.6.1.1, on page 129 of the draft amendment, that shows -- Well, that one has dolphin harvest per person, and you can see the harvest per person, indicating that -- It looks like it would be 10 percent or so of the trips with twenty-plus dolphin per person, and then the following tables that are 4.6.1.2 and 4.6.1.3, that look at it in Florida and South Carolina and Georgia and east Florida, I just want to call your attention to those. There is a debate amongst the IPT about whether it's accurate, but it is in your briefing materials, and I just wanted to point it out for you. Thank you.

MS. BECKWITH: Shep, I mean, I think we need to be really careful suggesting that there's that much wrongdoing occurring in the North Carolina charter fleet without irrefutable proof, and, given what I've seen, I don't think that we have that, and I'm going to turn that over to John and to Chip, to discuss what they were able to sort of assess and analyze, given the information, because I do not believe that that's the case.

MR. HADLEY: Thanks, Anna, and, just to follow-up on that, there are those figures in there, and it's a very preliminary draft analysis, and that's kind of stated at the beginning of the amendment itself, but Chip and I have gone back, and Mike Errigo have gone back, and looked at the data, and I think there may be some issues there.

It's really contingent upon which metric you use as far as how many anglers are on a vessel trip, or on a trip, where it was intercepted, as well as whether or not you include captain and crew, and so the point being that referenced analysis -- The IPT is certainly going to come back to it and take a much deeper dive into those tables and into the data, to make sure that those figures are truly accurate, and, if they're not, correct that, thereby incorporating information such as captain and crew on a trip and those sort of caveats to that.

The point being that it was a preliminary analysis, as Shep mentioned, and there's a good deal of debate amongst the IPT members on that figure, and we're certainly planning to come around back to it. Based on the information that was pulled, and this is looking at the specific raw intercept data from MRIP, most of those trips, if you -- I believe there were approximately 1,900 intercepts between 2015 and 2019 in North Carolina, and you're looking at a fraction of a percent that would have indicated above the bag limit retentions for dolphin, and so the point being there is two different findings there, and we need to dig into it much more, but, at least based on the initial analysis that Chip and I looked at, it looks like it's a much lower number.

MS. BECKWITH: Thanks. Steve.

MR. POLAND: Thank you, Anna. I was very concerned when I saw this, and I think it's very dangerous to put this out there with the presumed accusations, and it really bothered me that there were discussions within the IPT surrounding the accuracy of these tables, and yet it was still included in the document and presented to the public.

I mean, my perspective is, if there's questions about the accuracy, deal with those questions before bringing this to light and to the public, and I will emphatically say that there is no illegal harvest, or overharvest, to the degree that these figures suggest, and the 10 or 15 percent of trips, private trips and for-hire trips, exceeding the ten fish -- I mean, that's -- There is no evidence from our end that that's occurring. We have enforcement on the dock, and there is very few instances where bag limits are exceeded in this fishery, and I'm disappointed that this has even come without the due diligence I feel like the IPT should have put forward on this.

MS. BECKWITH: Yes. Thank you. Shep.

MR. GRIMES: Thank you, Chair. Well, I guess, first, to respond to Steve, there were no questions raised about it until after it had been released to the briefing materials, and so I hear what you're saying, and I don't disagree, and maybe, internally, the IPT should have been more cognizant of it, but, yes, it went out and then questions were raised, and that's how this came to be, and I wanted to respond to something you said, Madam Chairman, about accepting it only upon irrefutable evidence, and I would say that's an impossible standard. I've been doing this for twenty years, and I don't think anything is not refuted by somebody in this business, and so I just wanted to say we should be fair about the informational standards that we have. Thank you.

MS. BECKWITH: Thank you, Shep. Jessica.

MS. MCCAWLEY: Now I'm going to ask dumb questions. So which figure is Shep talking about in the full amendment?

MR. GRIMES: If was referencing, if I could, Madam Chair, 4.6.1.1, and it starts on page 129.

MS. MCCAWLEY: Thank you, Shep. Then my question, Anna, is, for dolphin, is the captain and crew allowed to keep a limit?

MS. BECKWITH: Yes. It is a ten per person with a sixty-boat maximum, and so, if they have three clients aboard, conceivably, they could keep fifty fish, if there's two crew onboard.

MS. MCCAWLEY: Okay, and so that's a federal rule and a state rule in North Carolina?

MS. BECKWITH: Correct.

MS. MCCAWLEY: Okay. Thank you.

MS. BECKWITH: Okay. I think we're back to starting the discussion on the bag limits, which is Action 11.

MR. HADLEY: All right. On that note, I will introduce -- Again, we jumped down the document to page 39, Action 11, and I will start with introducing some of the IPT's suggested edits. Overall, the overarching intent is to clean up the alternatives a little bit, so they're not specifying essentially the headboat limit over and over and over again in all of the alternatives and sub-alternatives, and there was a note added at the very top that Actions 1, 2, and 3, including the respective alternatives, do not apply to headboats, and the current limit of ten dolphin per paying passenger onboard a headboat will not change under this action and its alternatives. Basically, the same content, and it's just basically not specifying it over and over again in the alternatives.

Just to go over Alternative 1, no action, the current daily bag limit for dolphin is ten per person, not to exceed sixty fish per vessel. Alternative 2 would implement a bag limit of -- It would essentially retain the bag limit of ten per person. However, it would reduce the vessel limit, and, in this case, the vessel limit would range between thirty and fifty-four fish, fifty-four dolphin, specifically, depending on the alternative, the sub-alternative, that is chosen. The take-home point is that Alternative 2 covers the entire Atlantic region.

Alternative 3 is similar. However, it would cover east Florida only, and, in this case, the recreational bag limit would remain at ten per person. However, the vessel limit would be reduced and be between thirty and fifty-four fish, depending on the sub-alternative that is chosen. Alternative 4 is similar. However, this would cover South Carolina, Georgia, and Florida only, and, as you may recall, this is an alternative that was added at the December council meeting. The difference here is the regional component, and so South Carolina, Georgia, and Florida, and the potential vessel limits are the same as the other in Alternatives 2 and 3, and so thirty to fifty-four dolphin per vessel.

I am going to jump down to a few of the figures that we have available, and, overall, when you look at the dolphin harvested per vessel, based on MRIP data, a good portion of those trips harvest basically less than forty dolphin per person, and there are certainly a handful of trips that are above that, and I'm pointing out kind of the fifty-four to fifty-nine and forty-eight to fifty-three area, just because, when you -- Again, this is looking at the entire Atlantic, and, when you look at east Florida only, that all but disappears. There is a handful of observations in that higher vessel limit category. However, the MRIP intercepts indicate that dolphin being harvested on trips off of east Florida only, or really reflected if you add Georgia and South Carolina as well, they tend to be in that under forty-fish category.

Looking at the projected harvest reductions based on changing the vessel limit for dolphin, if you look at the Atlantic region, and so this is Alternative 2, your largest reduction would, not surprisingly, occur under a thirty-fish vessel limit, looking at approximately a 12.7 percent reduction, which is about two-million pounds. As you will notice, if the regional component is

changed Alternative 3 and 4, and so Florida only or South Carolina, Georgia, and Florida only, that reduction essentially drops quite a bit. Even at a thirty-dolphin vessel limit, you're looking at about a 0.12 percent reduction, which is about 20,000 pounds.

The observations above these various limits largely occurred in Florida, and so you don't really see a difference between those two regional components, at least based on the MRIP intercept data, and so no difference, no projected difference, in harvest reductions between Alternative 3 and Alternative 4.

I did want to note that the Dolphin Wahoo AP had a very lengthy discussion on this, and they talked about it several times. At their 2017 meeting, there was initial support for a forty-fish vessel limit as a step-down, potentially once the ACT has been landed, and, during their 2019 webinar, they discussed bag limits and vessel limits, and it was noted that there's some caution in reducing bag limits, because, once you give it up, you may not get it back.

Additionally, it was noted that reducing retention limits too far could have a negative impact on the ability to book charter trips. Therefore, they emphasized using caution. In general, some members noted that a retention limit reduction may be acceptable in south Florida, while others felt that it should apply region-wide. There seemed to be a strong regional consensus that, if the council reduces retention limits for dolphin, consider reducing the vessel limit, but do not change the bag limit.

Then, at the 2020 meeting, the AP discussed this action specifically, and it didn't have Alternative 4 at the time. However, it was noted that there was support for no action, particularly in North Carolina, or to just take action off of Florida, and so Alternative 3. It was noted that the sixty-fish limit is very important to the for-hire industry in North Carolina, particularly when smaller dolphin are around, and, if limits are reduced, maintain limits divisible by six, and the AP supported Alternative 3b or 3c as preferred.

The Law Enforcement AP discussed this, and they had no issue with the enforceability of vessel limit changes. However, it was noted that consistency within regulations is helpful for compliance, and implementing a vessel limit change could mitigate some concerns expressed around the accountability measure actions, since these measures would be in place year-round and would reduce the likelihood of accountability measures being triggered.

Overall, as a summary of public comments, this is one of the actions -- Action 11 and Action 12 are really the highlight, if you will, of the public hearing comments, and there was a great deal of public comments on this, and, really, a strong regional component to the comments on Action 11. There were certainly some exceptions. However, those in favor of changing the retention limits, and so looking at changes in vessel limits, bag limits, or even size limits, were largely based in Florida or South Carolina. Those in favor of maintaining the current retention limits tended to be based out of North Carolina.

Many commenters stressed the importance of maintaining the current vessel limit for dolphin and bag limit, since a reduction would greatly harm the for-hire industry in North Carolina, and particularly it was noted for the Outer Banks, vessels fishing out of Oregon Inlet and Hatteras in the southern Outer Banks and vessels fishing out of Beaufort Inlet.

Overall, based on this kind of genre of comments, it was noted that those that were in favor of Alternative 1, no action, current retention limits are important to justify the cost of a trip for many for-hire as well as private vessel anglers, and there was concern over the notable economic hardship from reducing retention limits at a time when many in the for-hire industry are facing challenges due to COVID-19. Reducing vessel limits could lead to more pressure on species, other species, such as those found within the snapper grouper complex. If vessel limits are reduced, consider a regional approach, rather than the entire Atlantic, and consider holding off changing vessel limits until several years of data from the for-hire logbook can be used to inform management decisions.

Switching gears towards commenters that were in favor of changing the vessel limit for dolphin, and so either Alternatives 2, 3, or 4, many expressed support for a thirty-fish limit, and, to a lesser extent, there was support for a forty-fish limit. Commenters that were in support of this, essentially Alternatives 2, 3, and 4, really, were largely based out of Florida and South Carolina, with some exceptions, and there were really varying opinions on whether reduced vessel limits should cover the entire Atlantic or apply just to certain states.

It was noted that there are limited and varying opinions on different retention limits between private and for-hire vessels. Most that did comment were in favor of a higher limit for for-hire vessels, and so that's really all of the public hearing comments, kind of a summary version of what was provided, and I will note that this summary represents kind of the majority of comments that were submitted on Amendment 10, and so this was certainly a hot topic for those that wished to comment on that amendment.

As far as the committee action, we're looking to approve or comment on the IPT's suggested edits, and also consider choosing a preferred alternative in this action, and so, with that, I will turn it over to the committee, and I'm going to scroll back up to the action and the alternatives.

MS. BECKWITH: To say this is a hot topic might be a bit of an understatement. North Carolina definitely spoke very, very loudly to all of us, and so I've got Chester in the queue. Go ahead, Chester.

MR. BREWER: Thank you, Anna. I don't see it in the sub-alternatives here, but it seems like, to me, we need to have -- Well, maybe it is in here. Do we have the option, or the alternative, of thirty dolphin per vessel, essentially for the entire region? Is that 2a?

MR. HADLEY: Yes, it was added, and it's in Alternatives 2, 3, and 4.

MR. BREWER: Okay, and so we do have that as an alternative, and I just wanted to make sure that it was an alternative that we were putting in the plan, or I should say that was an alternative that was included in the planning. Thank you.

MR. HADLEY: Sure, and it was included at the direction of the committee, I believe at the December meeting.

MS. BECKWITH: Okay. Before I get up on my soapbox, I want to give the committee and opportunity to speak on this. Chris.



MR. CONKLIN: I just wanted to point out that you had mentioned something about the charter boats getting their own bag limit different from recreational, and I would suppose that -- Now that we have the weekly charter reporting in effect, I don't see why that couldn't be done, and I just wanted to speak to that, but that's all I've really got to say.

MS. BECKWITH: That's something that Jessica sort of mentioned before, and she wanted to see what I was intending. My personal preference is I would certainly support a reduction in the bag limit for the private guys, but in no way can North Carolina support a reduction in the recreational bag limit for the charter guys, and, short of this council being comfortable setting up a different bag limit for the charter guys versus the private guys, the only option that I see being able to move forward with would be leaving North Carolina's bag limit at sixty and not having that reduction occur, because our guys are simply not going to accept it.

Also, I mean, based on the five-year average, we're not expected to achieve our ACL, and the comments were very clear that this is an economic driver for North Carolina for the charter fleet, and they are adamantly opposed to a reduction in the bag limit, and, since the majority, if not all, of the reductions, if we went down to say a thirty, or really any reduction, would come completely from North Carolina, and probably primarily from the for-hire charter fleet, it seems -- It just seems very untenable to me, and so, again, I'm trying to watch my -- You know, as Chair, and I want to give everyone a chance, but the North Carolina folks spoke very strong and clear about this. Steve.

MR. POLAND: Thank you, Anna. I mean, I agree with almost everything you said. John, if you will scroll down to Table 22, I mean, I think that really shows where the potential reductions are going to come from if we implement a lower vessel limit, and it's going to come from North Carolina and north, and we've heard from numerous stakeholders in this region, and especially the charter guys, how important it is to their business.

I, myself, am not opposed to considering an alternative that only looks at modifying the vessel limit for private vessels or breaking out for-hire from private, to acknowledge that this fishery is very different across the region, and the for-hire operators up here have laid out a very good case for how important it is and how a reduction could impact that business. I can't help but acknowledge that there is really no clear biological need to modify the trip limits. I mean, I certainly understand taking a risk-averse approach, and absolutely, but, if there was some biological concern for the stock, the SSC would have considered that a little bit more when providing us their ABC recommendation. It looks like there's plenty in the queue, and I will stop my comments for right now.

MS. BECKWITH: Thanks. Tim.

MR. GRINER: Thank you, Madam Chair. Table 22 has me a little confused as well. As I'm looking, the way that I'm looking at this, and from north of South Carolina, the rest of the Atlantic region catches ten-times as many fish as South Carolina, Georgia, and Florida all put together?

MS. BECKWITH: No, and that would just be where the reductions would come from, and so, if we went down to thirty dolphin, the 1.9 -- Give or take the two-million-pound reduction would come solely from North Carolina north.

MR. GRINER: Well, that's what I'm getting at here, and so, if you look at it the other way around, then so -- 1.9 million pounds would be the reduction across the entire Atlantic, but it would only be 19,000 if you did South Carolina, Georgia, and Florida, and so, from the South Carolina/North Carolina line north, they catch 1,970,000 pounds more, because that's where the reduction would come from, and so is that right, that they catch that many more dolphin up there than we do from South Carolina south?

MS. BECKWITH: Yes, and so our guys have more trips with forty, fifty, sixty fish coming in than Florida does, and Florida doesn't see almost any trips with more than thirty fish.

MR. GRINER: So, to me, I don't see the point of doing a reduction, if you're not going to gain you anything, and you're only catching the thirty fish to begin with, and I don't see the point of doing anything but staying with the sixty, because it's really going to impact one group, and that's going to be North Carolina and north, and so reducing it thirty is almost like status quo, what they're doing right now, correct?

MS. BECKWITH: Correct. It would have little to no impact on South Carolina, Georgia, and Florida. It would only impact North Carolina if we went with that, and north. Correct. Okay. Art, go ahead.

MR. SAPP: What we're saying is we would like to see a little equality here, and we would like to see the fishery come back, and South Carolina and south isn't catching these giant loads of fish, because the fishery has taken a decline, and we need to see that reduction up there. I'm sorry, but, if you can't sell a charter by catching forty dolphin, your marketing sucks. We're down here selling plenty of charters and catching ten dolphin, and so I understand that it's scary, because change is scary, but, if it's a necessary change for the fishery, it's a necessary change, and it's got to happen, and I am not the least bit interested in, once again, North Carolina getting away with, well, it's good for you all, but not for us.

To hear that the captain and crew gets to take a share, and they count as anglers as well, and, again, that's the only place in this region that that gets to happen, and it doesn't happen in South Carolina south either, and so, to me, it's the entire region, and it's the right thing to do, because the fishery needs the help. Thank you.

MS. BECKWITH: So Florida does catch the majority of the mahi, and I believe it's sixty-five-plus-odd percent of all mahi are caught in Florida. We simply have a different -- Our guys simply have a different business plan than the folks, the charter folks, in Florida, and so they have less fish that they are targeting, and they target dolphin, and they target wahoo, and they target some tuna, depending on the seasonality, but that is their bread-and-butter fishery, and that is what their marketing plan is set to.

You cannot discount the economic driver, and, again, as Steve pointed out, we have an ACL that is based on our SSC, and they tell us that we can catch up to this limit. Based on the information in this document, is being suggested that we will get nowhere near achieving our ACL on an average catch of years, and so, if we're going to leave 20, 30, 40 percent of our ACL on the table, but yet we want to potentially significantly impact the economic viability of one industry in one area, that is not an acceptable path forward, in my view. Andy.

MR. STRELCHECK: Thank you, Madam Chair. I'm going to take us in a little bit different direction, and so I think what you just stated is well said with regard to the annual catch limits, and this really is, in my view, curbing or reducing the risk of potentially hitting the annual catch limit, right, and what we know is, at least in the past ten years, there's only been one year where landings exceed the new annual catch limits that are being considered in this amendment.

We just got done with Action 6, and not selecting a preferred for the accountability measures, but there was a lot of interest in, obviously, kind of doing this potential in-season accountability measure with various bag limits or vessel limits, and this, in my view, is much more tenable, in that, if you reduce the vessel limit as kind of a proactive measure to minimize your risk to exceeding the catch limit, then, obviously, down the road, the likelihood of exceeding that catch limit is going to be lower, and you won't trigger those accountability measures.

In terms of fairness, and, obviously, North Carolina versus other states, I will leave that to the council members and industry members to decide, but I would point out, at least for Florida, South Carolina, and Georgia, because they're not catching more than thirty fish per trip, in most instances, it seems logical, to me, that we would go ahead and reduce that vessel limit based on the information and data we have available, since it is expected to not have a direct impact on the trips.

MS. BECKWITH: I'm sorry, but did I hear you -- I just wanted to make sure I understood you right, and so you're suggesting that, even if North Carolina is not willing to reduce their bag limit, that you would suggest that we go ahead and reduce the South Carolina, Georgia, and Florida bag limit regardless?

MR. STRELCHECK: I am acknowledging that, based on our own analyses, there's no impact, or very, very small fractional impact, less than 1 percent of trips that would be affected by that change, right, and so it doesn't get us very far, but it certainly also is indicative that most trips aren't catching more than thirty fish to begin with.

MS. BECKWITH: Okay. Thank you. Chester.

MR. BREWER: Anna, I don't think this is a discussion with regard to business models. People here probably know that, in a past life, I was pretty active in the Coastal Conservation Association, and, when we would have discussions about regional issues, and, here, I'm talking about our region, it was always the case, always, that North Carolina was not as conservation minded as other states, and that's just the way it is, and the fact that you're seeing that Florida catches the vast -- Not vast, but the majority of the dolphin, and yet almost all of those trips are less than thirty fish per boat, and what's happening is, when you get the dolphin up to the boat, and you start bailing them, you can wipe out a school, and we have been taught, over the years, that that's a bad thing, that you should not do that, and you should leave some of those schools, or some of those fish, in the water, and so that's kind of what we do.

We have the ability, when we're out dolphin fishing and we get them up to the boat, to catch every damn one of them and throw them in the cooler, and up to our current limits, and so what we're really talking about here is a different mindset between North Carolina and the other states, and I think, from the standpoint of equity, and from the standpoint of bang for your buck, everybody should be treated the same, and I think it should be thirty fish per vessel. Thank you.

MS. BECKWITH: I appreciate your position, Chester. Simply put, North Carolina does not agree with you, and it is not that we're not conservation minded. We are staying within our ACL. If this was an issue of we were jumping up against our accountability measures, or against our quota, then that would be a different discussion, and I have already said, multiple times, that, if you guys want to reduce to the private, on the private guys, to thirty, all day long. I will be the first one to support it, but I will not support the destruction of the charter industry in North Carolina for some perceived equity across the region, and it just doesn't work for us. Jessica.

MS. MCCAWLEY: Thanks, Anna. So the vessel limit, to me, is really the only tool in this amendment that can constrain the catch before an accountability measure is triggered, and I agree that the decision tool is a little wonky, because it includes landings from 2015, and so I think the decision tool uses landings from 2015 to 2019, and 2015 was the year where the ACL was exceeded, and so, when I use the decision tool, and I'm not saying that the 2015 year is going to happen every single year, but I do think it's going to happen periodically, and so, when I use the decision tool that has that 2015 weird year in it, the only way to not exceed the ACL is to go to a thirty-fish vessel limit for the entire coast, because, if you do it for everybody except for North Carolina, we're still exceeding the ACL by 11 percent, using that decision tool, and so, for us -- I mentioned, for Florida, that keeping the fishery open year-round is key for Florida, and so I'm also -- I have talked about this before at other meetings, and I am a little concerned that's what is happening in Florida is somewhat the canary in the coalmine for something that is going to be seen throughout the entire coast, and so that's another reason why I would like to go down in the vessel limit, but I will stop there.

MS. BECKWITH: So, to your points, Jessica, we haven't had to close the recreational fishery down, and so there isn't technically a need to constrain, at the moment, but, if that's the concern that you have, that is why I suggested that, if South Carolina, Georgia, and Florida wanted to go down to thirty, if and when we go back to Action 6, I would consider a step-down in the case where we do achieve our ACL, dropping the entire coast down to a thirty-vessel limit, because, in the next year, you would have exactly what you said, and you would assure a year-round season.

What my problem is, it's doing this in advance of having a problem, and so we're not expected to go over our ACL, and so why would I want to damage the economic driver of North Carolina in the charter fleet if we're not expected to go over the ACL, but, on the off chance that we did, then I would support a thirty-vessel limit as the accountability measure implemented in the following year, to assure that we had a full open season. How do you feel about that?

MS. MCCAWLEY: If you're asking me, I'm fine with that. I guess that I would also throw out here that maybe adding an alternative to prohibit captain and crew from keeping a bag limit would also be in order here.

MS. BECKWITH: So does Florida not allow captain and crew to keep, or South Carolina and Georgia? Are we the only ones, because I don't have a problem with that, with captain and crew retaining it, and I just thought that was across-the-board.

MR. BELL: We're at 3:45, and we've got this hearing coming up, and we've got a lot of discussion, a lot of back-and-forth, and a lot of points, and we're kind of getting into some nuanced questions and things, and so I don't think we're going to get resolution here in thirty seconds, and

we do need to have a hard stop to set up for the public hearing at 4:00, and so I would recommend that we go ahead and cease discussion right now and get ready for the public hearing, and we can bring it back up. It depends on how long the public hearing goes, and we might have time today, or we certainly can first thing in the morning, one or the other, but we're at our time right now, Anna.

MS. BECKWITH: Okay. Sounds good, Mel.

(Whereupon, a recess was taken.)

MS. BECKWITH: I think our plan is we're going to go through Actions 9, 10, and 13, and just double-check that folks are okay with our current preferreds. Then, tomorrow morning, we will come back and finish our discussion on the dolphin bag limit first and then jump to the accountability measure for dolphin, and then we will finish the discussion on wahoo, and so that's my plan, at the moment.

MR. BELL: That sounds like a good one, and thanks, everybody, for your patience, and I think that would set us up a little bit better for tomorrow.

MR. HADLEY: Okay. Sounds good, and so, on that, we will start with Action 9. This action, just to orient everyone, is aimed at allowing properly-permitted commercial fishing vessels with trap, pot, or buoy gear onboard to possess commercial quantities of dolphin and wahoo. Currently, those three gears, and so trap, pot, or buoy gear, are not allowed gears within the dolphin wahoo fishery, and so, if a dolphin or wahoo is caught, it is not -- At least, per the regulations, it should not be possessed.

Currently, as a reminder, there is a commercial trip limit for wahoo of 500 pounds, and there is also a commercial trip limit for dolphin of 4,000 pounds, once 75 percent of the commercial sector ACL is reached. Prior to reaching that trigger, this is no commercial trip limit for dolphin.

Preferred Alternative 2 would allow vessels, properly-permitted vessels, and so vessels with the commercial dolphin wahoo permit, as well as valid federal commercial permits, required to fish trap, pot, or buoy gear to possess commercial quantities of dolphin. Of note, there is specific language in there to also include gear used in the spiny lobster fishery.

Within this alternative, again, vessels with trap, pot, or buoy gear would be able to retain dolphin in commercial quantities, and Sub-Alternative 2b has been chosen as the preferred, and that would implement a trip limit of 500 pounds gutted weight for dolphin for vessels that fall under this category. Preferred Alternative 3 is very similar, and it has the same stipulations that allow the possession of wahoo, however, when trap, pot, or buoy gear are onboard. There again, that specific mention of allowing gear used in the spiny lobster fishery is also maintained in this alternative.

As a just general reminder, this was requested by the Atlantic Offshore Lobstermen's Association, which did the association did provide comment during public hearings, and I encourage you to look at those, if you're interested, and they're in the public hearing comment summary, but this initially was a request from lobstermen in the New England region to allow the historic practice of harvesting dolphin while in the possession of lobster pots to continue. The council has sort of

taken an approach to accommodate that request, and it also broadened it a little bit to focus on all trap, pot, or buoy gear.

Looking at some of the analysis for this, overall, there are landings of both dolphin and wahoo with buoy, pot, or trap gear is onboard. However, landings are fairly low. There are some figures here that show the commercial harvest of dolphin on trips, and the take-home point is to focus in on those blue bars, because those are from the Coastal Fisheries Logbook Program, and those are likely hook-and-line trips, or largely hook-and-line trips, and most of those trips are landing below 500 pounds, and there are some exceptions, up to over 1,000 pounds, and most of those trips are landing really under 250 pounds.

The same thing, or even more so, for wahoo. Most of the hook-and-line trips, there again that blue bar, is focusing on the Coastal Fisheries Logbook Program information, and it's likely mostly hook-and-line, are below 500 pounds, and there is currently the trip limit of 500 pounds.

The Dolphin Wahoo AP passed a motion to essentially endorse allowing the possession of dolphin and wahoo onboard vessels with pot, trap, or buoy gear onboard, as long as they are a permitted vessel and the fish are caught by rod-and-reel. I meant to mention that as a caveat in the alternatives, both Preferred Alternative 2 and Preferred Alternative 3. The dolphin or wahoo that are caught and retained must be caught with rod-and-reel.

A summary of the public comments, there were a few comments on this. There was general support for allowing the 500-pound dolphin trip limit, and so endorsing the council's Preferred Sub-Alternative 2b, and also including wahoo, and so the council's Preferred Alternative 3. It was noted that -- There was also a comment that noted that allowing -- Essentially, allowing this to occur could broaden the number of fishermen that are catching dolphin off of lobster pots, and lobster pot buoys specifically, and this could promote competition, and potentially even conflict, in the Mid-Atlantic and New England regions between recreational and commercial vessels fishing pots and buoys for dolphin in the same area, and it was noted that these buoys operate as fish aggregating devices, or FADs, and there was some support for a 250-pound trip limit for dolphin, which would be Sub-Alternative 2a, to mitigate these concerns.

That's really all we have, all that's included, for the most part, in the decision document, and there is no action required, but I just wanted to make sure that the committee is okay with the current preferred alternatives of Alternative 3, which would allow possession wahoo, and Preferred Alternative 2, which focuses on dolphin.

MS. BECKWITH: Okay. Is there any need for discussion on this action? Rick Bellavance.

MR. BELLAVANCE: Thank you, Madam Chair. I just wanted to offer thanks from the lobster fishermen in New England for the council's work in addressing an issue that they felt was important, and they're satisfied with the preferred alternatives, and they don't offer any changes. Thank you.

MS. BECKWITH: Excellent. I'm glad that someone is happy, and so that's good.

MR. HADLEY: All right. Sounds good. If there are no further comments on Action 9, we'll go on to the next action, and this is focusing on the operator card requirement in the dolphin wahoo

fishery, and specifically removing that requirement for vessel operators or crew to hold the operator card, and so, currently, a for-hire or an Atlantic charter headboat for dolphin wahoo permit or an Atlantic dolphin wahoo commercial permit is not valid unless a vessel operator or crew member holds a valid operator card issued by the Southeast Regional Office or the Greater Atlantic Regional Fisheries Office, and so SERO or GARFO.

Under the council's Preferred Alternative 2, this would remove the operator card requirement in the dolphin wahoo fishery for the for-hire component of the fishery, and Alternative 3 would be similar. However, it would remove -- I should say Preferred Alternative 3 would be similar, in that it would remove the operator card requirement for the commercial component of the dolphin wahoo fishery.

As a little bit of discussion and something that I just wanted to point out very briefly, the Dolphin Wahoo FMP and the fishery for rock shrimp are the only two fisheries where the operator card is required for at least FMPs managed by the South Atlantic Council. Overall, removing this requirement would reduce the -- It would cover approximately 4,070 vessels. Now, some of these vessels are fishing in fisheries in the Mid-Atlantic or New England regions, and so they may still need to have operator cards for that, to fish in those fisheries and in those regions, but at least, as far as the vessels that covered in the dolphin wahoo fishery, that's approximately the vessels that this requirement would be removed for.

The Dolphin Wahoo AP was in support of removing the operator card requirement, and the Law Enforcement AP also recently discussed this item, and, as noted, and you did get the report earlier this week, but I will just briefly go over some of the Law Enforcement AP's points again, since they haven't been gone over in the context of the Dolphin Wahoo 10 decision document.

In the Code of Federal Regulations, operator cards are referred to as operator permits, and so make sure that they are properly referenced in the amendment, to avoid confusion when implementing regulations, and that's certainly duly noted, and I looked into that a bit. In the statute, they are referred to as operator permits. However, if you were to go on the SERO website, it would be an application for an operator card, and so those are really interchangeable terms, and it's just something that I did want to clarify, and it was a good point from the Law Enforcement AP, but, really, operator card and operator permit are interchangeable terms.

There was concern raised by a member of the public over the action, noting instances when the operator is not the owner and that it could create considerable incentive for that person to not report, to not report under the new for-hire reporting requirements, and so revoking the operator card may remove the incentive for compliance.

The NOAA Office of General Counsel Enforcement Section noted that there may be some concern with removal of the operator card requirement as a potential enforcement tool, and the LEAP initially noted that the operator card requirement could be removed without notable loss to law enforcement capabilities, since it's largely unused for enforcement purposes. However, it was later noted that it would be an effective tool to help increase compliance with the new for-hire reporting requirements, particularly if expanded to include all other fisheries managed by the South Atlantic Council.

During Other Business, it was noted that the requirement could be kept for the for-hire fishery, but removed for the commercial fishery, really getting at if the intent is to enforce the for-hire logbook requirement, and so the recommendation was to consider extending the operator card to other fishery management plans to enforce the for-hire reporting requirements.

As a general summary of public hearing comments, there were several comments in favor of removing the operator card requirement, which is the -- This is essentially the council's Preferred Alternatives 2 and 3, and there were comments that maintaining the operator card could encourage compliance with the new for-hire reporting requirement, particularly as noted for captains that do not own a vessel, and so that could be Alternative 1, no action, or Preferred Alternative 3.

There was also a comment that the operator cards are burdensome to apply for and to renew, previously, and the ability to apply online has streamlined the renewal process, to some extent, and there was support for Alternative 1, no action, and so there is no necessary action required by the committee for this. However, I just wanted to pause to go over the public hearing comments and some of the new AP comments that you have from the Law Enforcement AP and make sure that you're comfortable with the preferred alternatives, which is to remove the operator card requirement in the for-hire and commercial dolphin wahoo fisheries.

MS. BECKWITH: Okay. Thank you. We had a fair bit of this discussion under the LEAP committee meeting, and so is there any need for further discussion or any desire to change the preferreds? Mel.

MR. BELL: Thanks, Anna. I know we've gotten some different input, and we've been at this for so long, and this has been something that we have researched and researched and discussed and discussed, but I'm still of a mind that operator cards could have value, as our Law Enforcement AP has suggested, but not really in the -- Not really the way it's set up right now, and so I'm still leaning towards probably where we were a while back, in that I think it would be best to just go ahead and remove what we've got, and then, at some point, take a look at a fresh start, and, again, if the Fisheries Service is interested in that and all, because there's a lot of moving parts to setting up -- If you wanted to do it properly, as we've discussed, it would take a little bit of work, and obviously investment in time and money, but I'm still fine with removing it, myself.

MS. BECKWITH: Mel, I can't agree with you more. I think the concept, in its totality across regions, would be a good one, but, in its current form, it's not achieving any real goal. I see Andy.

MR. STRELCHECK: I took my hand down. Thanks.

MS. BECKWITH: Okay. Perfect. If there's no further discussion on this one, we can move to Action 13.

MR. HADLEY: All right. We'll skip down to Action 13. This covers allowing filleting of dolphin at-sea onboard charter or headboat vessels in the Atlantic EEZ north of the Virginia/North Carolina border, and so, essentially, this covers vessels fishing in the Mid-Atlantic and New England regions.

Currently, dolphin possessed in the Atlantic EEZ must be maintained with head and fins intact, with some exemptions for fish lawfully harvested from the Bahamas. Such fish harvested from



the Atlantic EEZ may be eviscerated, gilled, and scaled, but must otherwise be maintained in a whole condition, and so, essentially, they cannot be filleted at-sea.

Alternative 2 would provide an exemption that would allow dolphin to be filleted at-sea, and, in this case, it would only apply to vessels, to for-hire vessels, fishing in the Atlantic EEZ north of the Virginia/North Carolina border under the following stipulations, potentially, Sub-Alternative 2a and 2b. Alternative 2a is the skin must remain intact on the entire fillet of any dolphin carcass, and 2b is two fillets of dolphin, regardless of the length of each fillet, would be equivalent to one dolphin, targeting bag limit enforcement and vessel limit enforcement purposes. I will mention, before I get into some of the discussion, that the council's current preferred alternative on this action is Alternative 1, no action.

As a little bit of background, as you may recall, this is request that came originally from the Mid-Atlantic Council, and it stemmed from a working group that was made up of the U.S. Coast Guard, NOAA Office of Law Enforcement, ASMFC, GARFO, and HMS, Highly Migratory Species.

The request was originally for the prohibition to be allowed north of Cape Hatteras and onboard -  
- In the waters north of Cape Hatteras, and the original suggested regulations would have been requiring a one-by-one piece of skin remain on each fillet and crew retaining racks, or frames, of each fish and the crew being able to present two fillets that are equivalent to one fish. Overall, this action is estimated to affect approximately 3,000 for-hire trips in the Mid-Atlantic and New England regions, and so these are the number of for-hire vessel trips that landed, and so harvested, dolphin, on average, over the past five years.

Then I wanted to get into some of the advisory panel comments overall, and I will start off with the Law Enforcement AP comments. The Law Enforcement AP initially reviewed this at their May 2019 meeting, and they provided a good deal of input, much of which the council took into account in Sub-Alternatives 2a and 2b. They did pass a motion recommending that no filleting of dolphin be allowed in the EEZ of the Atlantic, and this was unanimously approved.

As reported earlier this week, the Law Enforcement Advisory Panel did discuss this action again, noting that they felt there was no reason to distinguish between species regarding allowing filleting at-sea, and allowing this to take place creates an enforcement problem and a practice that should not be permitted anywhere, and it was noted that fillets are easier to hide than fish kept in a whole condition.

There was concern that the exemption for dolphin would carry over to other species and other fisheries, and, specifically, it was noted that some fishermen had expressed support for a similar exemption in the snapper grouper fishery as well as the Dolphin Wahoo Advisory Panel's discussion that focused on general support for this exemption to also apply to dolphin caught in the South Atlantic region. The Law Enforcement AP reiterated their previous recommendation that allowing filleting of dolphin at-sea should not be included in the Atlantic EEZ.

As alluded to, the Dolphin Wahoo AP also discussed this and noted that allowing filleting of dolphin at-sea would also be useful in the South Atlantic region, and it would minimize turnaround time between half-day charters in south Florida, where dolphin can be targeted with a short travel distance, and it would also help with cold storage capacity and preserving meat. Some AP

members noted that they also have very long runs to fishing grounds, similar to those in the Mid-Atlantic region.

As a summary of public hearing comments, I went over them earlier, but I will just briefly touch base on them again. There was input that suggested not allowing filleting of dolphin at-sea anywhere. However, if the action does move forward, consider covering the entire Atlantic. There would be benefits to vessels in the South Atlantic region that also have to travel long distances.

There were also some comments in support of allowing this exemption in the Mid-Atlantic and New England regions, but requiring skin on the entire fillet, and two fillets would be the equivalent of one fish, for bag limit enforcement. It will help mates, and it's consistent with other regulations in the regions. Marinas often do not have facilities to accept fish racks, and dolphin are easily identified by their skin, and so they're a good exemption to the rule.

A few comments from the IPT, and it was noted that the action could provide -- It could certainly provide economic benefits to the for-hire sector on for-hire trips landing numerous dolphin in the Mid-Atlantic and New England regions. However, it was also noted that the recreational ACL for dolphin is tracked in weight, and so allowing filleting at-sea may reduce the dockside intercepts that capture size and weight measurements of dolphin.

Filleting at-sea is allowed for some federally-regulated groundfish species and flounder species in the Mid-Atlantic and New England regions. However, it's not necessarily allowed for some other species, such as golden tilefish, blueline tilefish, and some HMS species. Filleting of dolphin may encourage additional harvest at-sea, may encourage additional harvest, and, also, allowing fillets of dolphin at-sea could encourage the desire for -- In the Mid-Atlantic and New England regions, it could encourage the desire for similar regulations in the South Atlantic region.

There is not necessarily any required committee action, but it is requested that, if maintaining the current preferred alternative, which is Alternative 1, no action, per the discussion at the December meeting, potentially consider moving Action 13 to the Considered but Rejected section, there again, if the preferred alternative is to take no action. With that, I will hand it back over to the committee.

MS. BECKWITH: Thank you. I see Tony in the queue.

MR. DILERNIA: Thank you, Madam Chairwoman. I'm going to be a bit lengthy on this, because I believe that this is something that should be done. First, let me say that I served on the Mid-Atlantic Council from 1991 to 2002. At that time, I was chairman of the council's Law Enforcement Committee, and I am currently on the Mid-Atlantic Council's Law Enforcement Committee, and I am currently also the chairman of the Mid-Atlantic Council's Law Enforcement Committee.

If you look at my record, you will see that no one, perhaps, has been more of a supporter of law enforcement than I have, and NOAA Law Enforcement has recognized that, and has often come to me for recommendations regarding law enforcement actions, both on and off the record, and I've actually been involved in working groups during the past year with law enforcement, recommending how to increase the enforceability of some regulations, and so, again, let me say

that I am very, very strongly supportive of law enforcement, and I have enjoyed a very good working relationship with the Office of Law Enforcement over those many years.

As it was mentioned, this recommendation to allow the filleting of mahi at-sea was a result of a workshop that was convened by the Mid-Atlantic Council in I think 2017, and I was asked, along with Captain Dewey Hemilright, to co-chair this meeting to work out the enforceability of law enforcement regulations, and one of the recommendations coming out of that law enforcement workshop, of which the Office of Law Enforcement of NOAA participated, was to make this recommendation to the Mid-Atlantic Council.

The Mid-Atlantic Council reviewed the recommendation and resulted in a letter to your council requesting that these fish be allowed to be filleted at-sea. I make note of the fact that the request is for the region north of the Virginia/North Carolina region, line, and that's because, in that region, we do allow the filleting of many species at-sea, and it's a practice that we enjoy in the Mid-Atlantic, and it's regional practice that occurs both in the Mid-Atlantic and in the New England regions.

We have been very cognizant of not imposing our desires, or regulations, on the South Atlantic, when we could -- For example, with golden tilefish, we said, okay, you folks -- We are supposed to manage -- The Mid-Atlantic is supposed to manage golden tilefish throughout its range, but, for the South Atlantic region, you folks wanted to manage golden tilefish according to your regulations, and we said fine. The same thing with black sea bass. We said if you want to manage black sea bass on your own, we're not going to impose our desires and our regulations on you, and you can manage black sea bass in your region.

It comes down to what's a regional, and a common regional, practice. As I've mentioned before, we do not, in the Mid-Atlantic or southern New England regions, have fish cleaning services at the dock, unlike what occurs in the South Atlantic, which you do have those fish cleaning services. We have agreed to -- Part of our request was to leave the skin on the fillet, so that it's easily identified, and any law enforcement agent can easily identify -- Hopefully any law enforcement agent can easily identify a mahi fillet from the fillet of other species, particularly when the skin is left on.

So we see this as a very reasonable request, and I understand that some folks are saying, well, fishermen in the South Atlantic are going to say, well, you know, you're letting them do it up north, and why can't we do it down here, and I am reminded of what my mom used to tell me when I was a kid. If all of your friends are going to be doing something, are you going to be doing the same thing?

So it comes down to a very simple request to let us cut those fish north of the Virginia/North Carolina line. We'll keep the racks, if you want us to keep the racks, and it's not a problem, and we'll leave the skin on the fillets, if that's what you want us to do, and we're going to adhere to the boat limits, and we're going to do everything that you want us to do, except we were asking for the ability to clean these fish.

**In the queue, I see that Rick Bellavance and Dewey Hemilright are also lined up to speak, and so I don't know if you want to listen to the other individuals who are lined up in the queue to speak or if you'll accept a motion from me, but, as a member of the committee, it's**

**my intention to reintroduce a motion that the committee recommend to the full South Atlantic Council that the amendment include the ability to fillet these fish north of the Virginia/North Carolina line.** Thank you very much.

MS. BECKWITH: Thank you, Tony. I've got Rick Bellavance next.

MR. HADLEY: Really quickly, I wanted to go back to that -- It sounded like there was a motion made, and I just wanted to make sure that that's captured.

MS. BECKWITH: Is that not essentially what our Alternative 2 is?

MR. HADLEY: I believe so.

MS. BECKWITH: I gathered from Tony that he was really looking for us to just make our Alternative 2 the preferred, was my impression, but, Tony, would you like to speak to that?

MR. DILERNIA: Madam Chairwoman, you have it exactly right. That's what I want. I would like to reestablish something that the council originally approved, but then you heard from some folks on your Law Enforcement Committee that recommended against it, and so the council reversed itself, and, again, hopefully I can convince this committee to recommend to the council to once again reverse itself and go with Alternative 2.

On Monday, I asked how many law enforcement actions were taken on recreational vessels in the South Atlantic region, and no one could answer that question, but I'm just wondering how much of this is a boogeyman, we'll say, coming from the law enforcement folks down in the South Atlantic. Thank you.

MS. BECKWITH: Okay. I need to -- I guess I should ask for a second on this and then go back to the queue, and so is there a second for this motion from anyone on the committee?

MR. BELLAVANCE: I would be happy to second his motion.

MS. BECKWITH: Okay. All right. Perfect. Rick, go ahead.

MR. BELLAVANCE: Thank you, Madam Chairwoman. I won't repeat all of the items that Tony just mentioned, but I do agree with them, and, from our perspective in the southern New England range, this is a few boats, and not a lot of boats fish for these, and they're far offshore, but the ones that do expressed a desire to make their operations easier, and this is about helping the crew and making the operation of these trips easier for them at the end of the day. They're long days, and they're long trips, and not a lot of guys do them, but the ones that do feel strongly that their day would be a lot easier if they were able to cut these fish, like they can cut other fish during other trips.

We don't see the law enforcement complications that were brought up, because of the distinct coloring of mahi, and we do agree to leave the fish skin on, to help with that as well, and possession limits wouldn't be a problem, because you can count up the fillets, and so we feel like we can address all of those concerns. We don't have the places to throw the frames either, and so that's an added kind of pain for the captains, and now we've got to throw them in our coolers and carry

them around for a day or whatever, but I do strongly support Tony's motion, and I hope that the council, or the committee, will agree to reverse course and offer Alternative 2 as their preferred. Thank you.

MS. BECKWITH: Thank you. Next, I've got Dewey.

MR. HEMILRIGHT: The Mid-Atlantic Council's request is well thought out, and we've had numerous meetings on it, and it's a reasonable request for the Mid-Atlantic Council area, especially with saving the racks and the skin on, and folks have got to jump through a lot of hoops nowadays, but I think this is a more than reasonable request, and I hope that it prevails at Full Council. Thank you.

MS. BECKWITH: Thank you, Dewey. Patrick.

MR. O'SHAUGHNESSY: Thank you. I just want to point out one thing. Tony makes reference to NOAA OLE was at those original meetings, and that was the Northeast Division of the Office of Law Enforcement, and the Southeast Division was not there, and the main concern, or one of the concerns that we have, is the slippery slope.

It opened up for the Bahamas, and we're already hearing other fisheries that are going to follow right on the heels of this, asking for permission to fillet their fish, even so much as the charter boats that don't go offshore as far, but they come back with forty-two sea bass and sixty snapper and sixty trigger and don't have the time to fillet them back at the dock before the next trip, and they would like to fillet those fish coming in, and so it was the slippery slope that we were concerned with that I think we'll see more of if this should get approved, and so it wasn't necessarily that OLE there was for it, but it was OLE in the Northeast, where this is a common practice.

They have other species of fish that they do allow to be filleted, and I have no problem with that, and that's how they do it in the Northeast Division, and I, apparently, have the same mother and father as Tony, because they told me the same thing. However, this is fisheries and not what the neighbor kids are doing, and so OLE is still opposed to it in the Southeast, for opening the door for a slippery slope, where we'll have numerous fisheries potentially competing to get filleted opportunities in the Southeast.

As far as the data call, we're working on that, Tony, to get you the numbers for recreational, as compared to commercial, and my anecdotal information is that I approve and work with more recreational violations than I do commercial, and that's just the gut feel of what I process in the South Atlantic, from my officers hailing that, but I will get you more specific numbers to provide that, and so I'm not ignoring you, but it's taking a little bit longer with our database than I would have hoped. Thanks.

MS. BECKWITH: Thank you. Tony.

MR. DILERNIA: In response to that, yes, you could come back to the dock in the South Atlantic with thirty or forty of this or that, but you have a fish cleaning service at the dock, and people make their money cleaning those fish at the dock, and the deckhands on the for-hire vessels in the Mid-Atlantic and New England regions make their money cleaning their fish at-sea, and so we want to have some equity there. You can keep your fish cleaning services down in the South Atlantic, but

then let us maintain our fish cleaning services up in the Mid-Atlantic and the southern New England region.

Again, I understand the difficulty that you can have in answering questions in the South Atlantic, and I understand that, but the situation is a little bit different, and hopefully you will be able to explain that to the folks that are making this request to you. Thank you.

MS. BECKWITH: Chester.

MR. BREWER: I have a question and then a statement. I am wondering how many fish we're actually talking about here, because, from the stuff that we've seen earlier today, there are not that many dolphin that are caught up there, and it's more different species, and so I'm wondering -- They're going to be able to clean these other fish on the way back, and maybe they'll have a few dolphin, but you're not talking about 300 dolphin or whatever, and so I'm really wondering how many fish we're talking about and how much time will be gained by filleting them at-sea.

Then the other thing is it's become apparent to me that I was on the wrong side of the issue with regard to the Bahamas exception, and I kind of think that we need to revisit that, because that was -- I think it was an error, now, to allow that, and I was a big proponent of it, but I now see that I think it was an error.

MS. BECKWITH: Okay. Is there anyone else? Then we have a motion on the table. I suspect there is going to be some opposition to this, and so I think we probably need to do a roll-call-type vote, John.

MR. HADLEY: Okay. I will get that set up. We'll start off, and, Anna, I'm assuming that you are abstaining from this vote?

MS. BECKWITH: Unless I need to break a tie.

MR. HADLEY: Okay. So I will come back to you at the end, if need be. Art.

MS. BECKWITH: Art, we can't hear you. All right. Come back to Art.

MR. HADLEY: We'll go on to Chester.

MR. BREWER: No.

MR. HADLEY: Chris. All right. We'll go on to Tim Griner.

MS. BECKWITH: Maybe we should hold this vote until tomorrow morning, when we have people's attention.

MR. CONKLIN: I am here. I was having some bad connection issues.

MR. GRINER: Me too.

MR. CONKLIN: I can hear you now though. All I heard was my name.

MS. BECKWITH: We're voting on the motion on the table, and so I will let John re-explain it, just in case.

MR. HADLEY: It's choosing Alternative 2 as preferred in Action 13, and so, essentially, this would allow filleting of dolphin at-sea onboard for-hire vessels in the Mid-Atlantic and New England regions and a yea or nay vote. Chris, you're up on the list.

MR. CONKLIN: If they think they can enforce it, which I think I heard, sure, they can do it. It's up to them. Yes,

MS. BECKWITH: Also, to the staff, Doug needs to be unmuted, and Carolyn had to step away, and so Doug needs to vote, and I guess the last four digits of his is 3115, whatever that means.

MR. HADLEY: Okay. I think support staff will work on -- I see he needs a PIN, and I think support staff will work on that. Next up on the list for a vote of yea or nay is Tim, on the motion.

MR. GRINER: Yes.

MR. HADLEY: Okay. Next up is Steve.

MR. POLAND: No.

MR. HADLEY: Spud.

MR. WOODWARD: No.

MR. HADLEY: It would be Carolyn, but Doug.

MS. BECKWITH: Carolyn and Doug vote no, says my text message.

MR. HADLEY: Okay. I will put them down as no. Mel.

MR. BELL: No.

MR. HADLEY: Kyle.

DR. CHRISTIANSEN: Yes.

MR. HADLEY: Andy.

MR. STRELCHECK: No.

MR. HADLEY: Jessica.

MS. MCCAWLEY: Abstain.

MR. HADLEY: Kerry.

MS. MARHEFKA: No.

MR. HADLEY: Lieutenant Copeland.

LT. COPELAND: Good afternoon. I don't think I'm still a voting member. However, I would concur with my NOAA counterparts in not agreeing with the motion.

MR. HADLEY: Okay. Tony.

MR. DILERNIA: Yes.

MR. HADLEY: Dewey.

MR. HEMILRIGHT: Yes.

MR. HADLEY: Rick.

MR. BELLAVANCE: Yes, please.

MR. HADLEY: All right, and I'm going to circle back around to Art one more time. Art, if you can hear us, if you wouldn't mind --

MR. SAPP: I think I've got it working now. Sorry about that. Yes.

MR. HADLEY: Okay. **There are seven yes, eight no, and one abstention, and so it does not pass.**

MR. DILERNIA: Madam Chairman, can I ask for a recount on that, because my count is a little bit different.

MR. HADLEY: I am happy to -- Do you want me to run through the votes one more time to relay how people voted, how committee members voted?

MR. DILERNIA: Yes. I would appreciate that. Thank you.

MR. HADLEY: Okay. We have -- I will tally these as I go through them one more time. We have Art as yes, Chester as no, Chris as yes, Tim as yes, Steve as no, Spud as no, Carolyn as no, Mel as no, Kyle as yes, Andy as no, Jessica as an abstention, Kerry as no, Lieutenant Copeland as no, Tony as yes, Dewey as yes, and Rick as yes.

MS. BECKWITH: Can we confirm if Lieutenant Copeland is a voting member, since it's so close?

MR. HADLEY: My understanding is that he is. He is listed as a committee member. Does any other council staff want to -- I see John Carmichael with his hand up.



MR. CARMICHAEL: Thanks. Yes, he is a member at committee, and it's the same with the liaisons that we have, if they vote in committee, but it's at Full Council where it's non-voting.

MS. BECKWITH: Gotcha.

MR. DILERNIA: I had seven and seven, I believe.

MS. BECKWITH: I counted seven versus eight, but I will let John reconfirm privately on his sheet.

MR. HADLEY: I have seven yes, eight no, one abstention, for a total of sixteen votes. Anna did not vote, and so I assume that's an abstention as well, and so it would be two abstentions.

MR. DILERNIA: I must be missing one then. Okay. Thank you.

MS. BECKWITH: Okay. There is always another opportunity at Full Council. I think this brings us to the end of what we can reasonable accomplish today.

MR. BELL: Anna, just so we all know where we are, could we just kind of do a quick recap on what is left and we need to pick up with tomorrow, which actions?

MS. BECKWITH: Yes, and so my master plan is to go back and start the discussion with the dolphin wahoo bag limit, and then, based on that decision, we will go back to Action 6, which is the accountability measure for dolphin, and then, once we're done with that, we will move through the remaining actions on wahoo, which is, I believe, two or three actions on wahoo.

MR. BELL: Okay. That's just what I was trying to get a sense on, and I remember, on 6, Andy had something that he wanted to throw out, and so I wanted to make sure that he's able to do that tomorrow, and I know he may be a little late coming on, but we want to make sure we capture where he was going when we kind of cut him off.

MS. BECKWITH: For wahoo, we've got the Action 7 and Action 8 and then the bag limit discussion for wahoo, and so there's three more actions on wahoo.

MR. BELL: Okay, and 6 and the bag limit on dolphin.

MS. BECKWITH: Correct.

MR. BELL: Okay. Well, I told you all 5:30, and we'll stick to that, and so if we could go ahead and -- We don't have to worry about a closed session in the morning, and so we'll pick it up, and Anna can start us off at 8:30, and we'll just press on, and we're in a position where we don't have a hard stop at the end of the day, necessarily, and we can push the schedule, if we need to, and so we just need to spend the time having the appropriate amount of discussion and covering what we need to cover and get it done, and so John Hadley might have something he wanted to say here.

MR. HADLEY: Yes, and I just -- This is something that we can come back to tomorrow, and I will make a note of it, because it sounds like we're ready to wrap up, but I did want to come back

to Action 13, and it looks like the motion did fail, but how to handle this action, since your current preferred alternative is Alternative 1, no action.

MR. BELL: Okay. I understand.

MS. BECKWITH: Okay. Sounds good.

MR. BELL: All right. Well, thank you, guys. It was a long day, and appreciate you hanging in there. Get some rest, and we'll pick it up again in the morning at 8:30.

MS. BECKWITH: All right. Good night, guys.

(Whereupon, the meeting recessed on March 3, 2021.)

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MARCH 4, 2021

THURSDAY MORNING SESSION

- - -

The Dolphin Wahoo Committee of the South Atlantic Fishery Management Council reconvened via webinar on Thursday, March 4, 2021, and was called to order by Chairman Anna Beckwith.

MS. BECKWITH: Good morning. I've got 8:30 on my computer, and I just wanted to wish everybody a most excellent morning, and I hope that everybody got some good sleep. I think I want to pass it over to Mel to impart some words of wisdom to us this morning, and then we will get started on Action 11.

MR. BELL: All right. Good morning, everybody. Thanks for showing back up for day four here. I don't know about the wisdom aspect of this, but I do appreciate everybody's hard work so far, and we're going to reconvene here in a second in Dolphin Wahoo, and we've got a number of actions that we still need to work on, one which we had a good bit of discussion on yesterday, and so I just want to make sure -- We're going to get into this this morning, and we're going to take whatever time it takes to work through Dolphin Wahoo, and so, if we need to push the schedule a little bit, we're not pushing towards a real hard stop today, or we've even got tomorrow as well, potentially, and so I do want to make sure that we cover everything that we need to cover and we get the things done that we definitely need to deal with, and so, having said that, I will turn it back to Anna to reconvene us in Dolphin Wahoo, and we'll get underway. Thank you.

MS. BECKWITH: Okay. Thank you. We are officially reconvened into Dolphin Wahoo, and John is going to bring us back to Action 11, and, if I am not mistaken, I believe Mel may want to open up with a motion to begin the discussion this morning.

MR. BELL: Thanks, Anna. First, let me just say that, as far as sleep last night, yes, I got some, but I did a lot of processing, and so maybe some of you were doing that as well on this particular

topic in Action 11, and so I thought of a number of things, and we listened to a little bit more public comment yesterday, and there was nothing new there, necessarily, related to this.

We have had a great deal of public comment regarding this amendment and the whole dolphin wahoo fishery, particularly with dolphin, and so one thing that hit me is I was looking at the -- Remember that yesterday we adopted the new goals and objectives for the fishery management plan, and Goal Number 1 is management of the dolphin wahoo fisheries is precautionary, risk-averse, and maintains historic catch levels, while preventing overfishing.

We know that, from a lot of things that we're hearing from our fishermen, that the fishery is not what it used to be, and that's not uncommon for a number of our fisheries, but there are definitely express concerns by folks in what they're seeing out there, and no one is questioning at all what they're seeing and what's going on.

The big issue I think we have is that some of the things that folks are seeing we may not really know exactly what is causing that, and it's easy to jump to conclusions that certain things are going on in the fishery and that's the problem, or that's what is causing the things that I am seeing in my part of the fishery, and that is where we're not -- We're kind of operating on some assumptions and all there, but definitely we know that we want to be precautionary in nature, but, until we have an understanding that we have a clearly-documented cause for the problems that we're seeing in the fishery, we're kind of operating in the blind there.

Therefore, some of the actions that we could take may be overly prescriptive, and what I'm saying is that, if we're taking the precautionary approach, the things we want to do at this point are to prevent problems from happening, more so than to try to fix something, because there's not a clear fix to the problems that folks are seeing across-the-board, and so, given that, you can think of this as whatever we do here related to this action is more of a preventive-type action, rather than a curative action, and we do know that there are certain things we could do that would have a real cost for certain folks within the fishery, and that's documented, just in terms of looking at what potential landings reductions and all would achieve, and so I think what we should do is perhaps try to be preventative in nature and not so much curative right now, because we don't really have a clear sense of what the problem is.

We have also heard from -- I know when we had Dr. Merten brief us, understanding there's an international component to this fishery that may be way larger than anything we're doing, and so what I'm saying is we don't want to be overly prescriptive and cause harm to some aspects of our fishery, when we're not quite sure that that will cure anything, and I think there's obviously an interest in a shared approach to this, and so is there something we could do that would share the assumption of a more precautionary approach without causing harm? What we want to do is avoid doing any harm, and we're not under a Hippocratic oath, but that's what we would like to be able to do, is do no harm, but do things that are beneficial in the long run.

So, having provided some of that as background, that led me to looking through the alternatives and trying to find something that perhaps we could at least, for purposes of this morning, of throwing it on the board and talking about it, is where is there is a particular alternative that might provide us a path forward, in coming to agreement across-the-board.

**What I'm proposing to do is I will make a motion that, under Action 11, we select Alternative 2, Sub-Alternative 2e, as our preferred.** If anyone would care to second that, we can have some discussion on that, but I think that's one thing that they've come up with that looks like it would work for the various things that I've described, and it's just a place to get us started, to get us moving forward, and so that's my motion. If someone would like to second it, that would be great.

MS. BECKWITH: Thank you. I see Spud. Spud, would you like to second that motion?

MS. WOODWARD: Yes, ma'am, I would. Thank you.

MS. BECKWITH: Yes, and I would support this path forward, as the chair of this committee, and I think this is a -- I support Mel's points, and I think that this is a path forward, and it hopefully reaches some of the desires of having consistency up and down the east coast and allowing a small reduction in the bag and vessel limit while not detrimentally impacting any sub-sector of our fishery, and so I would be in full support of this. Steve.

MR. POLAND: Thank you, Madam Chair, and thank you for that, Mel. I feel like we really captured the discussion and the issue and what we're wrestling with well, and I can also support this motion. I like how you framed this as a precautionary versus prescriptive approach, and I do feel like that there are things going on in the dolphin fishery, and there are things going on in the dolphin fishery outside of our region, and I would hope that, when we're done with this amendment, or not even before we're done with this amendment, that we could reach out to our other management partners, and other management bodies, and ask for more cooperative management and ask for more science on this fishery.

I mean, I think it would be fantastic if we had a stock assessment for dolphin, but I recognize that that's not going to come out of the region. I mean, that's international, at the very least, and so I just wanted to put that out there and say that I'm in support of this motion.

MS. BECKWITH: Mel.

MR. BELL: On top of what I said already, one of the other things that I guess hit me yesterday was the trying to avoid boundary issues with the differences across the boundary, and this would be consistent throughout our region. I think Pat O'Shaughnessy's face flashed in front of my yesterday when I was considering other options, and I thought, well, here's something where everybody is doing the same thing across the entire region out there, and I know it may not be stringent enough in some folks' minds, but, again, the approach is precautionary in nature and not to really try to cure something that we're not quite sure what we're curing. Thank you.

MS. BECKWITH: Jessica.

MS. MCCAWLEY: Thanks, Anna. You guys probably remember that FWC sent a letter to the State Department highlighting the importance of understanding this fishery on an international scale, and I guess I was going to see if the Science Center had made any progress with the appropriate international bodies on the possibility of an international dolphin assessment.

MS. BECKWITH: Is there anyone from the Science Center that might want to comment on that?

DR. PORCH: Right now, ICCAT is not really interested in doing a dolphin assessment. They kind of have their hands full with the other species that we're dealing with, and I know it's been brought up by multiple people, and all we can do is just ask the U.S. delegation to keep pressing on that, but, again, ICCAT is kind of overwhelmed with the species they've got, and so I don't anticipate that it would happen anytime soon, because it would be a pretty major lift.

MS. BECKWITH: Thank you, Clay. Chester.

MR. BREWER: If you try to run this through ICCAT, you can maybe see some progress in about twenty years, and so I don't think that's a viable option anyway, but I wanted to talk a little bit, because I too was thinking about our discussions yesterday and the possible acrimony that was within those discussions, and I was thinking about some stuff that was said during public comment, and the gentleman who said that what we really need is a minimum size limit -- At first, I poopooed that, and I said, you know what, you bring a dolphin aboard and that dolphin is going to be dead, because they flop around, and you're going to have an awful time trying to get the hook out of them, and you almost can't get a hook out of them until they're dead.

I was thinking, well, the size limit -- A minimum size is not really going to help anything, but he was so emphatic in his comments, and I got to thinking more and more about how people do prosecute this fishery, and one of the techniques that's utilized is you catch a dolphin and you bring it to the side of the boat and you leave it there in the water, and other dolphin then, schoolies usually, come up, and they're not trying to help their brother or sister, but they are trying to get, out of the mouth of their brother or sister, whatever the other fish has.

They hang around, and you throw cut bait to them, and you can load up a cooler pretty quick, and that is a practice that I don't think should be encouraged, and I think that's the reason you're seeing, in North Carolina, that there's the majority of cases where they are bumping on that sixty-fish limit, and so I got to thinking how does one discourage that almost slaughter mentality, and a size limit really might help on that, because, if you're up there bailing schoolies, or out there bailing schoolies, you're not doing the fishery any good, and so, if you put -- We would have to -- You know, this would have to go through, or it would have to be analyzed, twenty or twenty-two or twenty-four inches, as a minimum.

If you have got a fish up to the side of the boat, and what you're catching, or what you catch, is a schoolie that you can't keep, you're not going to keep catching those schoolies, and you're going to move, and so I think that -- I will make a motion on this in a little bit, but I think we should consider, in this amendment, a minimum size, because, the more I think about it, it may be a very good way forward, and that's all I have right now. Thank you.

MS. BECKWITH: Thank you for those thoughts, Chester. My only concern with adding something into this amendment at this point is that we are looking to vote this up or down in the June meeting, and so, while I think reconsideration of a size limit is totally appropriate for the council to consider, I'm not sure that this amendment would be the right place for it, and I think that would have to slip into the following amendment, since we are so close to the end on this one. Are there any other comments before we take a vote on this motion? I am not seeing any. Jessica, go ahead.

MS. MCCAWLEY: I appreciate Mel's discussion from the beginning, and I still am not convinced that this action goes far enough, and so I might be suggesting an additional preferred alternative, after we get through with this motion, and I really think that something coastwide is good, and great, and I love that idea, and I just don't think that this goes far enough, and part of this is because, when we looked at those tables yesterday, and we were talking about how many fish different areas of the Atlantic coast are catching, it appeared that the southern part of our region is not really taking this many fish, and so I don't really see this as even kind of holding back the dam here or dealing with this issue that we're seeing in Florida, and so I don't think it's really enough.

I could choose a different sub-alternative here under Alternative 2 for something else coastwide, and I was thinking of something that was more in line in the forties, and so I would just throw that out there, that I don't really think that this gets to the issue, and it does seem to be about nine per person, depending on how many are onboard the boat, in the northern areas of our region, but I don't really think that this is getting to kind of thinking about the sustainability of this fishery, and I really just feel like, as I mentioned yesterday, that the vessel limit is really the only tool here that's helping us to constrain the catch before an AM would be triggered.

MS. BECKWITH: Well, and just to that point, Jessica, I think, if we were to move forward with the motion that's on the table, as Mel said, we would be taking a precautionary approach without doing any damage to a sub-sector or region or whatnot, and then I know that one of Florida's main concerns is to make sure that we don't have a closure, and so I would be in support of going back to Action 6 and then putting a more restrictive vessel limit, if we were to trigger an accountability measure at that point.

I think North Carolina would even accept thirty fish as a vessel limit, if we triggered an accountability measure, and that would ensure that there's not a closure in the year that the overage occurs, or that we achieve our ACL, and then, in the following year, with that step-down, it would also ensure it, and so I think that path forward would be one that maybe we could support regionwide, instead of having to sort of this very contentious issue that we were discussing yesterday, and so I would offer that. I would like to move on this motion. I see that I've got Art and Andy and Tony, and none of them have spoken yet, but if you guys can keep your comments brief, and let's see if we can get this moving. Art, go ahead.

MR. SAPP: Thank you. I keep hearing about the international concerns. Yes, they're there, but there is absolutely nothing we can do about that, and so I don't even want to talk about it anymore. What we do know is that a very large portion of the fishing population in this region is saying there's a problem, and I have absolutely no doubt that there is a problem, and the only section of this region that is really abusing the fishery, by the numbers, is up north, and I don't want to see the best fishermen from the north still allowed to abuse the fishery, and it's got to be even for everybody across-the-board.

Change is scary, like I said yesterday, but they'll get past that. It's necessary, and the fishery needs help, and this is the best way to do it. People are asking for thirty fish, and we're offering forty, and we're already going beyond what the people are asking for, and so we've got to do the right thing here. Thank you.

MS. BECKWITH: Okay. Andy, go ahead.

MR. STRELCHECK: Good morning, Madam Chair. I wanted to hear a little bit more from Jessica. She alluded to possibly another motion, and I assume, Jessica, that you would consider selecting a lower vessel as preferred for either Alternatives 3 or 4, if this motion was approved, and can you talk a little bit more about what you were thinking, because I think it's relevant to how we may vote on this motion.

MS. MCCAWLEY: I sure can. While I would like something coastwide, and I could offer a substitute motion here, because I think we need to go just a little bit lower, if this motion passes, at the very least, I would come in with probably something from Alternative 4 and choosing something from one of those sub-alternatives as well.

I really just think that just a little bit lower item from Alternative 2 would be better, and I know that Florida folks have been wanting thirty, but, if we're going to do something coastwide, I would be willing to go down to something in the mid to low forties. **I guess I would go ahead and offer a substitute motion here to make Sub-Alternative 2d our preferred under Action 11.**

MS. BECKWITH: Do we have a second?

MR. DILERNIA: Second.

MS. BECKWITH: Okay. So there is a second on the table, and then, Tony, you were on the list to speak. Go ahead.

MR. DILERNIA: Thank you, Madam Chairwoman. I would like to speak to support Jessica's motion, and actually too Jessica's original comments. One of the most difficult things we have to do as fisheries managers is to cut back on a fishery, and, if we take a fishery -- If we control a fishery as it's being developed, and we take it under control before it gets out of hand, we don't - - We sometimes will not have to find ourselves in a position where we have to cut back on a fishery.

In the Mid-Atlantic and the southern New England region, as you've heard me say time and time again, the mahi fishery -- We call them mahi, and you call them dolphin, but it's growing and expanding. I would hate to see it grow up and get us to the point where we're catching fifty or sixty fish per trip on a six-pack or a private boat and then have to come back and say to cut back, because then all you're going to hear is, oh no, oh no, you're going to hurt me, you're going to hurt me.

If we have this fishery develop a little more carefully, and I think the forty-fish possession limit is a better way to go, then we may not be faced with having to do cutbacks in the future. Art is right that the fish are moving up north, and we're catching more and more of them, but let's put some controls on this now, before it gets out of hand, and so that's why -- I mean, it may surprise some, as a former headboat captain and a recreational representative, that I would support dropping the possession limit, but I think a forty-fish possession limit is reasonable, and it will prevent us from getting into a tough spot going forward. Thank you very much.

MS. BECKWITH: While I can certainly support fifty-four fish, I will not be able to support the forty-eight, personally, for the charter fleet in North Carolina, and I think I have to balance this out with the fact that we're going to be looking at reductions in wahoo as well, and potentially

going to a one-fish bag limit on wahoo, which will also have some impacts to the charter fleet in North Carolina, but the motion is on the table, and is there anyone else that would like to speak before we take a vote on this? Seeing none, John, would you do a roll call vote? I think that's how we're going to have to handle these.

MR. HADLEY: Yes. I'm going to start with Art, and I will go down the list and ask for a yea or nay vote. We're voting on the substitute motion, and we're starting off with Art. I will come back to Art. Chester.

MR. BREWER: Yes.

MR. HADLEY: Chris.

MR. CONKLIN: Yea.

MR. HADLEY: All right. Tim.

MR. GRINER: No. Another no for Art, but no for me.

MR. HADLEY: Okay. Steve.

MR. POLAND: No.

MR. HADLEY: All right. Spud.

MR. WOODWARD: Yes.

MR. HADLEY: Carolyn.

MS. BYRD: John, it looks like -- Carolyn, I'm sending you an audio PIN, and it looks like you will need to enter it before we can unmute you again, and so, John, it may be good to skip Carolyn and then come back.

MR. HADLEY: Okay. We'll come back to Carolyn. Mel.

MR. BELL: Yes.

MR. HADLEY: Kyle.

DR. CHRISTIANSEN: Yes.

MR. HADLEY: Andy.

MR. STRELCHECK: Yes.

MR. HADLEY: Jessica.

MS. MCCAWLEY: Yes.



MR. HADLEY: Kerry.

MS. MARHEFKA: Yes.

MR. HADLEY: Lieutenant Robert Copeland.

LT. COPELAND: Abstain.

MR. HADLEY: All right. Tony.

MR. DILERNIA: Yes.

MR. HADLEY: Dewey.

MR. HEMILRIGHT: No.

MR. HADLEY: Rick Bellavance.

MR. BELLAVANCE: No.

MR. HADLEY: I'm going to come back to Art. I know that Tim said no, but --

MR. SAPP: I'm on here now.

MR. HADLEY: Okay.

MR. SAPP: Sorry. I lost it for bit there, but is this Jessica's motion? I am sorry, guys.

MR. HADLEY: It's the substitute motion.

MR. SAPP: I'm a yes with Jessica on that one.

MR. HADLEY: Okay, and so you're a yes.

MR. SAPP: Yes.

MR. HADLEY: Okay. Carolyn.

MS. BYRD: Carolyn is having audio issues, but she said yes through the question window, John.

MR. HADLEY: Okay. **The motion passes with eleven yes, four no.** Anna, I assume that you're abstaining from this, as the chair?

MS. BECKWITH: Put me on the record as a no.

MR. HADLEY: Okay.

MS. BECKWITH: Okay, and so my question is, because each council does it a little bit differently, but do we need to now re-vote on this as the main motion, because I know the Mid-Atlantic does not re-vote on substitute motions, and so what is our procedure? Do we need to do this again?

MR. CARMICHAEL: Anna and I had raised that, because normally we vote to substitute, and then the substitute becomes the main motion, and then you vote on the main motion.

MS. BECKWITH: Okay, and so we've got to do this again. All right. Shep, did you have something to add before we re-vote on this?

MR. GRIMES: No, ma'am, and I was going to respond to something that Chester had said. I was checking the regs, and I just wanted to clarify, but it's related to size limit and not bag limit, and it's not relevant as much. Thank you.

MS. BECKWITH: Okay. We have to do the vote again, and so go for it.

MR. HADLEY: All right, and so this is now the main motion. It is for Sub-Alternative 2d as preferred in Action 11. Art, we'll start with you.

MR. SAPP: I'm a yes.

MR. HADLEY: Okay. Chester.

MR. BREWER: Yes, sir.

MR. HADLEY: All right. Chris.

MR. CONKLIN: Sure.

MR. HADLEY: Tim.

MR. GRINER: No.

MR. HADLEY: Steve.

MR. POLAND: No.

MR. HADLEY: Spud.

MR. WOODWARD: Yes.

MR. HADLEY: Carolyn.

DR. BELCHER: Yes.

MR. HADLEY: Great. Mel.

MR. BELL: Yes.

MR. HADLEY: Kyle.

DR. CHRISTIANSEN: Yes.

MR. HADLEY: Andy.

MR. STRELCHECK: Yes.

MR. HADLEY: Jessica.

MS. MCCAWLEY: Yes.

MR. HADLEY: Kerry.

MS. MARHEFKA: Yes.

MR. HADLEY: Lieutenant Robert Copeland.

LT. COPELAND: Abstain.

MR. HADLEY: Tony.

MR. DILERNIA: Yes.

MR. HADLEY: Dewey.

MR. HEMILRIGHT: No.

MR. HADLEY: Rick.

MR. BELLAVANCE: No.

MR. HADLEY: Okay. The main motion passes with eleven -- Well, Anna, I'm sorry. I didn't call on you.

MS. BECKWITH: No.

MR. HADLEY: Okay. **The motion passes with eleven yes, five no, and one abstention.**

MS. BECKWITH: Okay. Shep, did you want to answer Chester's question before we move to Action 6?

MR. GRIMES: Yes, and thank you, Madam Chair. It wasn't so much a question, but he was referencing size limits, and I just wanted to point out, and thank you, Jack McGovern, for flagging this for me, that there is already a size limit for dolphin in the Atlantic off of Florida, Georgia, and South Carolina. That is twenty inches fork length, and it's codified at 622.275. Thank you.

MS. BECKWITH: Kerry, go ahead.

MS. MARHEFKA: All right, and I've debated bringing this up, but I think that I will lose even more sleep if I don't. There was a brief discussion yesterday about the potential to give charter boats a different bag limit, and one of the things that I keep going back to is they are now reporting, and I feel like there should be some sort of -- "Reward" is not the right word, but I do feel like that's an equation changer for me.

Maybe you all have discussed it ad nauseum before I was on the council, and so I really hate to do that to you all if you have, but I would just -- To rest my brain, can someone tell me why we can't consider that here? If it is slowing down the amendment, just say that, and I get it, but, if it wouldn't slow down this amendment, I would love to hear why that's not a possibility.

MS. BECKWITH: No one has potentially brought it up as a motion. I mean, we just hadn't gotten that far, and I think -- I suspect that North Carolina, and maybe a couple of others, would be in support of excluding the charter fleet from the reduced bag limits, and I have suggested that on the record a few different times, and I suspect that there is many members from the other states that are not inclined to go that route. We could do -- You are certainly welcome to put a motion on the table to exclude the for-hire fleet from the reduced bag limit, and we can have that on the record and see where it goes, and I would not discourage you from doing that, but that's up to you guys.

MS. MARHEFKA: May I?

MS. BECKWITH: You certainly can.

MS. MARHEFKA: Real quick, before I make the motion, what I would like to do is hear from GC and find out is this within the range of the alternatives, the actions, we already have, or would it slow things down significantly to add this, if it were to progress that far?

MR. GRIMES: I presume you want me to field that, Madam Chair?

MS. BECKWITH: Yes, please.

MR. GRIMES: Thank you. I mean, you could add it, and I don't know -- I'm not exactly sure what you're talking about, but I presume you would be talking about, or you are talking about, an exemption from your preferred alternative for the vessel limit that you just selected, and we can certainly add that. I don't know that I would say that it's within the range of what's already there, but I don't view that as a pertinent issue, and you could add it. In terms of how much it would slow it down, I don't really know, and I would ask council staff and the NMFS analysts, but it will absolutely slow it down, because we'll have to develop language and analysis for it, but I don't know how much.

MS. BECKWITH: Kerry, I think it would be enlightening for the charter industry to see where folks lay on this issue, and so I will go to Mel and then Andy, and then I will come back to you to put a motion on the table, if you so desire.

MR. BELL: Well, I was going to just sort of speculate, I guess, like Shep, and my assumption would be that it is a new aspect, and there is other dynamics to it, within how we've already

discussed this thing, but it probably would slow this down quite a bit, and so I was just going to point out, as Chester was talking about size earlier, and, I mean, I'm sure we're going to be seeing another dolphin amendment coming along here, and so that could be something that could be addressed at that time, particularly after we had lived under, potentially under, what we're doing now for a little bit of time, to kind of see what happens, but my assumption would be that it would slow it down a good bit.

MS. BECKWITH: If it were to pass, we can always move it into an amendment that would also be considering size limits, and so it wouldn't necessarily have to be maintained within this amendment. Andy.

MR. STRELCHECK: Thank you, Madam Chair. Just as a little bit of background, when this was mentioned yesterday, we were talking, amongst NMFS staff, and we couldn't come up with at least any examples in the Southeast where differential bag limits have been implemented between the for-hire and private angling community.

I guess a couple of points that I would make is that, for a motion like this, or a recommendation to proceed, you do need to justify why it would be fair and equitable and what is the rationale for allowing one segment of the recreational sector to have a different bag limit than the other. In the Gulf of Mexico, we do have sector separation between for-hire and private anglers for red snapper, and the states have regional management.

The bag limit is one item that we had not changed between the private and for-hire, but there are ways of setting seasons differently, and so I would say it's not unprecedented to have different management measures between the sectors, but, right now, the South Atlantic does manage the entire recreational sector collectively, and I think you would have to make the case as to why any sort of differential regulations are justified fair and equitable.

MS. BECKWITH: Okay. I'm going to go back to Kerry, to see if she's interested in making the motion, because, if she is not, then we don't need to further discuss this. Kerry, would you like to make a motion?

MS. MARHEFKA: I was still thinking it through, Anna. Thanks. I really, really, really think this warrants further discussion, because I do think the justification and the game-changer is the fact that these guys are reporting regularly, everything, from my understanding, and they're basically reporting the same stuff that we're reporting, which gives them a higher level of accountability, and I think, with that, I think that's a game-changer, but I'm also a realist, and I've been around long enough to know that no one is going to be interested in slowing this down and that the points that Shep just brought up are very valid, and we are not going to build justification here, and so what I'm inclined to do is -- I think the discussion -- I think we're getting some discussion on the record, and I think it's important, and I'm inclined to talk about in the next amendment, but I'm really torn about it, and so, if Chester wants to speak, and there's a couple more people that want to say something, and can I reserve the right to change my mind, and then I will let us move on, and I promise that I won't beat it all morning.

MS. BECKWITH: Certainly. Chester, go ahead.

MR. BREWER: Thank you, Anna. I want to thank Shep for advising me of something that I had forgotten, and that is that we do have a minimum size in Florida and Georgia and South Carolina, and apparently there is none, and somebody can correct me if I am wrong, but there is none in North Carolina, and that then sort of explains why we're seeing all of these sixty-fish trips primarily occurring in North Carolina, and so it seems to me that, out of a sense of fairness, and to protect the species, we ought to have a region-wide minimum size, and I am prepared to make a motion that we include that in this amendment.

MS. BECKWITH: I am going to suggest, again, that that would require a lot of public comment and scoping in North Carolina and north of North Carolina, since this would impact the Mid-Atlantic and the Northeast, and it is not appropriate to add that action into this amendment, but I am fine with you guys moving something forward in another amendment, and you can bring that up under Other Business, if we would like to put that on the list for a new amendment, but size limits should not be dealt with in this amendment, given the timing. I am going to go to Rick Bellavance.

MR. BREWER: Might I respond, please?

MS. BECKWITH: You certainly may. Go ahead.

MR. BREWER: I think that I would like to make a motion and see if I get a second. The motion would be --

MS. BECKWITH: Mel, would that be out of order, based on what I have explained, in terms of timing of the amendment and my suggested path forward, or would you accept that motion from Chester?

MR. BELL: I am sorry. Were you talking to me? There is a dog barking.

MS. BECKWITH: Sure. I'm asking if you will accept that motion from Chester, because I would consider it out of order, given what I have suggested in terms of timing, but I will defer to you as chair of the council, if you would like to accept that motion from Chester to add a size limit.

MR. BELL: I think from a -- You have explained a problem with that potential motion, but I think, and I'm not the parliamentarian here, but I think he still has the right to make a motion, and, like he said, if he doesn't get a second, I don't know that -- Again, it's just my interpretation, but I don't know that that would be out of order. I mean, he could have just made the motion, and then he gets a second or he doesn't, but indeed I think that is a legitimate problem with that particular motion at this time, if it were to go through, is it would -- Yes, it would slow this whole thing down.

MS. BECKWITH: Okay. Chester, based on that --

MR. CARMICHAEL: Anna, just quick, if I could, I agree with Mel, and I don't think it's out of order, but I will point out that we have already gone to public hearings too, and so, if you did add something that was totally new, you would need to consider the need to go back to public hearings as well and extend it out.

MS. BECKWITH: Yes, which I would be -- That would be terrible. Okay, Chester, it's your move. Go ahead.

MR. BREWER: Thank you. **Madam Chair, I would like to make a motion that we add a -- I guess it's an action to Amendment 10 which would make the minimum size requirements currently in place for Florida, Georgia, and South Carolina apply throughout the management zone, and this is for dolphin.**

MS. BECKWITH: Okay. Is there a second? Hearing none, the motion fails for lack of a second.

MS. MCCAWLEY: Second. Sorry. I couldn't get unmuted.

MS. BECKWITH: Okay. Jessica seconds. Okay, and so I'm going to go down the list, and I'm not sure if the discussion points are on this or something else, but I will go down the list. Rick Bellavance, go ahead.

MR. BELLAVANCE: Thank you, Madam Chair. My comment is not relative to this motion, and I can hold off until after you dispense with it, or, if you would like, I can give my comments now.

MS. BECKWITH: No, go ahead, Rick.

MR. BELLAVANCE: Okay. My comment was, just quickly, related to the possession limit discussion that was happening before this motion was put up, and I just wanted to give an example from the State of Rhode Island, where we have a boat limit, a vessel limit, in place for tautog, and they exempt the charter fleet from that boat limit, because of the electronic reporting that we participate in and because of the nature of our business, and it works really well.

The private angling community harvests about 90 percent of the tautog, and the vessel limit that they implemented on them went a great deal to keep us within our bounds and help rebuild that stock, and it didn't impose any extra inconvenience on the for-hire fleet, and we were able to keep track of that through the electronic reporting that we are mandated to do up here, and so I just wanted to add that to the conversation, and I don't necessarily think that you should add that into this particular action, because of the reasons that were given, but, as you move forward to another action, I think it would be seriously worth considering. Thank you.

MS. BECKWITH: Thank you, Rick. Jessica, go ahead.

MS. MCCAWLEY: Okay, and so I had put my hand up to respond to what Kerry was talking about, and now I feel like I need to talk about size, and so let me try to hit both of those things. We had a short discussion yesterday about the captain and crew being able to keep a bag limit, and so I guess that I don't -- I wouldn't necessarily vote for Kerry's motion at this time, and I do think that the whole captain and crew keeping the bag limit was somewhat of a holdover from the for-hire sales that we had eliminated, yet we still have this bag limit for captain and crew, and so, in theory, you could have fewer customers onboard, but they could still get the vessel limit, because you have a vessel limit for captain and crew, and so, in my mind, they kind of get more fish anyway, and then, as the customers leave, they could take home more fish than their personal bag limit, because there is no off-the-water possession limit, and so that was what I was trying to say on Kerry's item.

On the size limit, and I mentioned it at the last meeting, when we were having this discussion in December, that the size limit has come up in FWC discussions about dolphin, and our commissioners do believe it to be important. I would support this motion, but I guess, in thinking about slowing it down, this whole amendment, I know that we've been working on this for three years, and nobody wants to finish this amendment more than me, or maybe Anna does, but I just really -- I always think it's better to get things right than to worry about, oh my gosh, we're not finishing this.

I do like the idea of a size limit discussion, and I guess that I would like to hear from people about whether they would prefer for it to be in this amendment or moved to the other one, and I would look to start that other dolphin amendment soon after this, because we're piling other things into this other dolphin amendment, to try to push this one forward, and I understand why, but, in my mind, lots of these discussions are important for the long-term management and conservation of dolphin coastwide, and so I certainly support this motion that Chester made, and I do think that it's really needed, and it is a good point.

You know, we are hearing that people in the Carolinas do seem to be taking a smaller fish than say what they're taking in Florida, and I can't tell if that's because of the size limit or because, when the fish are off the Carolinas, or off of North Carolina, or north of that, that maybe the big ones just aren't present, and so maybe it has to do with migratory patterns, and it's unclear to me.

I do think going to a much larger fish -- You've got people that have trouble getting them onboard and measuring them, but twenty inches I feel like is something that's working for these southern states, and people can kind of eyeball that, and so I'm certainly supportive of this. I do agree that it will slow it down, and I don't -- That's not a problem for me, but I do see where it might be a problem for others, and so I will just throw all those points out there, and thanks for letting me talk on two topics there, Anna.

MS. BECKWITH: No problem. Steve.

MR. POLAND: Thank you, Anna. I've actually got three things that I want to say, because I originally raised my hand to respond to Chester, but I will talk about this motion, and then I will kind of double-back to the for-hire discussion that Kerry brought up. First, I just -- I have become a little frustrated with the constant framing that this is an us-versus-them issue, a North-Carolina-versus-everyone-south issue. I mean, the size limit, I think, is a prime example, where it was framed that everyone south of us has it, but we don't have it.

I would just remind you that there are landings north of us, and they are significant landings. I mean, the Mid-Atlantic and New England, in the last five years, have landed anywhere from a million-and-a-half to five million pounds, and so that's not insignificant, and so I don't like the discussion that just keeps focusing in on it's North Carolina up here doing all the catching, and the states north of us are as well, and Tony and Dewey and Rick Bellavance can speak to that.

As far as the size limit, I'm not going to support this motion, and I understand the case that Jessica made of just keeping it in here and getting it right, and, if this motion does make it into this document, I might would even suggest that let's break Amendment 10 up and take care of the first couple of sets of actions, as far as updating the ABC, or updating the ACLs and accountability



measures and stuff, and then move these other actions into the subsequent amendment, where we've already obligated ourselves to look at things like longlines and such.

Then, to Kerry's points about the for-hire sector, I think that's a discussion worth having, and I would support a motion, if Kerry did bring it, but, with that being said, and the previous point about trying to move some of these actions along, if we wait until the next amendment, I'm fine with that too, but we did hear from fishermen from North Carolina that were in support of considering it, and they are accustomed to it up here, and we manage a couple of our interstate fisheries with different vessel limits and bag limits between the private rec and the charter industry, and bluefish and cobia are two examples of that, and so, I mean, there is some similarity, or familiarity, with that up here. The points raised about the for-hire logbook, I think those are valid points, and we need to explore that, and those were the three things on my list, Anna. Thank you.

MS. BECKWITH: Thank you, Steve. Mel.

MR. BELL: I will admit that Kerry and Chester and folks have brought up some really important stuff that we need to consider in this fishery, but I think what -- If it were my preference, I would sort of move forward as quickly as we can move forward with what we have in the amendment at this point, realizing that it's meant to be precautionary in nature and not curative, because we're really unclear, as even Jessica has described, about understanding of the fishery, and we're not that certain about what it is that we would be fixing exactly with these particular mechanisms, and so I wouldn't support this particular amendment to add this at this point, because I think it would completely drag us into a whole bunch of other analysis and public hearings and all this stuff, and it's taken us I can't even remember how many years, but it's taken us a while to get to this point.

I think it would be better, and also balancing the overall council -- The things that we're dealing with across-the-board, and so, if we could basically make progress on this and clear this and get something in place that is precautionary in nature and have some success in that, and then the other thing that I was going to say is make sure we have a good list of all these things that people have brought up, because that could be addressed in the next amendment, but my personal view would be it would probably be better for all to move through with what we've got now and bring in some of this stuff related to the fishery in the next amendment. Thanks.

MS. BECKWITH: Thank you, Mel. Tony.

MR. DILERNIA: Thank you, Madam Chairwoman. The minimum size was not taken out to public hearing, and so I don't think you can legally include the minimum size in this amendment, because it was not presented to the public as a possible alternative. Even if you did, you would have to know what would be the post-release mortality on mahi that were released, and what would be the minimum size that you would choose? I mean, these are some of the issues that I would bring up for discussion, and so I don't think you can include the minimum size in this amendment.

Briefly, to a point that Jessica made about the captain and crew keeping some fish, I would like to make the point that if you work onboard on -- If you fish on a private vessel, you keep your own fish. If you work onboard on a dragger, you can bring a few fish home, but, as a charter boat captain, when I'm fishing with my clients, I can't bring fish home, and, when I was a young man, a very long time ago, working as a deckhand, when we were first married, I had flounder for lunch every day, because every day I would catch one or two fish, and we were poorer than church mice,

and we had nothing, and so I got a free meal each day, because I would catch one flounder and bring it home, and my wife Luanne would fry that fish up, and that would be my sandwich for the next day. I think the captain and crew should be allowed to keep some fish, and maybe not the entire possession limit, but they should be allowed to bring a couple of fish home for their own use.

Finally, to Steve's point, yes, we in the Mid-Atlantic and southern New England -- We would be happy to be included with North Carolina on that catch, as far as fish that are being caught, mahi being caught, up north, although, quite frankly, I'm not sure that I would want to be a member of any club that would have me as a member in the first place, and so I will let it go at that. Thank you very much.

MS. BECKWITH: Thanks. Dewey.

MR. HEMILRIGHT: I wouldn't be in favor of adding this in, a minimum size here in this amendment, and I think you need to go out to public comment, or gather the data, but, also, in these -- As Mel said, like maybe we take all things discussed in the future and go find the information and available data, more so than just hearsay, and plug that, to see where we're at.

You know, there's things happening with the migratory patterns of mahi changing, as I referenced some before of, off of Delaware, eight ten-inch mahi around the buoys and where did they come from, and the ocean is changing, and, just because somebody is not catching a slammer fish, or a slinger, it doesn't mean that there ain't no mahi in the ocean, and something else is these mahi are highly migratory, and they don't live in a shoebox, and so I would be in favor of going out to public comment in the future, and so in another amendment, with the minimum size throughout its range or something, if -- You know, I don't even know what size is caught up here. I have done some measuring myself and looked at some fish from charter boats, and so I don't exactly have a great idea on what exactly size is caught up this way in North Carolina. Thank you.

MS. BECKWITH: Just fair warning that I'm not taking any more comments after Kerry. I am going to clear it, and then we're going to vote, and so fair warning. Chris, go ahead.

MR. CONKLIN: I didn't mean to have my hand raised. Somebody else can have my time.

MS. BECKWITH: Okay. Andy, go ahead.

MR. STRELCHECK: I'm going to speak in opposition to the motion as worded, and I'm supportive of considering a size limit change, and I am prepared to make a substitute motion, but, instead of that, I'm going to ask Chester if he would be willing to do a friendly amendment to his motion and ask that staff be directed to develop a framework action to consider changing the minimum size limit requirements, and that would be a separate action from Amendment 10.

MS. BECKWITH: Chester, how do you feel about that?

MR. BREWER: Andy, what would you think about -- I don't know whether it's possible or not, but, within that framework amendment, that we also take a look at the longline issue?

MS. BECKWITH: If I'm not mistaken, Chester, that's already on the list for the next amendment, and so I'm not sure that that would be necessary in this direction to staff.

MR. BREWER: Well, Anna, we were talking about bringing that up in, if I remember correctly, September, and sort of getting started working on it, but I had envisioned that we would be probably doing a full plan amendment and not a framework, and so my question is can the longline issue be dealt with in a framework at the same time as the size limit issue?

MS. BECKWITH: I do not believe so. I think it does have to be a plan amendment.

MR. BREWER: Okay. Then the next question is, if we change the minimum size, can that be done in a framework, or does that have to be done in a full amendment?

MS. BECKWITH: Framework.

MR. BREWER: Okay. **I will agree to it then.**

MS. BECKWITH: Okay. So we're going to leave it. Instead of voting on the motion, you're going to withdraw the motion, with the consensus of the committee, and we're going to provide direction to staff to develop a framework action to consider changing the minimum size limit for dolphin, and that is what is happening. Is everybody good with that? Go ahead, Chester.

MR. BREWER: We're not really looking at changing the minimum size so much as we are talking about having the regulations that currently apply in Florida, South Carolina, and Georgia apply throughout the management zone.

MS. BECKWITH: Correct, but you would still need to -- We would still need to look at a range, and so I believe it would still be a change for North Carolina and north from none to something, and there would have to be a range considered, and so I think the desire is clear in that direction to staff, as is the discussion on the record. If you're comfortable with that, we can move forward.

MR. BREWER: At least for the three states that I have mentioned, the twenty inches seems to be working, and I'm not currently interested in changing the size limit, but I just want to see it throughout the range.

MS. BECKWITH: What I am trying to get to at this point is to have this discussion elsewhere, as this discussion is not appropriate within Amendment 10, and so we are giving it a placeholder, a direction to staff to have this discussion outside of Amendment 10.

MR. STRELCHECK: Madam Chair, can I offer a clarification?

MS. BECKWITH: Yes, please. Go ahead.

MR. STRELCHECK: With regard to the direction to staff to address Chester's concern, we could say direct staff to develop a framework action to consider making the minimum size limit requirements currently in place, essentially that whole statement above, apply throughout the management zone for dolphin, rather than "changing", and so it would be "consider making".

MS. BECKWITH: Works for me.

MR. BREWER: **I'm okay with that.** I think the seconder was -- Wait. **This motion now belongs to the committee, and so it has to be withdrawn with their consent, but I will agree to withdraw.**

MS. BECKWITH: Okay. **I believe there is consent from the committee, unless I hear otherwise, and the direction to staff is on the board.** I am going to jump to Shep and let him speak, and, if anyone has a problem with this, they can let me know. Otherwise, this is how we're moving this forward. Shep, go ahead.

MR. GRIMES: Thank you, Madam Chair. I wanted to respond to something that Tony said, that the law didn't allow you to add this, because you had already gone to public hearings. That is incorrect. The Magnuson Act requires the council to conduct public hearings at appropriate times in the appropriate locations in the geographic area of concern, so as to allow interested persons an opportunity to be heard in the development of fishery management plans and amendments.

You have done that, and you will have another public hearing, and presumably you will take public comment when you take final action on this, and you will need at least one other council meeting, and so you'll get that feedback. I've heard, a lot of times in the past, that councils want to have a final document when they go to public hearing, or formally go out to what they call the public hearing process, but there's nothing in the statute that precludes you from adding actions and alternatives after you have conducted that process. Thank you.

MS. BECKWITH: Thank you, Shep. Kerry.

MS. MARHEFKA: Well, Andy kind of changed what I was going to say, and now I'm sitting here wondering -- Originally, I was going to state that both the charter boat action that I discussed earlier and this would be more appropriate to be not in Amendment 10. Then there's this discussion of this framework action, and I don't want to muddy the waters, and I'm waiting to get an answer, and maybe someone can say it on the record, whether or not we can also change bag limits via framework, because I cannot remember.

MS. BECKWITH: Yes.

MS. MARHEFKA: Okay.

MS. BECKWITH: You could also exempt the for-hire from the vessel limit via a framework.

MS. MARHEFKA: I think the cleanest thing to do at this point is -- It's up to you, and it's your pleasure, of course, but maybe, when this discussion is over, I would like to make another motion.

MS. BECKWITH: Okay. Jessica, go ahead.

MS. MCCAWLEY: Mine is just procedural. Andy made this in the form of a motion, and it didn't get a second, and I'm willing to second it, but this direct staff statement, to me, was an actual motion, and I'm just throwing that out there.

MS. BECKWITH: Andy, were you comfortable with direction to staff, or did you want it in the form of a motion?

MR. STRELCHECK: I actually didn't make it in the form of a motion, and I was asking that it be a friendly amendment to what Chester had proposed, but I am comfortable with it being direction to staff at this point.

MS. BECKWITH: Okay. Mel.

MR. BELL: I was trying to clear up the procedural stuff too, and I think that Andy just helped with that, and so where we are at this point, and Jessica just asked the question, is that -- Does that direction to staff need to be in the form of a motion from us, and I don't -- I mean, I don't think it does, and so we understand where we're going with that, but, again, I think we've already had a lot of discussion about a number of things that we would like to address in the future, and not necessarily in the context of moving this amendment forward right now, and so we can just --

I think we're better off if we can just kind of keep moving on the things we know we can move on and keep in mind that we have other actions that we have to work through as well, and so it seems like we've directed staff before without an actual motion, and so we've directed staff to develop that, but there may be other things that would fit in a framework, but some of the stuff we've talked about wouldn't fit in a framework, and so now we're talking about the potential of a framework amendment and the potential of another amendment, if I'm following everything we've talked about correctly.

MS. BECKWITH: Yes, and you guys are going to have a lot of work on your plate for whoever takes over Dolphin Wahoo when I leave after the next meeting. All right, Kerry, we're back to you.

MS. MARHEFKA: Okay. Well, can then we also direct staff to include, in said framework or other appropriate amendment, because I really do -- I am cognizant of our Chairman's warning on sort of what's building up in timing, and I really don't want to pile on staff, but I would like staff to find the appropriate place to develop an action to consider exempting the charter fleet from the dolphin wahoo bag limit. I'm sorry. The dolphin bag limit. I haven't even thought about wahoo yet.

MS. BECKWITH: Yes. That's coming up. Okay. Is everybody okay with this direction to staff, to have this discussion at the same time that we're talking about size limits and the rest of it?

MR. HADLEY: If I could offer just a quick clarification, but did you want to also include the vessel limit as well for dolphin?

MS. MARHEFKA: That's really what I meant. Sorry.

MR. HADLEY: No, that's okay, but I just wanted to clarify that before we moved on.

MS. BECKWITH: Okay. Is everybody good? All right. I am going to call this done, and then let's move up to Action 6, so we can deal with the accountability measure for dolphin, and then we'll jump into wahoo.

MR. HADLEY: Anna, if I could, before we move on, we do have several edits that the IPT suggested making to clean up the action, and can we just go with -- Assuming that the committee is okay with that, if we could move forward with accepting those edits, and I just want to make sure that the committee is okay.

MS. BECKWITH: Yes, and do you need a motion for that?

MR. HADLEY: Yes, please.

MS. BECKWITH: Okay. Mel, go ahead.

**MR. BELL: I apologize, and I was actually going to lead with that, John, which was to accept the edits, the IPT's edits, and then have the discussion, and so I move that we accept the IPT's edits on Action 11. Thank you.**

MS. BECKWITH: Can I have a second, please?

MR. POLAND: Second.

MS. BECKWITH: Okay. Is there any discussion? **Any opposition? Seeing none, that motion carries.**

MR. HADLEY: All right. Thank you. We're going to jump back up to Action 6. We had gone over the dolphin decision tool, just to orient everyone to where we were for Action 6, and this is covering the post-season recreational accountability measures for dolphin, and the committee wanted to address Action 11 first, because it certainly does depend on -- What happens in Action 11 affects the accountability measure and the applicability of it.

We had gone over the different post-season accountability measures, and you had passed a motion to accept the IPT's proposed alternative to replace the current Alternative 5, and you had not passed a motion to select a new preferred alternative yet, and so I just wanted to kind of bring everyone up-to-speed on where that stands. Again, we have this dolphin decision tool on tap, if you will, if you want to look at that, as far as to help select, possibly select, some of these sub-alternatives if you do want to choose the IPT proposed Alternative 5 as your preferred, but, just to bring everybody up-to-speed on where we left off, you had accepted this as a substitute to the current Alternative 5.

MS. BECKWITH: Okay, folks. What's the pleasure of the committee? Do we want to work with Alternative 5, or does somebody want to choose something out of the other alternatives? We need to pick a preferred, because, again, we are going to be voting this up or down in June, and so who wants to start? Steve or Jessica, come on, and somebody throw something out there. Mel, give me something. Andy, go ahead.

**MR. STRELCHECK: Madam Chair, I will make a motion to select Alternative 2 in Action 6 as our preferred, and, if I get a second, I will explain my rationale.**

MS. BECKWITH: Okay. Is there a second?

MR. BELL: I will second it.

MS. BECKWITH: Second by Mel. All right. Andy, go ahead.

MR. STRELCHECK: If someone could scroll up to the alternative, just so I can see it while I'm talking, and so a couple of things here. The dolphin wahoo ACL is based on the third-highest landings over about a ten-year time series, and so, in some respects, we're taking into consideration those higher landings already, and we also have been presented information that, within the last ten years, only once would our annual catch limit have been exceeded, based on a potential spike in landings, and so there's a fairly low probability that this will happen going forward, and it's certainly not out of the question.

The other thing that I would want to point out, in terms of this, is that it's part less administratively burdensome and simpler to implement, as well as simpler to communicate, with regard to any sort of changes that might occur in season as a response to the accountability measures compared to Alternative 5, and we heard that from law enforcement, and we have also implemented, in the Gulf, this kind of step-down approach for bag limits for red grouper, and ultimately eliminated them, just because it wasn't responsive, or as effectively responsive, and quick enough to actually be effective.

The last thing I will point out is that there's a statement in Alternative 2 that essentially says that we would reduce the length of the season to prevent a catch limit from being exceeded. However, it will not be reduced if the RA determines, using the best available science, that it's not necessary, and so there's certainly an ability to monitor landings that are coming in in the following season as well, to evaluate whether or not that any sort of spike that might have occurred in the prior year is continuing to persist in the fishery or not, and then we could make decisions during that, obviously, following fishing year, based on that information, to inform, obviously, any decisions about a late season closure, if that might occur.

MS. BECKWITH: Okay. Sounds good to me. Does anybody have any other thoughts or opinion on this? I agree with Andy that that additional language that we've always had in there is intended to give the Regional Administrator flexibility to figure out if the spike was sort of an inappropriate MRIP number, or if the catch rates go down, and we've always known that, with dolphin in particular, there is an occasional year of high abundance, where the catches go up, but typically the higher catches are not seen in the following year, and so this does give the Regional Administrator enough flexibility to work within those scenarios, and so I can support this. Jessica.

MS. MCCAWLEY: I feel the same way. I can support this. While I like the concept of the Alternative 5, or new Alternative 5, the way it's worded and all that, Andy reminded me of the mess that we had with Gulf red grouper, because there was a bag limit step-down as an accountability measure, and it never really worked, and it was very frustrating for anglers, and so, yes, I'm willing to support Alternative 2, and part of the reason is because of the language in there that says that -- It gives the Regional Administrator the latitude, using the best available science, that maybe it's not necessary, if it's just exceeded in one single year as some sort of a spike, and so I'm going to support this motion.

MS. BECKWITH: Awesome. Mel.

MR. BELL: Yes, ma'am. I support it also, and this is, I think, probably what Andy was trying to take us to yesterday, before we cut him off, but I like the fact that it does have that, as Jessica pointed out, the flexibility for the Regional Administrator, and, also, looking last night at other things, like, for instance, the new Alternative 5, we've got compatibility here with the actual trigger, and so, if Andy is comfortable with that, I think this is the way to go.

MS. BECKWITH: Steve.

MR. POLAND: I'm in support of this, too. I mean, in my experience with modifying bag limits to reach a reduction, either the following fishing season or just to meet reductions for assessment purposes, it's always kind of fickle, and, a lot of times, you need to reduce bag limits to a point that is just not realistic or feasible, and especially the way we've got Alternative 5 structured, where it's very prescriptive of what those bag limits could be, and I don't have a lot of confidence in that accountability measure even working, and so I like Alternative 2, and I like the additional language in there, giving the Regional Administrator a little bit of flexibility in making that determination.

MS. BECKWITH: Good. An easy one. All right. There's a motion on the table. Is there any additional discussion? **Is there any opposition? Seeing none, that motion carries.** Now we're going to go into Action 7, and so we're flipping over to wahoo, and Action 7 is revise the trigger for the post-season recreational accountability measure. If you guys remember, we are likely to bump up against our accountability -- Our trigger for wahoo, and so this one we need to take special care with. Go ahead, John.

MR. HADLEY: Okay. Thank you. Yes, and so we're switching gears here, over to wahoo, and specifically looking at the trigger for the post-season accountability measure. As with dolphin, the wahoo accountability measure also has the -- Partially, the trigger depends on the species being listed as overfished, and, as mentioned before, that's problematic, because there is no stock assessment for wahoo, and there's not necessarily a clear mechanism for that species becoming overfished, like basically the way our assessed species are assessed, or are addressed, I should say.

Anyway, that's the issue at-hand, and, currently, the council's preferred alternative is to use a three-year geometric mean and compare that to the recreational sector annual catch limit, as far as the trigger. As we spoke about in detail yesterday in our discussion on geometric mean, as well as some of the issues, as current Alternative 2, our preferred alternative, is currently structured, there are those issues on what happens in year-one and year-two after a new ACL is in place.

The IPT's proposed alternative does address that, what happens in year-one and year-two, and then from year-three onward, you're just using the three-year mean, running three-year mean, and comparing it to the annual catch limit, and there are sub-alternatives to use the arithmetic mean versus the geometric mean, and you did accept this. As a reminder, you did accept this alternative for inclusion in Action 5, which is looking at the triggers for the dolphin accountability measures.

Moving down the line, just a quick refresher, and the other triggers include looking at the summed landings over the past three years in comparison to the sum of the past three years of sector annual catch limits, and Alternative 4 is looking at if the recreational sector ACL is exceeded in two of the previous three years or the total ACL is exceeded. Alternative 5 is the trigger would occur if



the total ACL is exceeded, and Alternative 6 is the trigger would occur if the recreational sector annual catch limit is exceeded.

Very quickly, I wanted to scroll down, and we went over a great deal of the information on geometric mean and how that may affect the trigger for the accountability measure, and so I won't go over that again. However, I did want to point out that there's a similar table, Table 17, that was shown to you for dolphin, and this one is focusing on wahoo, but, just kind of doing a retrospective analysis, if you look at landings over the past ten years, would the accountability measure have been triggered under the different alternatives?

Of course, with the no action alternative, wahoo has not been deemed overfished. Therefore, the accountability measure could not have been triggered, and so, no, the rec AM wouldn't have been triggered. Under all of the alternatives, the recreational accountability measure would have been triggered, if it were in place, there again looking at the past ten years of data. If you use a -- As Chip pointed out, if a geometric mean is used, if the geometric mean of three years of landing is used as the trigger, it would have been triggered in two of the past ten years, and it would have been triggered in 2017 and 2018.

Then, for the rest of the alternatives, it would have been triggered in three years, and it depends. If you use a running average, it kind of delays, but it carries that trigger forward, if you will. If you use the point estimates, the accountability measure would have been triggered in the year that the ACL was exceeded, and so you can see kind of the time difference there. However, you're looking at, with the geometric mean, it would have been triggered in two years. With all of the other sub-alternatives, it would have been triggered in three years.

Very quickly, not very many public hearing comments on this, and there was some general support for the council's preferred alternative, which is Alternative 2, and the Dolphin Wahoo AP, when they discussed this, they did not choose a single alternative, but they noted that multiyear triggers that take into account variability in the landings are preferred.

I went over some of the -- We went over some of the IPT comments yesterday, as far as the proposed alternatives, and so I won't go over those again, but we're really looking for accepting the IPT's suggested edits, and so specifically to Alternative 2, and, also, confirming the preferred alternative. If you're going to substitute it, since Preferred Alternative 2 is currently your preferred alternative, and, as noted, there are some issues with how it's currently stated, and those issues are addressed in the IPT's proposed alternative, but, if you were to accept that, to make it clear what your new preferred alternative would be. I will hand it back over to the committee.

MS. BECKWITH: Okay. I think the first action would be to accept the IPT's proposed Alternative 2, and then we can decide from there if we want to use that one or not. Jessica.

MS. MCCAWLEY: **I move that we accept the IPT's wording for Alternative 2.**

MR. POLAND: Second.

MS. BECKWITH: Okay. Great. Steve is the second. Is there any discussion? **Is there any opposition? Seeing none, that motion carries.** Now we've got to have some discussion on if we would like to keep the geometric mean as our preferred, and, if so, I would need a new motion

to make that so. Anybody? Would someone like to talk about a different option, if geometric means are making them nervous? I think it sounds like geometric mean might be our best option with wahoo, given how many times we look like we might be bumping up against the trigger for the accountability measure. Mel and then Andy.

MR. BELL: Actually, I was going to suggest that we ask Andy, from the standpoint of that working, and so go ahead.

MS. BECKWITH: Andy.

MR. STRELCHECK: Thanks, Mel. My concerns are similar to what I voiced earlier in the week, which is I feel like there's more advice and information that we need to receive with regard to the use of geometric means or arithmetic means from the management team and science teams, in order to make sure that this makes sense. There were some great points that Carolyn made about kind of applying this in a management setting, but maybe not in a science setting, or vice versa, and so, to me, I feel like we need to work that out.

The other concern I have, kind of just looking at wahoo, is, yes, Anna is correct that, obviously, this would be kind of the lesser of the evils, with regard to triggers, but there is this time lag that ultimately ensues when you use the geometric mean, and your accountability measures are going to affect potentially several years after you've had some large levels of landings, and that doesn't, to me, make a lot of sense, from a fisheries standpoint, if in fact there is actually real increases in either fishing mortality or changes in the fishery that are occurring, and that you would want to match those up more closely with, obviously,, when those changes occur. We did select, I think, Alternative 5 as the preferred for dolphin, and so I would want to probably have some more discussion amongst the council with regard to choosing that relative to Preferred Alternative 2.

MS. BECKWITH: All right. I will go to Clay.

DR. PORCH: Thank you. I just wanted a clarification from Andy what kind of analyses he would be looking for. I mean, the bottom line is that the geometric mean will be less sensitive to those big spikes than the arithmetic mean. The arithmetic mean could very well be dictated by a single large spike, or zeroes, and, I mean, it can pull the estimates way, way up or way, way down. The geometric mean will be less sensitive. The geometric mean will be, on average, a little bit lower than the arithmetic mean, but I don't know if, Andy, you were looking for actual examples, so you can see how much things are smoothed and how much lower the geometric mean might be, or what exactly you were getting at.

MR. STRELCHECK: Thanks, Clay, and so analyses might have been a kind of sloppy terminology, and I guess I'm thinking of this from the standpoint of truly understanding kind of the benefits and drawbacks of such an approach relative to other methods and making sure that we understand the consequences of this from a management standpoint, as well as potentially any sort of scientific implications around it.

What we're trying to avoid, and I think all of us agree, is this potential kind of a false positive, where we get a spike in landings that maybe truly isn't reflected in the fishery, and then, all of a sudden, we're triggering accountability measures.

With that said, we, as council members, also have the responsibility to make sure that we're preventing overfishing and managing fisheries to the benefit of the nation, and so I don't want the goal here just simply to be let's avoid accountability measures, and I think we have to make sure that we understand the benefits and tradeoffs of different methodologies that would trigger those accountability measures before we kind of jump right into using a new methodology, and I would like to get more input from the science team, as well as the work that Chip and others have already done a great job of sharing.

MS. BECKWITH: So I'm struggling with this one a little bit, because we have had -- I don't know what other information would become available to us outside of what's been presented. I mean, we sort of understand how it works and how it would work to smooth out some of those MRIP blips, and so this is a fishery that -- With dolphin, we typically have a bit more of a buffer, but, with wahoo, it would appear that we are quite close to our ACLs on a regular basis, and so, if there is a blip in MRIP, it does have the potential to sort of close the fishery, potentially, unnecessarily, and so I guess I would look to Andy.

I hear what you're saying, that it's a new method, but I think this situation is sort of what this methodology was sort of intended for, and so I guess I will let Carolyn speak to that, because she may disagree with what I've said, and we also have the same language in the actual accountability measures for wahoo that we do in dolphin, where the Regional Administrator can assess the situation, and maybe that's the way of handling it, but I am concerned that any blip in MRIP would be pretty dramatic, in wahoo in particular, and so I'll go to Carolyn.

DR. BELCHER: I'm kind of building off where Andy went too, and I think back to the control rule and where we're setting the ABC, and we know that OFL is not necessarily known, and whether this is a decision tree or an ORCS approach, I don't really remember, but the question I still have is, if we're applying -- Say it's a decision tree, and you're going with the third-highest, and these are the decisions that we're making, we're still using a non-smoothed index at that point that the SSC is making that call for the ABC.

It's that disconnect that, I like I said, in this situation -- Like I said, in a stock assessment, as Chip indicated, it probably does get muted out, but, if we're really looking at this as an individual time series, I think we just need to make sure we're being consistent in how we're addressing those spikes, because, if the SSC has not addressed the spikes in how it's setting your ABC levels, and you're smoothing it with the ACL, are you doing something that's kind of misleading what the buffer is? I guess that's maybe not the best way to explain it, but I just feel that there's a strong disconnect there. If the SSC is looking at that trend, and they're not accounting for the spike there, but we're accounting for it on the backend, is that doing something that is just going to be viewed as not kosher?

MS. BECKWITH: I see what you're saying. I'm going to jump to Chip, because he might have a response for that, and then I'll go back to Jessica.

DR. COLLIER: I do want to point out, in the discussions of why the SSC ended up selecting the third-highest, as opposed to a percentile, the SSC went with the third-highest, because they noted that there were spikes in the data, and they weren't normal, and that's why they went with the third-highest, thinking that, when it was in a normal distribution, the third-highest represents the

75<sup>th</sup> percentile, but they didn't go with the 75<sup>th</sup> percentile, due to the issues with the non-normality and a lot of the data that they were viewing for these essentially data-poor stocks.

MS. BECKWITH: Okay. Carolyn, did that help at all?

DR. BELCHER: Yes, and I get those points, but, again, the idea is should we be handling the points the same way? The SSC is taking a different cut at it based on the fact that it's a skewed distribution, and I understand that point of it, but what we're doing is, because it's skewed, we're dampening the effect of that value. If you smoothed it, would you get a better effect out of it than just acknowledging -- Taking the third-highest cut and working from there? That's all I'm saying, is it just seems like you're looking at two different ways of how you're -- In one situation, you're weaving it in, but we're kind of discounting it, by taking a cut at a different level, and I'm just trying to think how you make that consistency, so that you're not getting wide divergences in how people are looking at that data stream.

MS. BECKWITH: Okay. I'm going to go to Jessica, and, Carolyn, think about which preferred alternative would make sense to you. Jessica, go ahead.

MS. MCCAWLEY: I was going to make a motion to choose Alternative 2b as the preferred, the geometric mean one, but I will hold off. I mean, Carolyn makes good points, and so does Andy, but, so if we choose that one, is there a way to get additional input from the SSC at their upcoming meeting on this specific concept, or is their agenda too full to discuss this?

MS. BECKWITH: That's true, because we do have one more bite at this apple in June, when we take final action. Mike Errigo.

DR. ERRIGO: This is actually on their docket for April, this particular issue, and so they will have a chance to look at it and get back to you.

MS. BECKWITH: Okay. Jessica.

MS. MCCAWLEY: All right. **Then I'm going to go ahead and make my motion to choose Alternative 2b under Action 7 as the preferred.** Then, if I get a second, I will talk a little bit more about this.

MS. BECKWITH: Okay. Is there a second?

MR. BREWER: Second.

MS. BECKWITH: Okay. That was Chester. All right, Jessica. Have at it.

MS. MCCAWLEY: I think that this is a really interesting concept, and I like what staff showed us. I do agree with Andy and Carolyn that I'm a little hesitant here about some of the things that we're discussing, but I like the idea of trying to find something that is looking -- Since we keep having these spikes, that is looking to -- I am going to use the term "smooth out", although that's not exactly what it's doing, but smooth out these spikes when we're trying to make this determination.

By choosing this, I am hoping that the SSC will take a hard look at it, and we can still pick a different alternative at the next meeting, if, based on what they said, it leads us to choose a different alternative, and I think that's fine, but I like the innovation here, and I like what we've seen so far, and I do agree that we need more information.

MS. BECKWITH: Okay. Mel.

MR. BELL: Thanks. I agree with this approach, and I think -- If you think about -- Andy pointed out that, in dolphin, we kind of went the Alternative 5 route, and this fishery is a little different, for a few reasons, and one is that we have the potential of blowing through the ACL, whether it's for spikes or whatever is going on, and so it's a little different there, and I like what Alternative 2 could bring us, in terms of -- I will use the term "smoothing out", but I like that aspect, and I also like the fact that we've got the SSC that will lay eyes on it one more time, and they can talk us off the ledge or something, if need be, and, like you said, we can deal with a switch at the next bite of the apple, and so, I mean, I would agree with moving forward on this path.

MS. BECKWITH: Okay. Steve.

MR. POLAND: Thank you, Madam Chair. I guess this is really a question directed at Andy, and I'm trying to look at the trigger here, in combination with the accountability measure, and, currently, our preferred is the same as it was for dolphin, to reduce the length of the following recreational season if necessary, blah, blah, blah. However, the length of the recreational season will not be reduced if the Regional Administrator determines, using the best scientific information available, and I guess my question is, Andy, could you provide an example of the type of best scientific information that you would have to base your decision off of, and what type of information would you need to see in a scenario to not implement the accountability measure, if the trigger was hit?

MR. STRELCHECK: Thanks, Steve, for the question. A couple of things that I can provide as examples. Obviously, with these stocks, we don't have stock assessments currently, but certainly, if there was a future stock assessment that provided new information and indicated changes in catch levels, or there wasn't any sort of overfishing occurring, then that would, obviously, be new information for basing that decision.

Probably the more relevant would be if we saw an increase in landings in a previous season, and, at least from a preliminary look at that, we would have a closure sometime toward the last third of the year, and we could start looking at and pulling in landings data for that new fishing year in which that closure might occur, and, if that pulse, or increase, in landings doesn't persist, we could take that into consideration as we evaluate the need for a closure relative to the annual catch limit.

MS. BECKWITH: Thank you for that, Andy. Dewey, go ahead.

MR. HEMILRIGHT: My question is what happens when we're getting close, and, instead of closing the recreational industry, and suppose the commercial industry had quota, extra quota, that is not harvested or anything like that, and couldn't that go and be used so that there wouldn't be no in-season closures or -- I mean, why couldn't that be used to help out, if it was needed? Is there any mechanism for that? Thank you.

MS. BECKWITH: For wahoo, the commercial guys achieve their quota, or pretty gosh darn close to it, every year, and so there's not a lot of wiggle room in wahoo for either commercial or rec. We've got a lot of wiggle room in dolphin, but we really don't have any wiggle room with wahoo, Dewey.

MR. HEMILRIGHT: I was on the wrong species. Sorry. I was talking about mahi. Thank you.

MS. BECKWITH: No worries. Okay. Is there any further discussion? Wait. Do we even have a motion? I have lost track. Where are we? John, help.

MR. BELL: Yes. Jessica made the motion, and someone seconded.

MR. HADLEY: Yes, and it would be Sub-Alternative 2b under Action 7 as preferred.

MS. BECKWITH: Okay, and so we've got a motion on the table, and we have a second. Is there any further discussion? **Is there any opposition?** Andy.

MR. STRELCHECK: I guess you need to dispense with your motion first.

MS. BECKWITH: Yes. That would be ideal. Okay. So discussion. **Any opposition? Seeing no opposition, the motion carries.** Go ahead, Andy.

MR. STRELCHECK: So, obviously, the motion has been approved at this point, and I want to point out just a couple of things that I think we can think about going forward. One is, if you look at wahoo, I guess the argument is made that there's a spike in landings, but there was really a ramp-up from 2013 to 2016, and landings increasing year-over-year, and so it's not, in my view, kind of this broad anomaly, as much as landings for whatever reason, good recruitment, changes in the fishery, were increasing. I think we just need to be careful, in terms of how we view these spikes and understand these spikes, and it probably gets back to my earlier comments that I was making with regard to the science.

My second comment would be I'm struck by how we're handling these accountability measures between dolphin and wahoo. With dolphin, we have a bigger buffer, and we actually, at this point, have a preferred alternative that would be more restrictive with regard to the accountability measure, if it's imposed.

Wahoo, which is coming much closer on a regular basis to its annual catch limit, we just recommended a preferred alternative that would be less restrictive from an accountability measure standpoint, and so I just point that out, that we're essentially evaluating this simply based on kind of the circumstances and the amount of room between what's currently being landed in the catch limits, but, in reality, for a fishery like wahoo, that's coming a lot closer to the catch limit, I would think that the council would want to be more cautious with regard to how you're managing that fishery going forward, especially when we don't have an assessment, and so I just make those points, and certainly we'll have much more discussion going forward.

MS. BECKWITH: Andy, I hear what you're saying, and we are going to have a bit of that precautionary discussion when we discuss wahoo bag limits here in a few moments. Let's go ahead, because I doubt we're going to change our preferred on Action 8, and so let's go to Action

8 first, and then we'll jump over to the discussion on the wahoo bag limits, unless somebody would prefer to do that reversed, but I suspect, given the options and the fact that we already just have a two-person bag limit, and we may be discussing dropping that, I don't see where a vessel limit and a trip limit would be sort of viable accountability measures, and so, right now, our preferred is Alternative 2, the same as what we chose for dolphin, and so, if there's any desire to change that, or to have a discussion on that, please raise your hand,

MR. HADLEY: I am not seeing any hands. Anna, if I could take just a second to introduce the decision tool, because this applies to both the dolphin bag limit in Action 12, and vessel limit, as well as this action. I just wanted to point this out, that this was a tool that was included in the late materials of your briefing book and to show you.

It's very similar to the tool that was examined for dolphin, and there is the option for this one to look at a maximum landings scenario as well as an average from 2015 through 2019, which was the scenario that was used for analysis in Action 12, and so there's kind of dual applicability here between this alternative. The reason that these two landings scenarios were used is because these are the two landings scenarios where the recreational ACL would have been met.

There again, different options to select potential shortenings of the season, different bag limits and vessel limits, and so you can change those around and see the outcome of how those changes may affect the fishery, and so I just wanted to point out that, there again, that tool is available for you, and I did want to give a quick shoutout to Mike Larkin, because I know he put a ton of time into this, and they are pretty slick tools.

There again, you can kind of change the landings scenario and see how the landings stream is expected to change in comparison to the new ACLs, and so, without further ado, I just wanted to, there again, point that out, that that is a tool that's available for you, if you want to examine some of the different bag limits and vessel limits under a max landings or a five-year average scenario. With that, I will go back, and we can always kind of toggle back and forth between the discussion of the action, or actions, I should say, and the decision tool, and so I just wanted to point that out.

Really quickly, I just wanted to go over the public hearing comments. The Law Enforcement AP discussed this action, and they had the same comments for this action as they did for the dolphin accountability measure action. As far as the summary of public hearing comments, for the recreational dolphin AM, it was suggested to consider reducing the vessel limit rather than a harvest closure, and there were also comments in favor of no action and endorsing the council's Preferred Alternative 2, and so there is no action, again, required on this, and just as long as the council is okay with your current preferred alternative, which is to reduce -- The accountability measure would reduce the length of the fishing season, there again, the following year after the accountability measure is triggered. That's all I have to say on Action 8.

MS. BECKWITH: The only obvious concern for North Carolina, with the shortened season, is this would impact the charter guys, of course, because they catch wahoo into the fall, and so a shortened season would be quite detrimental, and so hopefully we will avoid a closed season by having a discussion on trip limits. I don't see any desire to change this, and so let's move on to the wahoo trip and vessel limit discussion.

MR. HADLEY: Okay, and I'm going to scroll down, jumping down to Action 12. Action 12 would modify the recreational retention limits for wahoo by either reducing the bag limit or establishing a vessel limit. Currently, for wahoo, the daily bag limit is two fish per person, and there is no recreational vessel limit for wahoo.

The recreational daily bag limit, under Alternative 2, would be dropped from two fish to one fish, and then Alternative 3 looks at various vessel limits. Depending on the sub-alternative chosen, they range -- The vessel limits would range between two to eight wahoo per vessel, and I will mention that this action was added at the direction of the committee at the December meeting, and this was the range of alternatives that the committee and council suggested for initial analysis, but this is a new action for the amendment.

I wanted to skip on down to look at some of the analysis that was made available. If you look at harvest per vessel, a lot of vessels harvest kind of on the lower range, if you look at focusing there on the MRIP trips. However, there are vessels that harvest upwards -- Above the current considered vessel limit of eight fish.

When looking at reductions overall, Table 23 shows the expected reductions in recreational landings, and that is partitioned out based on MRIP landings, which covers private vessels and charter vessels as well as headboats, and then, if you look to the last two columns to the right, that shows the total recreational reductions, based on the different alternatives. I will note that these are not necessarily cumulative, and that they're kind of looked at in their own -- In this table, they are examined as singular actions, and so they're not necessarily -- If you wanted say a one wahoo and eight wahoo per vessel trip limit, they're not necessarily additive, and they're kind of looked at in a singular manner, and so I just wanted to point that out, and I know that's a question that has come up before.

Also, another point of clarification from the IPT was that it was our assumption that this action would cover all vessels landing wahoo, and, by that, I mean it also includes headboats. As a reminder, there is the exemption for headboats for dolphin, and so that was the assumption of the IPT, and I wanted to confirm that at this meeting, that that is correct, but, as far as the expected reductions from a one-fish bag limit, and so a drop from one fish to two fish, it would be approximately a 27 percent reduction, and then, if you look at vessel limits instead of that, instead of reducing the bag limit, the reductions range from 30 percent for a two-wahoo-per-vessel limit to approximately 2.3 percent for an eight-wahoo-per-vessel limit.

This was another very hot topic, as far as the public hearing comments, and so I wanted to take a few minutes to go over those, and there was a notable regional theme to many of the comments, and there were some exceptions, with those in favor of changing the retention limits largely based in Florida and South Carolina. Those in favor of maintaining the current retention limits were often from North Carolina.

Many commenters stressed the importance of maintaining the current bag limit and no vessel limit for wahoo, and so essentially Alternative 1, no action, as a reduction would greatly harm the for-hire fishery in North Carolina, particularly focusing on the Outer Banks, vessels fishing out of Oregon Inlet, Hatteras Inlet, and Beaufort Inlet. It was noted that the current retention limits are important to justify the cost of the trip for many for-hire as well as private anglers, private vessel anglers.



There was concern over the notable economic hardship that a reduction in the retention limits could cause, particularly in the face of economic challenges caused by COVID-19. Reducing the retention limits could lead to more pressure on other species, such as those found within the snapper grouper complex. If the retention limits are reduced, consider a regional approach, rather than the entire Atlantic, and, on that note, I will mention that there was some suggestion of a vessel limit for wahoo, at least south of North Carolina, if you will, and so South Carolina, Georgia, and Florida, and then do not impose a vessel limit from North Carolina and north, and so those were some of the comments that were received on that end.

Additionally, it was mentioned to consider holding off on retention limits until several years of data from the for-hire logbook could be used to inform management, and there were varying opinions on whether vessel limits should cover the entire Atlantic or apply to certain states, as mentioned.

It was noted that wahoo are an important species, particularly in the late summer and fall, for private and for hire vessels in the southern Outer Banks, and so, there again, focusing on vessels that typically fish out of that Beaufort Inlet area, and a harvest closure in the fall would be very detrimental, and wahoo is an important recreational -- It was noted that wahoo is an important recreational species, particularly in northeast Florida as well.

Many commenters, particularly those from North Carolina, were not in favor of a vessel limit for wahoo at all. However, there was some mention that, if a vessel limit were to be implemented, consider a twelve-fish vessel limit. The commenters that were in favor of a vessel limit for wahoo mentioned a range between two to eight fish per vessel, with many of those comments focusing on a six or eight-fish-per-vessel option, which reflects Sub-Alternatives 3e through 3g. Several of the comments were in support of a vessel limit for wahoo that would apply in Florida only, or potentially a little bit northward, and those comments were expressed by both commenters in Florida and in North Carolina, and so that regional component to the vessel limit.

There were kind of limited, or varying, opinions on the different retention limits between -- On having different retention limits between the private vessels and for-hire vessels, and that was a topic that we sort of touched on with dolphin, but that came up with wahoo as well. Most that did comment in favor were suggesting a higher limit onboard for-hire vessels, and, last but not least, there were some comments supporting a reduced bag limit, and so Alternative 2, and relatively few mentioning a size limit, and there were a handful of comments mentioning a size limit for wahoo, but they were pretty uncommon. There was, in general, of those commenters that expressed for support for changes in retention limits for wahoo, those comments largely focused on the vessel limit.

As I mentioned, the IPT was hoping to get a point of clarification that, as structured, it is correct, that the vessel limit, or change to the bag limit, is supposed to cover headboats as well, and so all vessels fishing in the Atlantic, and then we're really looking for committee action on approving Action 12 and the proposed range of alternatives for inclusion in Amendment 10, and, if that is the case, choosing a preferred alternative for the action. With that, I will scroll back up to the action and alternatives.

MS. BECKWITH: Thank you. I think the first point is we need to accept this action into the amendment, right, and so we need --

MR. HADLEY: Yes.

MS. BECKWITH: All right. Mel, would you like to make that motion to accept --

MR. BELL: Yes, ma'am. I can do two things at once, if we would like to.

MS. BECKWITH: No. Let's do one at a time.

MR. BELL: All right. **Then I move that we accept Action 12 to be included in the amendment, as worded.**

MS. BECKWITH: Great. Is there a second?

MS. MCCAWLEY: Second.

MS. BECKWITH: Awesome. Is there discussion? **Is there opposition? Seeing none, that motion carries.** Now, Mel, did you want to throw out a preferred?

MR. BELL: Sure. **For the sake of getting us into discussion here, if I can get a second, and we'll see, but I would move that we accept Alternative 2 under Action 12 as our preferred.**

MS. BECKWITH: Okay. Do we have a second?

MS. MCCAWLEY: Second.

MS. BECKWITH: All right. Then this would be a one-per-person limit, and it would give us about a 27 to 30 percent reduction, which hopefully would mean that we would not have to encounter a closure, which would be super, super, super detrimental to the charter fishery in that fall season, and this is -- Of course, our charter guys spoke very strongly against this, and maybe this is something that, when I'm not here, Kerry can add this to her discussions of potential exemptions for charter fleets in a future amendment.

This is going to be a very, very, very difficult one for our guys to get onboard with, but, given how close we are to the ACL and the potential for closures, and given that our accountability measure is going to be a shortening of the season, which would cut into that late-fall season in our region, I am struggling to see a different path, and I certainly believe that a vessel limit on the headboats would be a bad move, and so, amongst a very long list of difficult choices, this is one that I unfortunately am not seeing a lot of ways to get around. I do hope that, after I leave, the council does consider providing some consideration for charter boats and allowing that discussion to occur, although I will not be here, and so I will go to Mel and then Chris.

MR. BELL: I was just going to say that part of my logic in this is that this following table, Table 23, gives us a total reduction in recreational landings of 27.1 percent. If you go start looking at the per-vessel options, your first one there is 30 percent, and so it's not that much different from just the stand-alone vessel. It would be regional, for the entire region, and for everybody, and so

it seemed to be the most -- I guess the most fair and most equitable across-the-board, and it does achieve an actual real, measurable reduction, and so that's my logic there.

MS. BECKWITH: Chris.

MR. CONKLIN: Listening to all of these conversations about the charter fleet worrying about closures and all this stuff, I mean, it's just -- The only other way to do this without the restrictive limits so low and all is sector separation. I mean, all these issues are screaming for -- They're just another reason why the charter/for-hire fleet should get away from the recreational fleet, and, now that they're reporting, I think it's a step in the right direction, and I know you people think it's all controversial and stuff, but, I mean, managing fish and not fishermen is most of what we're supposed to be doing, and it seems to me that a bottom-up approach, instead of top-down, might work better in the future, but I don't want to have that debate right now, but I'm just pointing it out. Thank you.

MS. BECKWITH: Chris, I agree with you, and I think this is going to be one of these issues that gets the charter guys mad enough to really think about it. I mean, for better or for worse, the charter fleet is essentially a commercial operation, and their needs are different than the private recreational, in terms of needing bag limits and stable seasons and that sort of stuff, and so I think an argument can be, and probably will begin to be, made amongst the charter guys, that that is something they should begin to consider and consider asking for, so they can avoid some of these situations, but maybe the council can work around that, and, instead of forcing the guys to start begging for sector separation, there can be some consideration on bag limits for -- You know, different bag limits for the charter fleet, but some will say that's a slippery slope, and some will say that's a good path, and so, again, I will be on the other side of the table for that debate, and so is there any other discussion on this motion? **Is there any opposition to this motion? Seeing none, this motion carries.**

John, if memory serves, you had one thing of note in Action 13, and I believe that takes us to -- Then we have to maybe get that last committee approval action in Dolphin Wahoo Amendment 10, as modified, for the June -- So it looks like we've got a couple more motions that you need from us. Mel, go ahead.

MR. BELL: Madam Chair, could I beg for maybe a ten-minute break right now, which would be very useful, and then we can come back and finish all of this up?

MS. BECKWITH: Sure, and so we're back at 10:45.

MR. BELL: Thank you so much.

(Whereupon, a recess was taken.)

MS. BECKWITH: John, I will hand it over to you to lead us through the end of this.

MR. HADLEY: Okay. Thank you. I just wanted to pick up on where we left off yesterday. We had discussed Action 13, the action that would allow filleting of dolphin at-sea onboard for-hire vessels in the Mid-Atlantic and New England regions, and there was a motion that failed, albeit

narrowly, to select -- To change your preferred alternative from Preferred Alternative 1 to Alternative 2. Since that failed, your current preferred alternative is Alternative 1, no action.

Just to kind of circle back around on the discussion at the December meeting, there was some debate on whether or not you wanted to leave this action in the amendment or take it out, and I believe that the discussion centered around at least taking it out to public hearings, to get feedback in that manner, and, having gone through public hearings, and presumably your alternative, preferred alternative, is still Alternative 1, no action, do you want to keep this action in the amendment?

From the administrative side, and since you do want to have this amendment ready to go for a final vote, it sounds like, in June, it's much easier, from an administrative standpoint, if you are going to take no action, to go ahead and remove the action from the amendment, and you can certainly keep it in there, but I just wanted to throw that back out there, if nothing else to come back around to where this amendment left off, or where this discussion left off, in December.

MS. BECKWITH: Okay. Shep.

MR. GRIMES: Thank you, Chair. I'm a proponent of getting rid of it. If you're going to go with no action and leaving it in the document, all you're doing is creating something that people can challenge when you're not actually doing anything, and I think, generally, that's ill-advised. Thank you.

MS. BECKWITH: Spud.

MR. WOODWARD: Thank you, Madam Chair. **I will move that we remove Action 13 and put it into the Considered but Rejected category.**

MS. BECKWITH: Do I have a second?

MR. BELL: Second.

MR. BREWER: Second.

MS. BECKWITH: All right. I heard Mel and Chester second. Is there any discussion on this motion? Mel.

MR. BELL: That was originally to second, but I will just agree with Shep, from a standpoint of what we're doing and moving forward with the amendment.

MS. BECKWITH: Okay. You know, I think my preference would be to hold the vote on this until Full Council, because we have a number of committee members that are not able to -- That would be able to vote now, but not at Full Council, or we could re-vote, and it doesn't matter to me, but I think there's some mixed feelings on this one, and, since the final vote would occur at Full Council, with those voting members, would it make sense to just hold this vote until Full Council? While we're thinking about that, I'll go to Steve. I'm not sure if he has an opinion on that or something else.

MR. POLAND: Anna, I was just letting everyone know that I was back, and I'm just a little late.

MS. BECKWITH: You're late? Just kidding. Mel, your preference? Do you want to vote on this now, or should we hold this vote until Full Council?

MR. BELL: Well, you can certainly vote on it now, and it's before us, and we're still in committee, and the committee will send whatever they're going to send to Full Council, and then we'll have to deal with it at Full Council as well, but it is -- We are in the committee right now.

MS. BECKWITH: Okay. All right. Tony, and then we'll take a vote.

MR. DILERNIA: I would suggest that you take the vote. I think -- I'm a committee member, and I would like to have my ability to express my opinion on this committee. Thank you.

MS. BECKWITH: Okey-dokey. All right. John, would you take us to the vote, please?

MR. HADLEY: Yes, I will, and we're going to start with Art.

MS. BYRD: John, it looks like he has fallen off the webinar for a second.

MR. HADLEY: Okay. I'll come back to him. Next up is Chester.

MR. BREWER: Yes.

MR. HADLEY: Chris. All right. We'll come back to Chris. Tim.

MR. GRINER: No.

MR. HADLEY: Steve.

MR. POLAND: No.

MR. HADLEY: Spud.

MR. WOODWARD: Yes.

MR. HADLEY: Carolyn.

DR. BELCHER: Yes.

MR. HADLEY: Mel.

MR. BELL: Yes.

MR. HADLEY: Kyle.

DR. CHRISTIANSEN: Just to be clear, we're voting on the motion to remove Action 13, correct?

MR. HADLEY: That is correct.

DR. CHRISTIANSEN: All right. No.

MR. HADLEY: All right. Andy.

MR. STRELCHECK: Yes.

MR. HADLEY: Jessica.

MS. MCCAWLEY: Abstain.

MR. HADLEY: Kerry.

MS. MARHEFKA: I'm here. Yes.

MR. HADLEY: Lieutenant Copeland.

LT. COPELAND: I've got a question. Sorry. So we're voting to remove Action 13 from being considered or just it's going to be in like we're side-barring this until we're going to vote on it later again?

MR. HADLEY: At the committee level, this is the final vote, and so you're voting to remove the action, which, in essence, maintains status quo, where there would be no exemption for filleting dolphin at-sea.

LT. COPELAND: Okay. So, if I voted no yesterday, then removing this action would be a yes? Am I understanding that correctly?

MR. HADLEY: Correct, if you wanted to maintain the status quo, and so not consider the exemption anymore.

LT. COPELAND: Okay. Then yes, and that would be in alignment with what the Law Enforcement AP had, correct?

MR. HADLEY: That's correct.

LT. COPELAND: Okay. Then yes. I would vote yes.

MR. HADLEY: Okay. Tony.

MR. DILERNIA: No.

MR. HADLEY: Dewey.

MR. HEMILRIGHT: No.

MR. HADLEY: Rick.

MR. BELLAVANCE: No.

MS. BECKWITH: John, Steve needs to change his vote. He messed up, if you can go back to him.

MR. POLAND: My apologies. I was crossed on what we were voting for. Please change my vote to yes.

MR. HADLEY: Okay. Then I will go back up the list here. Art, if you can --

MR. SAPP: No.

MR. HADLEY: Chris.

MR. CONKLIN: Yes. It's hard to work from my office here, and I've got too many people bothering me, but yes.

MR. HADLEY: Okay. Understood. Anna, would you like to vote on this?

MS. BECKWITH: Only if I have to break a tie.

MR. HADLEY: Currently, it stands nine yes, six no, one abstention, and so the motion would pass.

MS. BECKWITH: Okay. **So the motion passes.**

MR. HADLEY: Okay. I will put you down as an abstention then.

MS. BECKWITH: Yes, please. Okay. Then I believe there was one more motion, when you're done with that one, that we need to take to prep this for final action in June.

MR. HADLEY: Yes, and let me just log this really quickly, so it's clear. Okay. Moving along, the final action is to sort of -- This is something that can be handled in timing and tasks, and I imagine that you will discuss this at Executive Finance, but trying to get direction, specifically to the IPT, on whether or not you would like to prepare this amendment for a final vote in June. It certainly sounds like, based on the earlier discussion, that is the intent, but we're hoping to get very clear guidance there.

MS. BECKWITH: Yes. Final action in June. Yes, please. If anyone else has any opinions other than that, let me know, but, yes, I would like to see this out before I leave. Jessica.

MS. MCCAWLEY: I had a question. So we added a bag limit on wahoo, and does that delay this?

MR. HADLEY: It does not. We've already been working on the analysis for that, and so we should be able to -- Basically, the analysis has been completed on that, for the drop to go to a one-fish-per-person bag limit.

MS. BECKWITH: Mel.

MR. BELL: Well, that was -- Since we added it, I was asking about that was well, and we'll note that we also have some direction to staff in there, which we'll hear about.

MR. HADLEY: Yes, and a heads-up on that. At the December meeting, the IPT took that and started on the analysis and the effects, potential effects, of that action, and so that's why I kind of got out ahead of it just a little bit.

MS. BECKWITH: Yes, and I appreciate you all's effort on that, recognizing that, with a change in council members in September, that there's always a potential to kerfuffle these amendments with a bunch of new situations, and so I definitely wanted to see this out prior to my departure, and so I appreciate everyone's extra push on this. Is there any -- **So we need that motion, under committee action, to approve all actions in Dolphin Wahoo Amendment 10, as modified, for review at the June 2021 meeting.** Would someone like to make that? Mel.

MR. BELL: **So moved, Madam Chair.**

MS. BECKWITH: Is there a second?

MR. WOODWARD: Second.

MS. BECKWITH: Awesome, Spud. Thank you. Is there any further discussion on this? **Is there any opposition? Seeing none, that motion carries.** I think the only other -- The next item on our agenda would be timing for the next Dolphin Wahoo Advisory Panel meeting, and so I'm not sure if you're also looking for a list of things for them to consider, and it sounds like we created some today.

MR. HADLEY: We can certainly create a list, and I didn't have one put together, and I was looking for more just a little bit of guidance on when they should next meet. I'm trying to take some feedback, and very understandable feedback, that we got from AP members that the more advance notice the better for some of these meetings, so they can move their schedules around, if need be, and have time, advance lead time, to do so.

Just thinking about the next potential amendment, considering Amendment 10 is up for a final vote in June, you do have an amendment focusing on longlines that is scheduled to start in September. As such, the at least initial consideration is to not have a Dolphin Wahoo AP meeting this fall and rather have one in the spring of 2022, the reason being is it would allow the council to sort of collect your thoughts on the different actions that you want to consider in that amendment, and then the AP would weigh-in on them. That's usually the way that we have involved the Dolphin Wahoo AP. I just wanted to confirm that that's okay with the committee, as far as waiting until spring of 2022, or do you want the AP's input before that?

MS. BECKWITH: It sounded like we've got a couple of other things for them to consider, some exemptions for the for-hire bag limits, the size limit on dolphin, in addition to that pelagic longline, and there's probably some other things that we've tossed out there along the way, and so, I mean,



it's up to the committee. I won't be here, and so what do you guys want? When do you want to see your AP meet? Mel.

MR. BELL: Well, following what John just explained, typically, we like them to be able to comment on things that we're thinking about and moving on, and so it sounds like what John was describing is maybe that there really wouldn't be anything so solidified in the fall, and so maybe early spring or something, and I'm not sure what the normal cycle is for that AP as well, but it would probably be better to have them presented something to actually look at, that we've kind of worked through and come up with, and so I guess I'm arguing for what John was mentioning, is maybe in the spring.

MS. BECKWITH: Sounds good to me. Chester.

MR. BREWER: I think the spring would be good, because these other dolphin issues are slated to be discussed, worked on, whatever we want to call it, at the September meeting, and that's already been scheduled, and so we would have that meeting to start putting something together, and maybe December to not finalize it, but firm it up, and then have the AP comment on it for us. I don't think we need to burden them with just starting to pull stuff out of the air and say, oh, by the way, we're thinking about taking longline out as a permissible gear for dolphin, and so I think we would need to be a little bit more specific as to what our thoughts were, or maybe that will be our thought, and I don't know, but, anyway, I think the spring is good.

MS. BECKWITH: Okay. Spring of 2022, sold.

MR. HADLEY: Okay. That sounds good. I appreciate that, and that's all that I had. I didn't know if there were any Other Business items. Anna, I will hand it over to you.

MS. BECKWITH: No, I don't think there are, unless someone would like to add something. Are we good? Okey-dokey. We are adjourned. Thanks, folks.

(Whereupon, the meeting adjourned on March 4, 2021.)

- - -

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Transcribed By  
Amanda Thomas  
March 30, 2021

# SAFMC March Council Meeting

## Attendee Report: (3/01/21 - 3/05/21)

Report Generated:

03/04/2021 07:42 AM EST

**Webinar ID**

663-361-235

**Actual Start Date/Time**

03/03/2021 07:54 AM EST

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Aukeman	Trip
BYRD	01JULIA
Barbieri	Luiz
Bauer	Tracey
Beal	00Bob
Beckwith	00Anna
Belcher	00Carolyn
Bell	00Mel
Bellavance	Rick
Bianchi	Alan
Bonura	Vincent
Brame	Richen
Brouwer	01Myra
Bubley	Walter
Burgess	Erika
CURRAN	MARY
Carmichael	01John
Chaya	01Cindy
Cheshire	Rob
Christiansen	00kyle
Clarke	Lora
Conklin	00Chris
Copeland	Robert
Corey	Morgan
Cox	Derek
Cummings-Krueger	Anna
Dale	David
Darrow	Jamie
DeLizza	Richard
DeVictor	Rick
DiLernia	00Anthony
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Emery	Jeff
English	Steve

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Foss	Kristin
Franco	Dawn
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Freeman	Mike
Gentry	Lauren
Glasgow	Dawn
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Hoke	David
Horton	Chris
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Hudson	Russell
Hull	James
Iberle	01Allie
Iverson	Kim
Jenkins	Wallace
Jepson	Michael
Karnauskas	Mandy
Kellison	Todd
Kolmos	Kevin
Krikstan	Catherine
LARKIN	Michael
Laks	Ira
Laney	Reid Wilson
Levy	Mara
Lind	Michael
Mackey	Shaneese
Malinowski	Richard

Marhefka	00Kerry
McCawley	00-Jessica
McCoy	Sherylanne
McGovern	Jack
McPherson	Matthew
Mehta	Nikhil
Merrifield	Jeanna
Merten	Wessley
Minch	Robin
Minotti	Robert
Musolino	Anabelle
Neer	Julie
Nesslage	Genny
O'Shaughnessy	Patrick
Paffrath	Madison
Parks	Eroc
Pearson	Rick
Pieper	Nicholas
Porch	00Clay
Prostko	Rachel
Pugliese	01Roger
Pulver	Jeff
Ralston	Kellie
Ransome	Taylor
Reichert	Marcel
Reynolds	Jon
Rhodes	01Cameron
Riley	Rick
Sanchez	John
Sanchez	Joseph
Sapp	00Art
Sartwell	Tim
Schmidtke	01Michael
Scott	Tara
Sedberry	George
Seward	McLean
Shertzer	Kyle
Sinkus	Wiley
Smart	Tracey
Smit-Brunello	00Monica
Smith	Duane
Snyder	Ashley
Spanik	Kevin
Spurgin	Kali
Spurlock	Zack
Stam	Geoff
Stemle	Adam

Stephen	Jessica
Stock	N. Carmela
Strelcheck	Andy
Surrency	Ron
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Walter	John
Wamer	David
Waters	James
Wells	Ben
Whitaker	David
White	Geoff
Wiegand	01Christina
Williams	Erik
Willis	Michelle
Woodward	00Spud
berry	james (Chip)
brewer	00chester
colby	barrett
collier	01chip
crosson	scott
emery	jeff
gloeckner	david
moss	david
poland	00steve
sminkey	thomas
thomas	01suz
vara	mary

# SAFMC March Council Meeting

## Attendee Report: (3/01/21 - 3/05/21)

Report Generated:

03/05/2021 07:38 AM EST

**Webinar ID**

663-361-235

**Actual Start Date/Time**

03/04/2021 07:53 AM EST

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BYRD	01JULIA
Bailey	Adam
Bauer	Tracey
Beckwith	00Anna
Belcher	00Carolyn
Bell	00Mel
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Bonura	Vincent
Brame	Richen
Brouwer	01Myra
Brown	Julie
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Carmichael	01John
Cathey	Drew
Caycedo	Mario
Cheshire	Rob
Christiansen	00kyle
Clarke	Lora
Conklin	00Chris
Copeland	Robert
Cox	Derek
DOVER	MILES
DeLizza	Richard
DeVictor	Rick
DiLernia	00Anthony
Dukes	Amy
Dunn	Russell
Errigo	01Mike
Finch	Margaret
Foor	Brandon
Foss	Kristin
Franco	Dawn
Gentry	Lauren

Glasgow	Dawn
Godwin	Joelle
Gore	Karla
Gray	Alisha
Grimes	00Shepherd
Griner	Tim
Guyas	Martha
Hadley	01John
Hart	Hannah
Hawes	Rachel
Haymans	00-Doug
Helies	Frank
Hemilright	Dewey
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Howington	Kathleen
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Hull	James
Iberle	01Allie
Iverson	Kim
Jepson	Michael
Karnauskas	Mandy
Kellison	Todd
Klasnick	01Kelly
LARKIN	Michael
Laks	Ira
Laney	Reid Wilson
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Lowther	Alan
Malinowski	Richard
Marhefka	00Kerry
McCawley	00-Jessica
McCoy	Sherylanne
McGovern	Jack
McPherson	Matthew
Mehta	Nikhil
Merten	Wessley
Minch	Robin
Neer	Julie
Nesslage	Genny
O'Shaughnessy	Patrick
Paffrath	Madison
Perkinson	Matt
Petersen	Andrew
Porch	00Clay
Prostko	Rachel
Pugliese	01Roger

Pulver	Jeff
Ralston	Kellie
Reichert	Marcel
Reynolds	Jon
Rhodes	01Cameron
Runde	Brendan
Sanchez	John
Sanchez	Joseph
Sapp	00Art
Schmidtke	01Michael
Scott	Tara
Sedberry	George
Seward	McLean
Shervanick	Kara
Simpson	Julie
Sinkus	Wiley
Smart	Tracey
Smit-Brunello	00Monica
Smith	Duane
Snyder	Ashley
Spurgin	Kali
Stam	Geoff
Stemle	Adam
Stephen	Jessica
Strelcheck	Andy
Surrency	Ron
Sweetman	CJ
TARVER	TIM
Takade-Heumacher	Helen
Travis	Michael
Vetter	Thomas
Walia	Matthew
Walter	John
Wamer	David
Waters	James
Whitaker	David
White	Geoff
Wiegand	01Christina
Williams	Erik
Willis	Michelle
Woodward	00Spud
berry	james (Chip)
brewer	00chester
colby	barrett
collier	01chip
crosson	scott
gloeckner	david



moss  
poland  
thomas  
vara

david  
00steve  
01suz  
mary