

# **SOUTH ATLANTIC FISHERY MANAGEMENT COUNCIL**

## **DOLPHIN WAHOO COMMITTEE**

### **Webinar**

**September 15, 2021**

### **TRANSCRIPT**

#### **Committee**

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Robert Beal  
Mel Bell  
Chris Conklin  
Tim Griner  
Jessica McCawley  
Tom Roller  
Laurilee Thompson  
Dewey Hemilright

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LT Robert Copeland  
Judy Helmey  
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Cameron Rhodes  
Nick Smillie  
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#### **Attendees and Other Invited Participants**

Rick DeVictor  
Dr. Jack McGovern  
Dr. Genny Nesslage  
Dr. Clay Porch

Bob Gill  
Trish Murphey  
LT Patrick O'Shaughnessy  
Monica Smit-Brunello

Other attendees and invited participants are attached.

The Dolphin Wahoo Committee of the South Atlantic Fishery Management Council convened via webinar on Wednesday, September 15, 2021, and was called to order by Chairman Kerry Marhefka.

MS. MARHEFKA: This is my first time driving the car by myself without a permit, and I'm following behind Jessica, who is so good at what she does, and so you all bear with me. I would like to begin the meeting of the Dolphin Wahoo Committee of the South Atlantic Fishery Management Council. Just a reminder that I believe this is a committee of the whole. We've had new council members, and so I haven't compared the list between the two meetings, but, in the past, it's been a committee of the whole, and it sure looks like it is there, and so everyone feel free to participate.

The first item is to approve the agenda. Does anyone have any additions or revisions or comments on the agenda? I don't see any hands, and so, with that, the agenda is approved. Our second item is the approval of the June 2021 Dolphin Wahoo Committee minutes. Does anyone have any revisions or comments on the minutes? I am not seeing any there. Hearing none, the minutes are approved.

This meeting should be quicker than our past Dolphin Wahoo Committee meetings, as we were dealing with Amendment 10, and, as Mel said before, we have a hard stop at 3:45, and so I'm hoping, even though I'm a new driver, we can be efficient and get the business done that we need to get done before this committee. We're going to be hearing about Amendment 10 here first off, and find out where we are with that, and then our second item today will be dealing with some of the items, management measures, that sort of fell through Amendment 10, that we took out to improve the efficiency of Amendment 10 moving through the process, and we'll be looking at an information paper on that. John will give us an overview, and then we're going to give guidance to staff.

Our goal today is to look at a range of alternatives and make sure that we have a good range, and we don't need to get down into the mud about sort of the things between the range, and let's make sure we have a good range, and then we will talk about the timing of what we will do then with these management measures. With that said, I think it will be -- Is it John or Rick who is going to give us -- Who would like to give us our status of Amendment 10?

MR. HADLEY: We have Rick on the agenda, but I will start off, if that's okay, Rick, because the ball is still in our court, specifically my court, being the species lead there. We've been working to incorporate the changes, via the final vote from the council at the June 2021 meeting, and the amendment has undergone internal review, and we're working on just the final edits before we pass it along for final review and then submittal to the agency, and so hopefully that will be in the next few weeks directly after this council meeting. Rick, I don't know if you had anything else to add there.

MR. DEVICTOR: That was it, and, once we get it, we'll start working on the rulemaking, as we normally do, and the notice of availability, since this is a plan amendment.

MR. HADLEY: All right. Any questions on Dolphin Wahoo 10, before we jump into the information paper?

MS. MARHEFKA: Looks good. I don't see any, and so I think we can move along.

MR. HADLEY: All right. Sounds good. All right. We'll switch gears here and go into the information paper. This is a paper that covers potential topics for the next -- What would be the next amendment to the Dolphin Wahoo Fishery Management Plan. The major kind of broad topics that the council has identified, in your past two committee meetings of the Dolphin Wahoo Committee, is looking at potentially extending the minimum size limit for dolphin that is currently in place in Florida, Georgia, and South Carolina, to apply northward of that geographic range. Then potentially examining different retention limits onboard charter vessels versus private vessels for both dolphin and wahoo and then removing or reducing captain and crew bag limits, and those are the three general topics that we'll focus on today.

As Kerry mentioned, the whole goal here for today is -- This is the first real look at these topics, and the intent and hope is to get input from the Dolphin Wahoo Committee on what would be the bookends of the alternatives, so the IPT could take that guidance to staff back and develop a -- Start coming up with a range of options for the council to examine, and so just kind of keeping that in mind as the high-level goal for the review of this paper.

There is some information in the paper on what falls within a framework, what is frameworkable, within the Dolphin Wahoo FMP scope, if you will, and whether or not it will fall within the framework procedure really depends on the committee's intent, and, as far as looking at the council workload side, I think more so it depends on the complexity and the number of actions that are being considered, versus whether or not it falls within the framework context or a full plan amendment context, but there is some information in there on what could fall within a framework procedure in the Dolphin Wahoo FMP.

As I mentioned, the objectives from this meeting are really to help develop a range of options to further consider and also consider the potential timing of the amendment. As we've alluded to over several discussions earlier in the meeting, the council does have a pretty jammed work schedule. However, currently, as of the guidance per the June council meeting, this is the first sort of in-depth look that the council is taking of these different potential options.

The council would then examine an options paper at the December 2021 meeting that, if it's in good enough shape, could be sent out for scoping in the spring of 2023, and this would sort of move through the council's typical amendment review process, and development process, with final approval potentially being at the March 2023 meeting, and so that's the way it falls in the council's workplan currently. If this were to take place, any regulation changes from this amendment would be effective likely in late 2023 or early 2024. I will take just a quick break, to see if there are any questions, before I jump into the potential options.

MS. MARHEFKA: Chester.

MR. BREWER: Thank you, John. I thought we had discussed potential changes with regard to permissible gear type and trip limits, and I don't see any of that in here. Is that somewhere else within the documents?

MR. HADLEY: Chester, it's not within this document itself. That was discussed at the last council meeting, in June, and the understood intent was that the council would come back around to those

gear-related actions likely, potentially focusing on pelagic longlines, after the biological opinion was available for the dolphin wahoo fishery. That biological opinion is likely to be available sometime in the spring of next year, around that timeframe, and so that would presumably be when the council would come back to looking at the gear-related actions, and, there again, that's just according to the previous discussion, and that certainly could be fluid.

MR. BREWER: Okay. Thank you.

MS. MARHEFKA: John, if I'm not mistaken, I believe that is laid out in the current workplan that we'll be looking at later as well. Am I wrong?

MR. HADLEY: That's correct. Yes, it's laid out in the council's FMP workplan, and it will be reviewed, I believe, Friday morning.

MS. MARHEFKA: Great. Any more questions about the timing before we have John get into looking at our potential options? All right, John. I'm not seeing any.

MR. HADLEY: Okay. In general, we have four potential options that we'll go over that could potentially be developed into actions and alternatives, moving forward, and so the first potential option looks at modifying the applicable range of the minimum size limit for dolphin. As a little bit of background, currently, there is a twenty-inch fork length minimum size limit for dolphin off of Florida, Georgia, and South Carolina. This applies for both recreationally and commercially-caught fish, and there is no size limit for dolphin further north, and so, essentially, from North Carolina up through the management jurisdiction of the FMP, and so through Maine, there is no minimum size limit for dolphin.

The minimum size limit for dolphin was implemented in the original Dolphin Wahoo Fishery Management Plan, and, in that management plan, it only applied off of Florida and Georgia specifically, and the measure was extended to include South Carolina via Amendment 2 to the Dolphin Wahoo FMP, and so, looking and kind of digging into that amendment and seeing where the council was coming from at the time, the council conclusion indicated that the council is establishing a twenty-inch size limit off of Georgia and east Florida to prevent targeting of small dolphin, and so peanut or chicken dolphin, reduce waste, and increase yield in the fishery. Additionally, it was noted that the action would allow harvest after most female dolphin are sexually mature and have spawned.

Amendment 2, which extended the range of the minimum size limit for dolphin to cover South Carolina, in doing so, the council wanted to address concerns primarily from South Carolina anglers about large-scale recreational harvest of small dolphin, or peanut dolphin. At the same time, size limits were being discussed for the original Dolphin Wahoo FMP, they were not considered for South Carolina, since the state had its own measure. This measure was challenged in court and overturned, and so, therefore, the council took up Amendment 2 and implemented it through that avenue, if you will.

That's a little bit of background on how the size limit was put in place and a little bit of rationale as to why. As mentioned, one of the goals was to allow harvest after most female dolphin are sexually mature and have spawned, quote, unquote, and so a little bit of information. The 50 percent maturity for dolphin, depending on the region, and really the sex of the dolphin, depends

on -- It ranges from approximately eighteen to nineteen inches, and so that's a general ballpark figure on the likely 50 percent maturity.

While not considered in Amendment 10, the council did receive several comments on increasing or changing the geographic range of the minimum size limit for dolphin. In general, those that were in favor of changes were based in Florida and South Carolina. Those that were opposed to any size limit changes were often based in North Carolina.

The Dolphin Wahoo AP also discussed the minimum size limit for dolphin through development of their fishery performance report at their April 2017 meeting, and so, at the time, AP members felt that the twenty-inch size limit was sufficient and working. It was noted that, in south Florida, there were many released fish and that the size limit is compatible with charter trips. There were, however, differing opinions as to whether the size limit should be expanded northwards, given the -- It was noted that, given the fast growth of the species and a cap on maximum harvest recreationally, via the vessel limit, this may not be necessary, and so that's a little bit of indirect input, if you will, but it's certainly relevant to the topic from public comment recently, as well as the Dolphin Wahoo AP's somewhat recent input.

We're looking for a little bit of discussion from the committee, and, really, some committee action on how you would like to pursue this potential option, and so, looking at the range, do you want to include an option that would only look at North Carolina, potentially bring in the Mid-Atlantic region, and so an option that would include North Carolina through New York, or cover the entire coast, which is the management jurisdiction of the FMP, and so essentially cover North Carolina through Maine. There is, additionally, a bullet point in there just to make sure that you do want to continue to consider changing the minimum size limit for dolphin, and, with that, I will hand it over.

MS. MARHEFKA: Thanks, John. I really appreciate that. It looks like we have some committee members ready to jump in and give some suggestions, and so, Spud, take it away.

MR. WOODWARD: Thank you, Madam Chair, and congratulations on taking the helm of the dolphin wahoo ship. Actually, I have a couple of questions. John, what do we know, or what is accepted, as a release mortality rate on dolphin? I'm sure it's out there, maybe, in the literature, and I'm just curious what that is, and then the second question is I don't know that we have Mid-Atlantic and New England representation on our AP, and I know we have liaisons between the councils on our committee, but I don't think we have representation on the AP, and so if you could just clarify that for me. Thank you.

MR. HADLEY: Sure. Thank you, Spud. I will start with the second question first. As far as the representation on the AP, the AP input that is included in those previous two bullets, that only included representatives from the South Atlantic region. Recently, there have been two representatives added from the Mid-Atlantic region to the Dolphin Wahoo AP, but they were not there at the time that those seats were in existence, if you will, at the time. Those are recently-added seats. There is no representation from New England on the Dolphin Wahoo AP, and so there's two members from the Mid, and everyone else is from the South Atlantic region.

As far as the release mortality, I don't have those figures off the top of my head. If I was in the meeting room right now, I might be looking over to Steve Poland, because I know that he's done

some work on dolphin release mortality, and I didn't know if it was okay if I could ask him to chime in, maybe, to give you a little bit more detailed answer on that.

MS. MARHEFKA: Please, and I see Steve is there, and so go ahead, Steve.

MR. POLAND: Thank you, John. To Spud's question, we've done a couple of tagging studies here off of North Carolina look at specifically discard mortality for the private recreational and charter fleet off of the Carolinas. The estimates that we came up with for total discard mortality, and that's by all released conditions kind of aggregated together, was approximately 25 percent, but that ranged, based off of the release condition, from about 5 percent up to 40 percent, and, John, I know you have this paper, but I can certainly forward it to you again to share with the committee, if you want.

MR. HADLEY: Thank you, Steve. I do have it, but, if you don't mind forwarding it, I can have it passed around to the committee, so all the committee members have that information as well.

MS. MARHEFKA: Yes, that would really helpful. Thank you. Jessica.

MS. MCCAWLEY: Thank you, Kerry. I was going to suggest those three bullets that are on the screen there include an option that would include North Carolina only, include the option that would go through the Mid-Atlantic, and include the option for New England, and I would suggest adding all of those as options in the document.

MS. MARHEFKA: Okay. I am just thinking this through, and do we need to -- Is that specifically then for the twenty-inch minimum size limit, Jessica? Is that your intent?

MS. MCCAWLEY: Yes, please.

MS. MARHEFKA: All right. John, have you got that? I think we're early enough in the process where we don't need to be doing this through a motion, correct, John, and you can just do direction to staff, since we're so early, and am I right?

MR. HADLEY: Yes, that's correct. Unless there's a really a difference of opinion amongst the committee, I think we can handle most of this through direction to staff, or really just, as I mentioned, we're looking for kind of the bookends to help the IPT further develop some of these potential options, just because, particularly as we get down to some of the other options, there is a pretty wide potential range, and so it certainly helps out the IPT quite a bit, and I will include that in the direction to staff. Thank you.

MS. MARHEFKA: Okay. Just holler if we're out of bounds. Chester.

MR. BREWER: Thank you. Jessica said exactly what I was going to say, and so there's no reason to repeat it. Thank you.

MS. MARHEFKA: Okay. Rick.

MR. BELLAVANCE: Thank you, Madam Chair. I was just reading through the alternative that you have here to include North Carolina up to the New England region and a question-mark of,

i.e., through Maine, and I would suggest just including it through Maine, anticipating any climate change issues and stock shifts and so on and so forth, and I think the full range would be through the Maine border, and, just to make it simpler to answer that question-mark, I would agree with including Maine. Thanks.

MS. MARHEFKA: Thanks, Rick. I appreciate, and I appreciate you being here. I'm glad you spoke up, because I want to circle back around, at some point, if we are going to be taking management actions that do affect the folks in New England, whether it's here or -- We don't have it on this agenda, but the next time we talk about advisory panel makeup, we may want to consider, for that very reason, some New England representation on the advisory panel, and so I think we can just sort of -- Unless someone disagrees that we need to handle that formally here, I think we should put a pin in that and circle back around to AP representation. I am not seeing anything else, and so, John, do you want to move on to our next action?

MR. HADLEY: Sure. Thank you. Moving on to the second action, this would establish separate recreational retention limits for dolphin onboard charter vessels and private vessels. As a reminder, currently, the recreational daily bag limits is ten dolphin per vessel, not to exceed sixty per vessel, whichever is less, except onboard headboats, where the limit is ten dolphin per paying passenger.

This does cover the entire jurisdictional range of the Dolphin Wahoo AP, and so Maine through Key West, Florida. The vessel limit, and, also, as a reminder, the council recently approved an action that would reduce the vessel limit of dolphin from sixty fish to fifty-four fish per vessel, via Amendment 10, and this regulation would likely be going into place sometime in 2022.

A couple of considerations are the council has thought about this quite a bit, not necessarily varying by private vessel versus for-hire vessel, but the council has had a good bit of discussion on different vessel limits for dolphin. You did consider different vessel limits, ranging from thirty to fifty-four fish, or, really, thirty to sixty fish, which is the current limit, and there were comments collected on this topic through Amendment 10, several particularly on changing the retention limits for dolphin in general, but public comment was in favor of the -- The public comments were largely in favor of reducing retention limits for those that were based in Florida or North Carolina, while those that were opposed to changing the retention limits were often from the North Carolina area, and so, there again, sort of a geographical difference there on which direction to go on this specific topic.

There were limited and varying opinions on the different retention limits between private and recreational vessels and whether or not these should be considered. However, of those that did comment on the potentially different retention limits, they were largely in favor of having a higher retention limit onboard charter vessels, and so, if there was going to be a differentiation, consider higher retention limits for charter vessels in comparison to private vessels.

Of the comments in support of a reduced vessel limit for dolphin, many expressed support for a thirty-fish limit or a forty-fish limit, and, also, there were varying opinions as to whether vessel limits should cover the entire Atlantic or apply only to certain states. As you may recall, when the council considered this in Amendment 10, you did look at different vessel limits over different geographic ranges, and so looking at Florida only, potentially Florida through South Carolina, or,

in the end, choosing to change the retention limit throughout the jurisdictional range, and so there's a few moving pieces to that.

The Dolphin Wahoo AP did discuss a potential reduction in the vessel limit at their August 2019 and October 2020 meetings. They noted that reducing the vessel limits too far could have a notable negative impact on the ability to book charter trips, and so, therefore, caution should be exercised, and, also, if the council reduces recreational limits for dolphin, consider the vessel limit, but do not alter the bag limit from the current ten fish per person per day. Amongst the AP members, there was support for taking no action on reducing vessel limits, particularly in North Carolina, or to take action just in Florida, and it was noted that the sixty-fish limit is very important to the for-hire industry in North Carolina, particularly when smaller dolphin are abundant and, if limits are reduced, maintaining limits divisible by six.

That was -- You will see some information, just because this is somewhat of a continuation of a discussion from Amendment 10, and so there was some available information that I pulled from that document into this one, and this includes looking at the distribution of harvest per person and harvest per vessel, and so, while these aren't broken up by charter versus private vessel, just a general look at the fishery as a whole.

As far as harvest per person, most trips harvest five fish or fewer per person. I think, if this were to be divided into a private vessel versus for-hire vessel, you would likely see a higher distribution towards the higher numbers, ten or fewer, and so five to ten onboard the for-hire vessels, since those vessels are likely catching and keeping more per person.

The same thing for the Atlantic dolphin harvest per vessel, and the Figure 2 here shows the distribution of harvest per vessel. Overall, you can see many trips harvested less than ten. However, there were several that harvested in the ten to thirty-nine range, and you see a few observations upwards of sixty. There again, many of these vessels that harvested in the higher range were typically charter vessels, if you really dig into the data and see where these observations came from.

Turning it back over to the committee, we're looking at providing guidance on the initial options to at least consider and further develop, if it is the desire to look at varying bag limits onboard charter and private vessels. Providing some guidance on the range of bag limit options, or vessel limit options, onboard private vessels versus charter vessels would be appreciated, and, also, should these retention limits be applicable to the entire management range, or should there be a geographic component to it, and so, with that, I will turn it over to the committee.

MS. MARHEFKA: Thanks, John. I really appreciate that. Just to reiterate, for the new council members, this was discussed a lot during Amendment 10, and, if you have the time and inclination, I highly recommend that you go back and, at the very least, if you haven't already, read the minutes from the last Dolphin Wahoo Committee meeting in June, right before we approved Amendment 10, because you can get a much deeper idea of sort of why we're still discussing this, and then the only other point that I want to make, before I open it up to suggestions, is to also remind new council members that the charter and for-hire sector now is mandated to report electronically, and that is one of the reasons why there was discussion about allowing them to have a different bag limit than the private recreational sector, and so does anyone want to open us up with some options that can find here for John? Jessica.



MS. MCCAWLEY: My options aren't going to be popular, because I would like to see headboats, who are exempt from the vessel limit right now -- I would like to see it go in a different direction and that we consider the same type limits for headboats that we would have for other charter vessels, and, ultimately, I would really like to see everybody, private, charter, and headboats, have the same vessel limits, and so I don't know if that's two separate options or what.

MS. MARHEFKA: John, are you comfortable that you gather what Jessica was intending, or do you need her to sort of separation that out more for you?

MR. HADLEY: I think I can capture that. Really, I think, as we develop this range, that's going to be captured in the -- Well, not necessarily the headboat component, but private vessels and charter vessels will be captured in the no action alternative, since they currently do, and so that will be an option that remains for the council to select.

MS. MARHEFKA: Okay. Spud.

MR. WOODWARD: Thank you, Kerry. I can certainly support going forward and investigating and analyzing the range of vessel limit options, but I do not support considering different bag limits for private vessels versus for-hire vessels. That is something that we call mode splits, and I don't like that idea, personally, but I am just one member.

MS. MARHEFKA: Thanks, Spud. Chester.

MR. BREWER: Thank you, ma'am. I am going to go a little bit further, maybe, than Spud. I find the whole concept that recreational fishermen would be treated differently, whether they're fishing from shore, from a vessel, from a dock, or whether they're paying somebody to take them fishing, and these bag limits, as they're called, are per recreational angler, and they are not per charter member, and I think it ought to stay that way.

If you get into separating the charter vessels from the private, then you're going to get into the entire horror that sector separation becomes, and, if you think things are bogged down now, get that argument started, and so, along with Jessica and Spud, I just don't think we should do that. Now, I do think, and I will tell you that all of the phone calls, and I know somebody let out my cellphone number, and I don't know how it got out, but it did, and the phone calls that I have been getting, leading up to this meeting, have all related to dolphin, and they have related to the Oculina Bank.

I haven't had a single phone call with regard to red snapper, or actually any other species, and so dolphin is a problem, and I don't want to see it become more of a problem, and I think that we should consider dropping both the bag limit and the trip limits, and so I would like to see those options explored, but I don't want to see them explored separately for the charter/for-hire headboats and/or -- I would maybe just say, with regard to trip limits, I think it's probably a good idea to have headboats separated out, because, down here, they may have forty people onboard a boat, and so they probably do need to be exempted or have a different boat limit, and that's all I have to say on the topic. Thank you.

MS. MARHEFKA: Thanks, Chester. I think it's clear, but, for the sake of the record, when you speak of dropping bag limits and trip limits, I assume you mean reducing them further and not doing away with them altogether. I just wanted to be sure.

MR. BREWER: When I say drop, I mean dropping the number, and I'm sorry.

MS. MARHEFKA: I knew what you meant, but I just wanted to make sure it was clear, so, if someone came back and read the minutes or took it out of context. Laurilee.

MS. THOMPSON: I agree with Chester and Jessica, and I like the idea of doing the lowering of the amount of fish that people can have, in increments of six, so that you cover the six-pack charter boats. My comment is I think that it's prudent that we're looking at this now, so that we don't turn dolphin into the same kind of mess that we've had with red snapper, and with now the gag grouper. We have an opportunity to take a fishery that is healthy and try to maintain its health, and I think ten fish is too many, and that seems greedy, and I think seven or eight fish a person, or six fish, is -- That's a lot of fish, and that should be enough, but we should be looking at the future too, and trying to keep this a viable fishery in the future, because, again, now, if you -- As we're taking away the fish in these other fisheries, this fishery is going to become more important and more targeted. Thank you.

MS. MARHEFKA: Thanks, Laurilee. I appreciate that. John, I'm trying to figure out where that leaves us, and I just want to make sure that we have a range and that we have what is needed to move forward with this action. What I hear from everyone is -- I haven't heard anyone on the committee express interest in increasing any of the bag or vessel limit options.

I have only heard everyone express the interest to decrease, but, of course, we know we have public input, specifically from North Carolina, from the last round, through Amendment 10, on the possibility of increasing, and so I think what we need to figure out, as a committee, is do we just want to include the range of options that limit decreasing -- That have a range of a decreasing bag limits and vessel limits, or do we want to consider the public input and make sure that we also have, within the range of options, the increasing limits for the charter vessels? Is that kind of where we're at, John?

MR. HADLEY: Yes, and I think -- I guess it seems like there's a difference of opinion as to whether to consider different retention limits onboard charter vessels or private vessels versus not consider that and keep everyone sort of in the same boat, so to speak, and no pun intended, but the idea there is -- I guess it's a little unclear of should the IPT develop options that look at different retention limits, depending on the mode of the recreational trip, or not. Then the other would be to look at a potential range. If you do want to -- It sound like the idea is to consider a reduction of some sort in the retention limit, and what would be a good starting range for that?

MS. MARHEFKA: Okay. I got it, and so we have definitely heard, so far, support for -- Support for not treating the different private recreational and headboat and charter fleets differently, and so let's hear what Tom and Dewey have to say. Let's get through that, and then what we'll do is we'll sort of take those two things separately, the numbers, the actual numbers, and then treating the sectors differently, and so, Tom, go ahead.

MR. ROLLER: Thank you, Kerry. I just -- From the last round of public comments from this, this was a very hot topic up here in North Carolina, particularly in the for-hire industry, as I think a lot of, particularly the fishermen from Morehead City up through the Outer Banks felt that they were getting a little -- They were getting a little bit of the short straw here.

This fishery is utilized a little bit differently up here, and so I think it's only fair for me to bring up the fact that we do need to have that discussion regarding different bag limits between the different sectors, whether for-hire and recreational, and, I mean, we do it now for headboat, and I don't really see it being that different for aspects of the for-hire industry, and so I just wanted to state that on the record here, really briefly.

MS. MARHEFKA: Thanks, Tom. I appreciate that. Dewey.

MR. HEMILRIGHT: Thank you. I was just curious, back to -- Is this a framework that we're doing here to Amendment 10? Is that correct?

MS. MARHEFKA: Well, it wouldn't necessarily be a framework to Amendment 10. I think what we're going to do is sort of get through these suggested action items and see what ends up in this and then, I think, determine whether or not we can do it via framework or a plan amendment to the dolphin wahoo plan. I believe, and, John, you can correct me if I'm wrong, but I believe that, right now, we're within the bounds of a framework with the items we have on here to discuss today.

MR. HEMILRIGHT: When does Amendment 10, that had the vessel reduction -- When will that take place, in 2022?

MS. MARHEFKA: Yes, and, John, we had an update on that earlier, and so it is still -- It has not been formally submitted for approval yet. Is that correct, John?

MR. HADLEY: Yes, that's correct, and so it's going to be submitted fairly soon. You're likely looking at some time in 2022 is when those regulations would become effective.

MR. HEMILRIGHT: All right. I'm just trying to keep it -- The understanding is we just went through Amendment 10, and now it's this one, and they're probably not going to be -- I will just wait and see. Thank you.

MS. MARHEFKA: Dewey, this was just one of those items, when we were discussing Amendment 10, that -- If I recall correctly, and anyone can correct me, but that we really struggled with, and we also knew that we wanted to move forward with Amendment 10 and get it in place, and we knew, I think, that we hadn't really had a sense of closure on this issue, and so I think that's why we agreed to come back and look at it again. Tim.

MR. GRINER: Thank you, Madam Chair. I was kind of as confused as Dewey. Gosh, I think we had a ton of discussion on this, and I thought we kind of had come to a consensus that we went from the sixty down to the fifty-four, or wherever we ended up, but are we really looking at bag limits and trip limits on an amendment that hasn't even gone to NMFS yet? That's -- I don't know, but I just find this strange, that we went through Amendment 10 and all of that discussion, and we

haven't even sent that document for finalization yet, and here we are talking about a framework amendment to do something other than that, and I just find that kind of a strange use of time.

MS. MARHEFKA: We do strange things here at the South Atlantic Council, Tim. I'm going to go to Rick, but I bet Steve can weigh-in on sort of some of that confusion, hopefully better than I can. Rick, go ahead.

MR. BELLAVANCE: Thank you, Madam Chair. I just wanted to weigh-in on the splitting different mode regulations. Up in the Northeast here, we've had some success with different mode limits. As an example, in the summer flounder fishery, the size limits had gotten so big that the shore-based fishermen weren't able to actually catch fish that they were able to bring home, and so we created separate modes for the shore fishermen, to allow them to harvest some fish.

In our tautog fishery, we have a vessel limit for the private anglers, but that vessel limit doesn't apply to the for-hire fleet, because of the way that those operations work. In the recreational private angling fishery, it's 90 or 95 percent of the harvest, and the thought there was that a vessel limit for that mode would be valuable, and not implementing it for the charter side would allow them to operate their businesses in the way that they do now. We also have separate bag limits for bluefish here in the Northeast, and that seems to be working out okay, and so I would just recommend, before you toss that out, that there be alternatives that stay in there for analysis, just to see if dolphin and wahoo are species that would benefit from different mode regulations, like they have in the Northeast. I appreciate the time to comment. Thanks.

MS. MARHEFKA: Thanks, Rick. It's always good to hear how other councils are handling some of these tough issues that we have to deal with, and I know we can all learn from each other, and so I really appreciate your comments. Steve.

MR. POLAND: Thank you, Madam Chair, and I think Tom pretty well captured the rationale from the stakeholders that expressed interest in this in North Carolina. I mean, the fishery does -- It is prosecuted very differently up here, as compared to the southern part of the region, and there was a desire, among the for-hire industry here, to consider this mode split, and, as Rick noted, there are examples where this has been implemented.

Our bluefish fishery here is managed very similar, as well as our cobia, and I would like to see this discussion occur, and the issue really weighed against the needs of the fishery here in the South Atlantic Council, and I don't want to dismiss it out of hand right now, before we even have a chance to really fully discuss it.

To Dewey's and Tim's points, yes, the vessel limit was discussed during our development of Amendment 10, but that was just relative to the entire recreational sector, and the desire to look at charter/for-hire and private did come up really late in the discussion, and I personally don't feel like we uncovered all the stones in that discussion, and so not to get into the debate on if it's good or if it's not or anything like that, but I at least feel that the council should give it some time and discuss it, and so I think it should be included in this list.

MS. MARHEFKA: Thanks, Steve. I think you were much more helpful than I was in explaining why we're back looking at this issue, or looking at it in more depth than we had time to last time, and so I really appreciate you weighing-in. Spud, go ahead.

MR. WOODWARD: Thanks, Madam Chair. I've got a question for Steve, or really anybody from North Carolina, and then I would like a follow-up after that, and so, if the minimum size limit was applied northward of South Carolina, and so it would cover North Carolina and possibly all the way up the eastern seaboard, would that change the nature of the discussion about mode splits, in terms of for-hire vessels desiring to have more fish allowed onboard than private recreational? I realize you probably don't have a definitive answer, but I would just like a perspective on that, and then I have a follow-up, Madam Chair.

MS. MARHEFKA: Thanks, Spud. Steve, go ahead and answer, and then, Spud, you can go ahead and follow-up, too.

MR. POLAND: I mean, to Spud's question, no, I don't have a definitive answer, and, to me, that is the reason why we need to go through this process and consider all these options.

MR. WOODWARD: Okay. A follow-up, Madam Chair?

MS. MARHEFKA: Yes, please.

MR. WOODWARD: This is just an opinion, but, after what we've been through in the last day-and-a-half, I don't think it's overstating it to say that we've got a snapper grouper fishery crisis, and we certainly need to devote a lot of time to that fishery and to try to fix the systemic problems we've got in it, and I just caution us to mire ourselves down in something on dolphin and wahoo that could be contentious and possibly distract us from that, and so I know there will be a discussion about our priorities later, but I just wanted to say that.

MS. MARHEFKA: Thanks, Spud. That's the understatement of the century, with the snapper grouper crisis. Mel, go ahead.

MR. BELL: Thanks, Kerry. I am real sensitive to what Spud just covered, but I think I agree with Steve that, at this point where we are in this discussion, it's probably best to leave this in for consideration, or at least discussion, of differing approaches for modes, and I totally understand what Spud is talking about, but I think, to just sort of kill it now, it doesn't allow us to maybe carry through where we left off with 10, which was an agreement to talk about this stuff, and so, to fully talk about it, I think perhaps we ought to at least have that in there, and then, also, taking about modes, I think even Chester mentioned something about headboats being treated differently, in terms of vessel approach, and so that -- We use the term "for-hire", or "for-hire industry", and what we call a charter boat is different from a headboat, but they are part of that sort of sub-sector, if you will, I guess, of the recreational sector.

I think it probably would be best to leave it in there, and Spud is absolutely right, and I'm sure that it will be a bit contentious, but I think to at least be willing to talk about it and work through it in the future, and, also, with dolphin, as has been pointed out, when you move up the coast, whether it's the Mid or New England, they're a little bit more -- They have a little bit different approach than we do, as Rick pointed out, and I know, from commission work, you see that in things like discussion of bluefish and all, where things are treated differently there, and so, as we were to move up the coast, we would encounter that same topic. Perhaps it's best to at least leave it in, at

this point, for discussion purposes as we move forward, and so we're not just totally shutting the faucet on something right now.

MS. MARHEFKA: Thanks, Mel. John, what I am hearing is that we have a range of opinions on separating out vessel limits and bag limits by mode, and so we should keep that in as an option. What I have not heard are specific numbers, to give you all a range, and I just want to know whether or not you need numbers to give a range for the IPT to analyze.

MR. HADLEY: We would certainly welcome a range. I am just thinking back to Dolphin Wahoo Amendment 10, and there was a range between -- I guess it would be thirty and fifty-four fish for the vessel limit for dolphin, and we could certainly apply that here, and that's a good starting point for the vessel limit. As far as the bag limit, the bag limit is ten fish per person, and I don't know if there's a good ballpark range to start with on that side of things. Is going down to as low as five -- That's something that came up during public comment, and is that a good starting point, or should it be lower than that, or higher than that? I guess just a little bit of kind of a bookend on how far down you should go, as far as that potential decrease in the bag limit or vessel limit.

MS. MARHEFKA: All right, and am I being not bright, but, when you said going up to fifty-four, but it was -- I think the North Carolina fishery has been asking for sixty, or the for-hire fishery has been asking for sixty, as is noted here, and so would that be in the range now or not?

MR. HADLEY: It could be. That is certainly up to the committee. I just said fifty-four because that will be the new vessel limit for dolphin across-the-board, for both for-hire and private vessels, but, if the intent is to look at reinstating a sixty-fish limit, we could certainly -- That could be part of the initial look that the committee has of this action.

MS. MARHEFKA: Okay, and so we'll go to Chester, and then what I will be looking for, from committee members, is some help in making sure that John has the bounds of the numbers that we need, both low and high, and so please throw those out there. Chester.

MR. BREWER: That's what I wanted to do. From the phone calls and comments that I have gotten, there are a lot of people out there that are in favor of five fish per person and thirty fish per boat, and so I think that those would be sort of your lower numbers, and then, John, I know why you went to the fifty-four, but I think that, since we fought that war, and that was a compromise, and there were a lot of people that wanted to have sixty, that probably the range there, per boat, ought to be between thirty and sixty, and the range per person should be between five and ten. Thank you.

MS. MARHEFKA: Thanks, Chester. That's super helpful. Anyone else with any numbers they want to throw out there? Tom, go ahead.

MR. ROLLER: This is kind of in relation to numbers, but I just want to point out here that, as part of this discussion, we do have an open access permit for for-hire dolphin, and, if we did have a different size limit, there is probably -- People could potentially take advantage of that, and so I just wanted to point that out there.

MS. MARHEFKA: Noted. Thank you. I believe that, if we ever wanted to do something different there, that's a whole other method, outside of a framework, that we would have to use, but it's good to note. Anyone else with numbers? Dewey, go ahead.

MR. HEMILRIGHT: Following-up on Tom's thoughts, if they were to do that under a charter/for-hire, then they don't presently have to report on their logbooks, do they? Well, they do if they have a snapper grouper charter vessel, right, and they have to report everything, tunas and all that, and so that might be one way, if somebody chose to do that, to get that particular vessel to be reporting.

MS. MARHEFKA: Dewey, I think all charter vessels have to report electronically now, but I see that John has raised his hand, and so he can correct me if I'm wrong.

MR. HADLEY: No, that's correct. That's what I was just going to mention.

MS. MARHEFKA: The SEFHIER program, which we'll be talking about later in the meeting, and so we do have charter reporting now. Okay. I feel like we can move on. John, do you feel good about where we're at for the IPT?

MR. HADLEY: I do. I think that will help quite a bit, and I appreciate the discussion and input. The next potential option we'll look at is the same overall topic, but for wahoo, and so look at establishing separate recreational retention limits for wahoo onboard charter vessels and private vessels. As a reminder, the current daily bag limit is two wahoo per person, and there is no vessel limit. This two-wahoo-per-person limit applies throughout the entire Atlantic east coast, and so the full jurisdictional range of the FMP for dolphin and wahoo.

As many of you sitting around the table, but not everyone, will recall, in Amendment 10, there was a great deal of discussion as to whether or not to change the retention limits for wahoo in Amendment 10. There was consideration of dropping the bag limit to one fish or potentially implementing a vessel limit for wahoo. In the end, the council chose to remove that action from the amendment altogether, and so there is no change to the retention limit for wahoo via Amendment 10, but there was indication that further discussion may be warranted in another amendment.

That topic was taken out for public hearings, and there was discussion from the public on that matter, as well as -- Not among the Dolphin Wahoo AP, because it wasn't presented to the Dolphin Wahoo AP at the time they reviewed it, and so I take that back. It was taken out to public hearings though, and there was public comment received on it.

In general, when the council was considering changing the retention limits for wahoo in Amendment 10, the committee reviewed alternatives that reduced the bag limit, as mentioned, to one, and it set a vessel limit between two and eight wahoo per vessel. After further consideration, a new analysis showed a particularly small, likely small, reduction in harvest from the drop in the bag limit, and most of the vessel limits, outside of the fairly more restrictive vessel limits of two to four fish per person, the action was removed, and so it didn't really show much of a harvest change there.

As far as the public comments received on the topic, when this was taken out for public hearings, in general, much like dolphin, there was a notable geographic theme to the comments received, and most of those who were in favor of reducing the retention limits were based out of Florida or South Carolina. Also, we heard many comments, mostly from those in North Carolina, of keeping the current retention limits.

Overall, there were varied opinions on the different retention limits between private and charter vessels, and so whether or not to have a different retention limit by mode, if you will. However, most that did comment on the topic were in favor of having higher limits onboard charter vessels, if this differentiation were to be put in place. Many commenters, particularly those from North Carolina, were not in favor of a vessel limit for wahoo. However, it was noted, in some comments, that, if a vessel limit were to be implemented, consider a twelve-fish vessel limit.

Of the comments in favor of a vessel limit for wahoo, they typically range -- There was a wide range mentioned, but they typically range from two to eight fish per vessel, with most focusing on the six or eight fish per vessel limit, and there were some comments supporting a reduced bag limit, but there were relatively few comments on any sort of a size limit for wahoo, and so I just wanted to throw that out there, since we were previously discussing size limits for dolphin, but, really, there weren't many comments on a size limit for wahoo. There was some support for a vessel limit on wahoo, which was the most common comment overall, as far as changing retention limits.

I have pulled some of the analysis from Amendment 10, looking at the distribution of wahoo, recreational trips that harvested wahoo. As a reminder, these have not been split out by sector, but just kind of looking at the overall fishery, and you have a lot of trips that typically harvest one wahoo per person, and there are a handful that do harvest two wahoo per person.

Moving down to Figure 4, this shows the harvest per vessel, and you typically have four or fewer wahoo harvested per vessel, but there are several trips -- You can see there's kind of a tail that goes pretty far out there, upwards of nine fish per vessel, and these are likely -- They are often likely occurring on for-hire trips, and so that gives you a general kind of very high-level look at how the fishery has functioned.

I will turn it back over to the committee for similar guidance, and we're just looking for direction to staff on whether or not to continue to pursue, or consider, different retention limits by mode, as well as a potential range, if the desire is to look at a change in the retention limit for wahoo, a potential range to start with. I will turn it back over.

MS. MARHEFKA: Thanks, John. Chester, fire away.

MR. BREWER: I haven't gotten a single phone call with regard to wahoo, and, from what I understand, if you know what you're doing, you can go out and catch a wahoo or two, but you really have to know what you're doing, and so I don't have any indication that these -- That that fishery is in any kind of trouble, and I would be very much in favor of not doing anything with wahoo, certainly right now, with all of the other disasters that we've got on our plate, and, if it is brought up, I think we need to have some sort of indication that there's a problem with the fishery, which we don't have right now, and everything seems to be okay, and so I really think this ought



to be -- I don't want to say completely -- Well, I will say that I think we ought not to be working on this right now, and not for the foreseeable future.

MS. MARHEFKA: Okay. Thanks, Chester. Tom.

MR. ROLLER: Along with the last dolphin comments, most of them from the North Carolina anglers, while there were people unhappy with wahoo, they seemed to circulate most around dolphin. It's my understanding, and this is a question for John, is wasn't what was done here mostly designed to prevent a closure, and is that right?

MR. HADLEY: Tom, that's correct. It was -- The reason that the council initially added the action for consideration in Amendment 10 is that analysis showed that what will be the new ACL for wahoo could potentially be met, thereby triggering the accountability measure, which would be not an in-season closure, but a shortening of the harvest season the year after, and so that's kind of the mechanism that was set up in Amendment 10, and that was really the concern of the council at the time for considering this. It was pulled out, since the analysis showed that, unless you went to the fairly low vessel limits, you weren't going to see much of a harvest reduction, and then also due to the public comment that was received, and the council took that into account as well.

MR. ROLLER: Okay. On that note, I'm definitely in agreement with Chester here, and I don't really see the need to consider it in this amendment. We have a lot of that taken care of.

MS. MARHEFKA: Thanks, Tom. All right. What I am hearing is that this option could be removed from analysis from this framework amendment, and is there anyone else who would wish to speak to this? I mean, I am not seeing that, and it looks like the committee's will will be that we will not address the wahoo sort of split of modes and change in bag and vessel limits in this amendment.

MR. HADLEY: All right, and so I will remove the question-mark next to that bullet point, and that will be the direction to staff, is to not further consider this in the amendment. All right. Moving along, the last major option that the committee had at least initially identified for potential future development is removing or reducing the for-hire captain and crew bag limits.

A little bit of background on this topic. Currently, captain and crew onboard for-hire vessels may retain a bag limit of dolphin and wahoo, from a federal regulatory perspective, provided that the vessel limit is not exceeded for dolphin, and, of course, there is that exception onboard headboats, where the bag limit is ten dolphin per paying passenger, and so presumably the bag limit only would be allowed onboard for clients or passengers of a headboat.

Looking at the for-hire captain and crew bag limits in general, they are also allowed in the snapper grouper and coastal migratory pelagics fisheries and within the regulations for those FMPs. Previously, the for-hire captain and crew bag limits were prohibited for some snapper grouper species, but this prohibition was removed for the snapper grouper fishery via Snapper Grouper Amendment 27, which became effective in January of 2014.

Really, some of the rationale for this was to provide regulatory consistency across the South Atlantic's fishery management plans that require a for-hire permit, and so, essentially, across the CMP, Snapper Grouper, and Dolphin Wahoo FMPs right now, captain and crew bag limits are

allowed, and so, while the number of -- This is a topic that came up again, and not to keep bringing up Dolphin Wahoo Amendment 10, but it was a topic that came up during Dolphin Wahoo Amendment 10, that the number of anglers on a recreational trip is recorded under MRIP, on MRIP intercepts.

However, the captain and crew are not included in those angler counts, and so, at times, this can lead to some level of uncertainty displayed in the distribution of the number of fish harvested per angler on a trip, and there was a great deal of discussion of this for Dolphin Wahoo Amendment 10, and so I won't go into too much detail, but that is something that could be noted, and should be noted, for the potential effects of this action, in that it would reduce some of that uncertainty.

However, as exhibited in the committee's previous discussion on bag limits, during development of Amendment 10, this issue was -- While present, it was not notably large, if you will, and so I'm looking to hand it back over to the committee on which direction to go, and we're just looking for general guidance on whether or not to continue to pursue this option, and, if so, should removal or reduction of the for-hire captain and crew bag limits apply to dolphin and wahoo or just one species? If a reduction, rather than a removal, is the preferable avenue, what should be the potential reduction in bag limit for dolphin? For wahoo, it's only a current two-fish bag limit, and presumably it would just go to one, if the reduction was the option, rather than removal. With that, I will turn it back over.

MS. MARHEFKA: Thanks, John. Would anyone like to weigh-in on this one? Chester, go ahead.

MR. BREWER: I was just going to say that there was a lot of controversy and discussion with regard to bag limit sales by the for-hire captains and their crew, and we hashed that around and hashed it around, and folks came up from the Keys, and it was pretty heated, but that's not what we're talking about here. This is something, again, that I haven't gotten any telephone calls or messages on, and, again, with everything that we've got on our plate right now, I don't see any reason to go forward with doing this work right now.

MS. MARHEFKA: All right. Thanks, Chester. Tim.

MR. GRINER: Thank you, Madam Chair. I kind of hear Chester there, that it's kind of befuddling to me that -- I don't see why the captain and mate shouldn't be allowed a bag limit, as long as everybody is permitted, and so a six-pack -- If a captain is supplying six licenses, then they ought to be able to keep the full six.

If there's four paying clients and a mate and a captain, well, that's six people, and everybody has a permit, but I do find it quite interesting that it seems like we heard a lot of Florida charter guys that wanted to keep reducing limits, reducing trip limits and bag limits, and, well, one great way for them to do it is to remove themselves from the equation, and so, to me, I think they should be able to have -- The captain and crew should have a bag limit, but, if the Florida charter fleet really wants a reduction in their trip, then maybe that's the way to go about it, is just to remove themselves from the equation.

MS. MARHEFKA: Thanks, Tim. Jessica.

MS. MCCAWLEY: Thank you. Tim kind of set it up for me. This did come from Florida, and this is one of the things that we had heard, and not as much as some of the other options, but this is one of the things that we heard in Florida as a way to reduce the amount of fish that are brought to the dock by each vessel, by removing the for-hire captain and crew bag limit, and so I'm in support of this particular action, specifically for dolphin.

MS. MARHEFKA: Okay. Thanks, Jessica. I appreciate that. Judy.

MS. HELMEY: Thank you. In talking about the charter business, especially out of Savannah, if you -- As far as we have to go to get dolphin, which is sixty-plus miles, quite often, we don't have six people, or four people, on our boat, and we have a lot of charters that only have two people, and so it's very crucial that the captain, or the crew, can count, and so I just wanted to put that in there, that, for us, it would be very bad if that happened.

MS. MARHEFKA: Thanks, Judy. It's always helpful to hear that real-world application of what we're doing. Dewey.

MR. HEMILRIGHT: Was there -- I think I have seen some mention of it, but I don't know if there's some analysis of just exactly how many captain and crew are keeping a bag limit of mahi, and I didn't really think there was a problem with it or something, and so I'm just curious what type of analysis is done, and maybe it will come from the for-hire reporting, that we see what a captain and mate is keeping, if that becomes an issue or something, but I just hadn't seen it.

MS. MARHEFKA: Go ahead, John.

MR. HADLEY: There hasn't been a full analysis of how often it occurs. I will say that, through some of the analysis that we did for Dolphin Wahoo 10, when you look at the intercept, the direct intercept, data, you can see where there is likely a captain and crew bag limit being kept, and, for example, there is four anglers, and there is sixty dolphin, and that's still a legal trip, provided there was a captain and crew onboard, and so you can kind of make an inference there.

It's hard to nail down an exact number though on how many trips are in fact keeping captain and crew bag limits, and so the point being, I guess, in summary, to Dewey's question, the analysis hasn't been done, but there is some information that can be gleaned from the intercept data, but it's still not going to be a precise number.

MS. MARHEFKA: Jessica.

MS. MCCAWLEY: Me again, and I just wanted to say that, if the captain and crew take a bag limit, and then they get to shore, and then they're giving it to their customers that are already allowed to keep ten fish, this is why people in Florida were bringing this up, because it's just another way to give some more fish to your clients, and so then they're not really bringing home a ten-fish bag limit, and they might be bringing home a fifteen-fish bag limit, when they actually get their fillets and leave the dock, and so I just wanted to put that out there,

MS. MARHEFKA: Thanks. That is helpful. Laurilee.

MS. THOMPSON: If the captain and crew are allowed to keep fish, they definitely need to report them, so that they can be counted.

MS. MARHEFKA: Yes, and I think -- John, go ahead. I think John is going to speak to that.

MR. HADLEY: To that point, they will be counted under the new reporting system. Also, they were counted through the MRIP intercept, and so we're not talking about unaccounted-for harvest, but it's just, when you get down to the analysis on looking at harvest per person, for an analysis, say for an action in an amendment, that's where it becomes a little bit tricky, but I just wanted to note that it's not harvest that is going unaccounted for. That is being accounted for in the MRIP intercepts.

MS. MARHEFKA: Thanks, John. Will someone help me, and I might be misremembering, but I could have sworn that this also came up when we were discussing North Carolina wanting -- The North Carolina charter folks wanting a higher vessel limit, and maybe it was bag limit, and they were willing to forego the captain and crew bag limit in order to retain a higher bag limit for their customers, and that might have been my first meeting, and so I might have just been catching up and making up things in my head, but I could have sworn that I thought there was a North Carolina component to this and not just Florida. Steve.

MR. POLAND: Thank you, Madam Chair. No, I don't recall that rationale. I think what brought it to a head is there was some analysis provided at an earlier meeting that erroneously indicated that about 15 percent of charter trips out of North Carolina were exceeding the sixty fish, and we took issue with that, and staff with the council and staff with the agency went back and reanalyzed, and it came to be -- We came to the realization that they had not accounted for the captain and crew in that MRIP analysis, and they updated that analysis and provided it to us and showed that it was a very low percentage. Then that started the discussion of captain and crew retaining their catch or counting as against the catch for the vessel, and so, to me, that was my recollection of how this issue came up.

MS. MARHEFKA: That was helpful. Thank you, and I'm sorry to bring up that painful memory for you. Like I said, I think that was one of my first meetings, and so I was still playing catch-up, and so thanks for setting me straight. I am hearing support to keep this in here, and I have heard people say that this isn't something we should spend our time on, but I have also heard people say that we should spend our time on it, and so, unless someone feels so strongly that they want to make a motion to remove it, then I think where we have landed is keeping this in here for the time being.

Again, we're really early in the process, and we will go to scoping, and we'll go to the AP, and I have a question about that in a minute, John. Barring anyone feeling strong enough to make a motion to remove this -- Actually, let me say this. Jessica did state that she was really in support of looking at this in terms of dolphin, and so I don't know if that lightens our workload any and if it makes sense, since we've only heard about this, moving forward in regard to dolphin, and does that help at all, John, if we remove wahoo? Is there anyone on the committee who wants to leave wahoo in there? If not, then we'll just move forward with retaining this option in here for looking at dolphin. Go ahead, John.

MR. HADLEY: Just to your question, I think it simplifies the analysis quite a bit, but it's something that, if that's something the committee wants to look into, we can certainly do that as well, and so I would certainly toss the back to the committee, as far as whether or not to keep wahoo in this potential future action.

MS. MARHEFKA: All right. Tim, to that?

MR. GRINER: Well, I was just going to say that, from everything I'm hearing here, and in light of the fact that you haven't even formally finished Amendment 10, that it seems like an action needs to be put in here that would make this somewhat a regional issue, and maybe an alternative to have this apply to Florida, or have it apply to Florida and South Carolina, or Florida only, but this seems like a perfect one to run up the flagpole in front of the public and see if the regional differences are so great that we really do need to take them into account, because, if the fishery is prosecuted so differently in North Carolina, and these charter guys run their business model differently, and the charter guys down in Florida don't want themselves to be bringing extra fish to the dock to give to their clients -- Number one, they don't even have to catch them, but maybe this is a great time to take a look at some of the regional differences and apply them to this amendment. Thank you.

MS. MARHEFKA: Thanks, Tim. John.

MR. HADLEY: Sorry. I forgot to take my name down. I apologize for that, but I do have -- It sounds like, if there was a -- Consider a regional approach, and, if so, only in Florida, and is that what I am gathering?

MS. MARHEFKA: That's what I understood from Tim's comments. I think then that we have landed on sort of parsing out these three actions that you brought to us, and we're going to remove one of them, and we're going to move forward with the other two. I think the next bullet point you had for us was whether there was anything else that we should consider in this amendment. Are we calling it an amendment, or are we calling it a framework? Am I correct, John?

MR. HADLEY: I think we can call it an amendment now, and the IPT will come back to you with whether or not it will be a framework or a plan amendment, and I would think framework, but I will hold off on the final call to that.

MS. MARHEFKA: Okay. Does the committee have anything else that they would like to consider as we move forward with looking at this next plan action for dolphin wahoo, thinking that it's going -- Knowing, understanding, that it's going to go to scoping, and it's going to go to the advisory panel, and, before I go to anyone else, John, is that normal? Do we always go to scoping before the AP has a chance to sort of look at it? It's been a while since I have paid that close attention to the order of the process.

MR. HADLEY: That's a good point. I mean, that has varied, depending on the topic, and I think with dolphin -- Well, it depends on the FMP. With the Dolphin Wahoo AP, typically, the council has kind of gone through the scoping phase and sort of started to develop the amendment and then put it before the AP for feedback on what the council, or the committee, has developed, as far as actions and alternatives, and so it's usually kind of midway in the process, if that makes sense. I

will also mention, while we're on the topic of the AP meeting, per the last time the committee discussed this, the Dolphin Wahoo AP will meet sometime in the spring of 2022.

MS. MARHEFKA: Okay. Does anyone have anything else they want to add to this? If not, we'll move on, and I have one other piece of business to sort of tie up what we've discussed today, and I am not seeing anything. I wanted to circle back around to the discussion about AP representation, and, if I'm out of order, and this should be done in Advisory Panel Selection Committee, then someone please correct me, but I would like to discuss -- See how the committee feels about adding some New England representation, if we're going to be looking at some issues that affect them up there, to our Dolphin Wahoo Advisory Panel. Mel, go for it.

MR. BELL: That makes sense to me, and I think this would be the place that it could come from, in terms of that's what we would like to do. Given that we have more partners in this as we go along the coast, that would make sense. We have said, I think, already that we have Mid-Atlantic representation, and so, yes, I think that makes sense, to move in the direction of bringing somebody from New England in as well.

MS. MARHEFKA: Spud.

MR. WOODWARD: Madam Chair, if you need that in the form of a motion, I am prepared to make that motion.

MS. MARHEFKA: Yes, I think we do, in this case, and so I would love it. Thank you.

MR. WOODWARD: Okay. **I will move that we add two representatives to the Dolphin Wahoo Advisory Panel to represent the New England region.**

MS. MARHEFKA: Excellent. All right. We have a motion by Spud. Do we have a second?

MR. POLAND: Second, Madam Chair.

MS. MARHEFKA: Thank you very much. Rick, were you seconding, or would you like to make a comment?

MR. BELLAVANCE: I was raising my hand to second, but I will speak in favor of the motion. I appreciate the consideration of the South Atlantic Council to think of the New England folks. Thank you.

MS. MARHEFKA: Absolutely. As a Maine native myself, I have got to make sure that I look out for my people. Tom, go ahead.

MR. ROLLER: I just want to say that I fully support this motion. It's clear that climate change is a big component of this fishery, and I have a lot of associates in New England, and the dolphin fishery is of growing importance to them, and so I am glad to see this being put up for consideration.

MS. MARHEFKA: Great. All right. Well, I do have a question about timing, but I think we can dispense of this first. **Are there any objections to this motion? Hearing and seeing no hands raised, the motion is approved by the committee.**

I guess what we need to figure out is we have a Dolphin Wahoo AP meeting in the spring of 2022, and, Kim or John, can someone -- Is it going to be possible and advertise and get someone in that seat? Do we even have AP Selection in December? Is there a way to make sure we have them there, I guess, in the spring, when we will be talking about this issue, timing-wise? Go ahead, John.

MR. HADLEY: Sure, and I certainly welcome others to chime in if I'm wrong here, but I believe that you do have an AP Selection Committee for December, and potentially this an avenue we can work with our representatives from the New England Council to identify individuals, and I see that Rick has his hand up, potentially to help out with that matter, and comment on that topic, but the timing is pretty good for right now, and hopefully we could get some good names for the council to review at their December meeting.

MS. MARHEFKA: I love it when the timing works out. Rick.

MR. BELLAVANCE: Thank you, Madam Chair. I just wanted to offer up -- I hope that I'm not out of bounds here, but offer up our public relations staffer at the New England Council, Janice Plante, to -- She has a pretty extensive email list of recreational fisheries and commercial fisheries, and she would be, I'm sure, helpful and willing to pass the word along for a solicitation for AP members, and I will do my part to pass the word as well. Thank you.

MS. MARHEFKA: Great, and so we'll have our people call your people, and we'll get advertised for those seats and hopefully be able to get those filled and get some New Englanders at the table in the spring, and we'll be looking at this options paper, or I guess, at that point, it will be a scoping paper, for the items that we just discussed. I feel like -- Look at that. My very first meeting, Mel, and I'm giving you back time, I believe. Is there any other business that anyone would like to bring before the Dolphin Wahoo Committee? John, go ahead.

MR. HADLEY: I didn't mean to interrupt the other business there, and I'm not sure if there is other business, but I just wanted to note, before we leave this topic, that this is a discussion that we could get into on Friday, when we come to the overall workplan, but I just wanted to note that, as of now, the plan is to come back to the council at the December 2022 meeting with a fully developed options paper that, in theory, could be approved for scoping, which would take place in the spring of 2022, and so I'm just throwing that out there as far as the timing, at least as it exists at the moment for this amendment.

MS. MARHEFKA: Okay. I am getting 2021 and 2022 confused, and so we will see this again in December as an options paper, correct, this December, in December of 2021?

MR. HADLEY: That's correct. That was a typo, and I apologize for that. It should have been 2021.

MS. MARHEFKA: It's been a long -- You said 2022 too, but it's just been a long couple of years, and so I think we're all just trying to -- I think we're trying to get to 2022, as quickly as possible,

in the hopes that there is some improvement, and so I just wanted to make sure that I wasn't losing it. We will look at this again in December, and that's great. I appreciate that. Before I ask about other business again, John, do you have what you need, in terms of this, from us?

MR. HADLEY: Absolutely, and I appreciate the guidance there. I think that helps clarify quite a bit.

MS. MARHEFKA: Well thank you. You've been a big help to me. Committee members, anything else to come before the committee? I am not seeing anything, and so we're overachievers, Dolphin Wahoo Committee. Congratulations. Mr. Chair, I yield a good old half-an-hour, or more, back to you.

(Whereupon, the meeting adjourned on September 15, 2021.)

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Certified By: \_\_\_\_\_ Date: \_\_\_\_\_

Transcribed By  
Amanda Thomas  
November 1, 2021



## September

### Attendee Report: Council Meeting

Report Generated:

09/16/2021 07:36 AM EDT

<b>Webinar ID</b>	<b>Actual Start Date/Time</b>	<b>Duration</b>
262-125-515	09/15/2021 08:00 AM EDT	8 hours 50 minutes

### Attendee Details

<b>Attended</b>	<b>Last Name</b>	<b>First Name</b>
Yes	Aukeman	Trip
Yes	BROUWER	MYRA
Yes	BYRD	01JULIA
Yes	Bailey	Adam
Yes	Barbieri	Luiz
Yes	Batley	Zachary
Yes	Beal	Bob
Yes	Belcher	Carolyn
Yes	Bell	00-Mel
Yes	Bellavance	10-Rick
Yes	Berry	James
Yes	Bianchi	Alan
Yes	Brame	Richen
Yes	Brantley	William
Yes	Brennan	Ken
Yes	Bruce	James
Yes	Calay	Shannon
Yes	Carmichael	01 John
Yes	Chaya	01Cindy
Yes	Clarke	Lora
Yes	Collier	01Chip
Yes	Conklin	00 THE REAL Chris
Yes	Coogan	Colleen
Yes	Copeland	01 Robert
Yes	Corey	Morgan
Yes	Cox	Derek
Yes	Cross	Tiffanie
Yes	Cummings	Nancie
Yes	Curtis	Judd
Yes	DeVictor	Rick
Yes	Dixon	Michael
Yes	Doten	Madeline
Yes	Dover	Miles
Yes	Eimers	Colin

Yes	FRANCO	DAWN
Yes	Flora	Corrin
Yes	Flowers	Jared
Yes	Foor	Brandon
Yes	Foss	Kristin
Yes	Franco	Crystal
Yes	Gentry	Lauren
Yes	Gill	Bob
Yes	Glasgow	Dawn
Yes	Gloeckner	David
Yes	Godwin	Joelle
Yes	Goebel	Jennifer
Yes	Gore	Karla
Yes	Griffin	Charles
Yes	Griner	00 Tim
Yes	Guyas	Martha
Yes	Hadley	01John
Yes	Hart	Hannah
Yes	Hawes	Rachel
Yes	Haymans	Doug
Yes	Helies	Frank
Yes	Helmey	Judy
Yes	Hemilright	Dewey
Yes	Herrera	John
Yes	Horton	Chris
Yes	Howington	Kathleen
Yes	Hudson	Rusty
Yes	Hull	James
Yes	Iberle	01Allie
Yes	Ingram	Jamal
Yes	Iverson	01Kim
Yes	Karnauskas	Mandy
Yes	Keener	Paula
Yes	Killer	Ed
Yes	Kolmos	Kevin
Yes	Kramer	Rob
Yes	Laks	Ira
Yes	Latanich	KATie
Yes	Lawler	Sean
Yes	Lee	Jennifer
Yes	Lind	Michael
Yes	Marhefka	Kerry
Yes	Martinez	Adrian
Yes	McCawley	00 - Jessica
Yes	McCoy	Sherylanne
Yes	McGovern	Jack
Yes	McPherson	Matthew

Yes	Meehan	Sean
Yes	Mehta	Nikhil
Yes	Merrifield	Mike
Yes	Merrifield	Jeanna
Yes	Meyer	Robert
Yes	Neer	Julie
Yes	Nesslage	Genny
Yes	Newman	Thomas
Yes	Nieland	David
Yes	O'Shaughnessy	Patrick
Yes	Patten	Willow
Yes	Poland	00Stephen
Yes	Porch	Clay01
Yes	Powell	Jessica
Yes	Pugliese	01Roger
Yes	Ralston	Kellie
Yes	Ramsay	Chloe
Yes	Rapp	Amber
Yes	Records	David
Yes	Reichert	Marcel
Yes	Reynolds	Jon
Yes	Rhodes	01Cameron
Yes	Riley	Richard
Yes	Roller	Tom
Yes	Runde	Brendan
Yes	Schmidt	Eric
Yes	Schmidtke	01Michael
Yes	Scott	Tara
Yes	Sedberry	George
Yes	Seward	McLean
Yes	Sharov	Alexei
Yes	Shertzer	Kyle
Yes	Shervanick	Kara
Yes	Smillie	Nicholas
Yes	Smit-Brunello	00Monica
Yes	Smith	Duane
Yes	Solorzano	Marilyn
Yes	Spurgin	Kali
Yes	Sramek	Mark
Yes	Stam	Geoff
Yes	Stemle	Adam
Yes	Stephenson	Sarah
Yes	Stiles	Margot
Yes	Strelcheck	00-Andy
Yes	Sweetman	CJ
Yes	Takade-Heumacher	Helen
Yes	Thompson	00Laurilee

Yes	Thompson	Michael
Yes	Travis	Michael
Yes	Trego	Marisa
Yes	Vara	Mary
Yes	Vogelsong	Lee
Yes	Walia	Matt
Yes	Wamer	David
Yes	Whitaker	David
Yes	Whitten	Meredith
Yes	Wickstrom	Blair
Yes	Wiegand	01Christina
Yes	Willis	Michelle
Yes	Wolfe	Wes
Yes	Woodward	00 Spud
Yes	Zoodsma	Barb
Yes	Zou	Chao
Yes	brewer	00chester
Yes	colby	barrett
Yes	crosson	scott
Yes	emery	jeff
Yes	locke	charles
Yes	moss	david
Yes	sandorf	scott
Yes	thomas	01suz
Yes	thompson	mary jean
Yes	walter	John