SOUTH ATLANTIC FISHERY MANAGEMENT COUNCIL

DOLPHIN WAHOO COMMITTEE

The Beaufort Hotel Beaufort, North Carolina

December 5, 2023

Transcript

Dolphin Wahoo Committee

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Kim Iverson
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Suzanna Thomas
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Meg Withers

Attendees and Invited Participants

Rick DeVictor Monica Smit-Brunello

Dominique Lazarra

Ira Laks

Dr. John Walter

Kristin Foss

Shannon Cass-Calay

Mortho Cayon

Martha Guyas David Hugo Geoff White Sonny Gwin

Tim Sartwell Michael McDermott

Miles Dover Jamal Ingram

Michelle Masi

Observers and Participants

Other observers and participants attached.

The Dolphin Wahoo Committee of the South Atlantic Fishery Management Council convened at The Beaufort Hotel, Beaufort, North Carolina, on Tuesday, December 5, 2023, and was called to order by Chairman Kerry Marhefka.

(There is a gap in the beginning of the audio recording.)

MR. BURROWS: Two commercial stakeholders from Hatteras have given online comments since, and their comments, again, drew attention to the term "council boats", and that issue, which is something that we'll get into later. Kerry, of course, started the meeting with opening remarks, and she put us on the right track for that.

We then got into the SAFMC Citizen Science Program, and the AP's involvement with this, and there's a little street credit there, because we do have AP members that are actively involved with this, and it's good to see that we had photos brought to be scanned. The consensus, with the FISHstory, is that we need to expand the program, and expand the date range, and get more data from it, because I think there is a general feeling that this can certainly go somewhere. We also touched on the Release, and there's been some involvement with that as well, and so, going forward, these are things that, as stakeholders and advisory panel members, we're actively involved in, and so that process is working.

Item 2, update on recent regulation changes and status of amendments, we started with -- I'm just going to hit a couple of these. Dolphin Wahoo Amendment 3, this always sparks the North Carolina versus Florida debate, with regard to minimum size and bag limit, which we'll get back to in the fishery performance report. Amendment 4 was a little confusing for the advisory panel, because there is not a consensus of what are we supposed to be doing as electronic logbooks are taking -- You know, are going to be the standard going forward, but when does this start, exactly, and what is the standard right now, and I think we're all looking for better communication with regard to that.

The Caribbean Fishery Management Council, with regard to dolphin wahoo, it's great to see another body getting involved in management, but the question is how are they going to enforce it, and the overwhelming question that was raised by the advisory panel, during Item 2, was, when a dolphin or wahoo gets caught in federal waters, out of Rudee Inlet or north, at the federal management level, who is running the show, and the convoluted answer leads right back to this council, but it appears that may be changing as well, and so, going forward, that's something that the council will need to address.

Item 3, the AP feedback on the dolphin and wahoo SAFE report, I'm going to sum that up and keep that very brief, and we all see what's on the screen, but we want more data points. We want more data points now, and we want more data points used. We have a tremendous amount of more data that is out there about these fisheries, and there is -- It was voiced, by several AP members, that we are just not using the data enough.

All right, and, to the meat of this, the update to the wahoo and dolphin fishery performance reports, we had a widespread consensus, in the room, regarding the wahoo fishery. The wahoo fishery is solid, and it is stable, and it is even expanding, and there is more participation in the wahoo fishery than there has been, but it does not appear to be negatively impacting the numbers that are caught.

There are potentially some problems, going forward, with our wahoo fishery, which was brought up just looking at how many more boats are participating, and boats are faster, and we have wahoo tournaments now, at a much greater scale than we ever did before, and one management measure that the AP proposed for the future was to consider a minimum size limit, potentially twenty-four inches, or potentially twenty-seven inches, and the other management measure that there was a lot of support for would be bag limits for spearfishing of wahoo that are different than what we're seeing currently, the two per person. If you fish in North Carolina, you have no concept of spearfishing for wahoo that I'm aware of. In Florida, evidently it is a much bigger deal, and there are potential pitfalls, going forward, with increased participation in the fishery.

With regard to dolphin, the concept of council boats came right back up again, and I think it's important that we make a distinction that we're not talking about HMS, and we're not talking about the tripack pelagic longline vessels, and we're talking about dayboat longlining. There is a consensus, within the advisory panel, that there are too many participants in the fishery, that it was too easy for boats that were previously involved in grouper snapper to buy a fifty-dollar operator card, and there is virtually no restriction on what they do.

There is a huge debate about this, and this is not -- We're not saying that commercial fishing is a problem, and I think everyone realizes that the commercial sector only gets 7 percent of the allocation, but there is a significant problem with the concept of boats not having to abide by the same regulations as the HMS or the tripack fleet. I'm sure that will be brought up in discussion, and there's probably different ways you can go with that, but some AP members brought up the concept of a trip limit that is more restrictive than the current 75 percent -- The 4,000 pounds if 75 percent of the commercial ACL is caught. Let's see. I know I'm kind of off of the outline here, but I thought it would be a better practice just to streamline this a little bit.

To Item 6, and the best fishing practices outreach, and the What It Means to Me, it was brought up that there is a certain amount of distrust of the process, and so we need to look at how the council efforts are being received by stakeholders. There is a considerable amount of outreach being done, going back to Item 1 and citizen science, but getting other stakeholders to buy-in and be a part of this process, ones that are less involved than, you know, your average AP member would be, then how do we make it palatable for those people to give good data, because it goes back to the problem of we don't feel, often, that the data that is available to us is used for the best possible purposes, and that's my streamlined run-through of the AP meeting, and I will turn it back over to Kerry at this time.

MS. MARHEFKA: Thanks, Chris. You did a good job, and I have to say that it was a very talkative meeting, and it was a productive meeting for you all, and so I'm happy with that. Does anyone have any questions for Chris? Tim.

MR. GRINER: Thanks for that, Chris, and, yes, I agree it was a -- They seemed to have some really good, robust discussions, but I wanted to go back to this idea of a council boat, or I guess what you guys are describing as a dayboat longline boat, and I'm not really aware of a lot of that going on.

Right now, and maybe we can pull the data from the Science Center, but, right now, we've only caught 180,000 pounds of a 1.8-million-pound quota, and the majority of that has been caught with longline, and so I would be very interested to know, from the landings standpoint, how many

individual vessels, of any sort, landed dolphin with longline gear, out of that 180,000 pounds, because, right now, we're at 10 percent of the quota, and so I'm having a hard time understanding, getting my arms around, that there's an idea out there that there's a prevalent problem with dayboat longlining, because I have never even seen a dayboat longline.

If, by dayboat, you're talking about somebody putting a spool on a center console, or are you talking about a snapper grouper guy that replaces his bandits with a spool, because I've just never seen it, and I'm not saying that it doesn't happen, but it can't be happening to a very large extent, because we've only caught 180,000 pounds out of a 1.8-million-pound quota, and so I was curious where that notion comes from, and does anybody know how many boats make up that sector that you're describing?

MR. BURROWS: I think it's impossible to say how many boats make up that sector, just for the reasons that we've stated, that there's a wide-open access into a fishery where all you need is a commercial -- An existing commercial license and a fifty-dollar operator card, and my understanding is the operator card has gone away, and so I think it's impossible to quantify. I do realize that we have achieved less landings this year, but we also had an exceptionally bad weather spring, and that's going to affect a smaller boat, a smaller fleet, much more than it is the more reputable fleet, which is more equipped to handle those conditions, and it was described -- The commercial dolphin fishery has been described, I think even by you, as a pulse fishery, and, if we have poor weather during those times, then, obviously, we're going to see lesser landings, and that's just how that works, and it's going to affect that side of it more than it is the HMS tripack vessels.

That has not always been the case, and I don't think that our weather, in 2023, is indicative of what our weather is every year, and we hit the commercial quota, in 2015, by and large because we had great weather, very good access to the fish, and people realized that they can indeed put a spool on a center console, and there's nothing legally stopping them to do it, and why wouldn't they?

MR. GRINER: No, and I hear you loud and clear, and, you know, it's very much a pulse fishery. It always has been, and it always will be, and it's just the nature of that fishery, but 2015 was an exceptional year. We've never even come close to the quota since then, but absolutely we're able to determine how many vessels there are, because everybody that lands a commercial fish has to go through a dealer, okay, and that is a unique number. It's a unique vessel, and it's easily tracked, and so I guess maybe I'm asking, Andy, if we can get a number of how many individual longline vessels, of any type, landed dolphin this year, and would that be possible?

MS. MARHEFKA: To that point, Andy?

MR. STRELCHECK: Yes, and certainly John Walter can answer from the Science Center's perspective on that, but my staff reminded me that, in Dolphin Wahoo 10, we did look at this, and there is, I guess, data in Dolphin Wahoo 10 that indicates, four council longline vessels, right, council-only, whatever you want to call it, right, and so it was a small number. How that has changed over time, and is it changing over time, I don't know what the updated numbers would be.

I have talked to a number of fishermen, and I think some that are on the AP, about this issue, and I am concerned, I guess, with the accusation that the longline fleet, in this in particular, is kind of

driving the dolphin fishery, you know, in a negative manner, because this is a broader trend, and I think there's a lot of other things that are happening that are well outside of our control, and, as you point out, neither the recreational or commercial sectors right now are coming close to their catch limits.

MS. MARHEFKA: Thanks. Okay. I have Trish, Jessica, and Tom, and, really quick, I just want to editorialize something. We, obviously, can't control, you know, how people speak about this fishery outside of this body, but, personally, a very big pet peeve of mine is using the term "council boat", because it's not a thing that official exists, and so if, in this discussion, we can say, you know, a council dolphin wahoo-permitted boat and an HMS-permitted boat, that would help me calm down a little, and so I just don't think we need to perpetuate that language, because it is not appropriate language. Trish, Jessica, Tom. Okay. Jessica.

MS. MCCAWLEY: My question was on this whole council boat concept, and I agree that I didn't think it was a think, but so is the difference -- What you just said kind of helped me a little bit, and is the difference between these two things -- So a council boat is one that has a dolphin wahoo permit, but no HMS permit, and then what is the HMS-permitted vessel called? I'm just not understanding why we're honing-in on people that just have the dolphin wahoo permit, but no HMS permit, and saying that they're unregulated, and like I'm just -- I'm not understanding what the AP is saying, and maybe we could get -- Can you interpret it for me?

MS. MARHEFKA: I think I can try, and, Chris, feel free to correct me, but my understanding, after sort of hearing this for a very long time, since like the late 1990s, is sort of this concept that, one, the HMS permit is limited, and it's limited entry, and our dolphin wahoo permit is not limited entry, and so that's, obviously, a point, a valid point, of discussion. I also believe the HMS boats, because of HMS species, have observer requirements, and, if I'm correct, they have VMS, and they have other stricter requirements, because of protected species, and, you know, because of that fishery, they have a whole list of requirements that apply to those fisheries that we do not have issues with, at this time, in the dolphin wahoo fishery. It just happens that some of those boats participate in both fisheries.

MS. MCCAWLEY: To that point, are we saying that these dolphin wahoo permit-only vessels are now putting longlines on their vessels and commercially harvesting dolphin, and that's what the AP is saying, because I kind of agree with Tim, and the landings don't seem to show anything like that, and so that's why I'm trying to ask questions and understand what is really -- What is the AP saying here that we can react to, or that we can discuss?

MS. MARHEFKA: I think the concern is not so much -- As Andy said, the last time we looked at it, there were like four boats that were actively participating with only a South Atlantic Council dolphin wahoo permit. The concern, and, again, Chris, if I'm saying this wrong, please raise your hand and let me know, is that it's an unlimited access fishery, and so anyone can go get a dolphin wahoo permit, and that, if there was a big year, like 2015, everyone could -- Like I have a dolphin wahoo permit, and I bandit fish, and, you know, hook-and-line for it, but, in theory, I could put a longline spool on the boat and go get a lot of dolphin, and so there could be this increase. I think, you know, as Tim has pointed out, certainly you can imagine that could happen, but it's a lot harder said than done.

MS. MCCAWLEY: So, just continuing this discussion, so then is the AP's ask really to put the dolphin wahoo permit as limited entry, and is that the real -- When you get to the bottom of what the ask is, is that what the ask is, because I don't understand.

MS. MARHEFKA: Do you want to answer that?

MR. BURROWS: Yes, and there's a lot of different ways to go with this. Part of the problem too is, when you get to an HMS boat, and they do a set, it's very expensive for them to do so, and they are being monitored, and their reporting is different. Well, when they report their fish, it's electronic, and we know immediately. When someone else, that has previously grouper snapper - Wherever they came from, but, okay, it's more profitable for me to enter this dolphin wahoo fishery part-time, again a pulse fishery, in May and June, and they're not electronic reporting.

They're on a paper ticket, and so, if we have concerns about how that process works, and we do, because that's why we switched to electronic reporting, and do we know? What's the turnaround time? We don't really know, because we don't know how quickly that fish house turned everything in, and we don't know if we got everything, and it's very easy to say we got this amount of fish from a boat that has gone through the whole rigmarole of getting their permits, keeping them in order, paying for every bit of monitoring onboard, but I reject the notion that there's four boats doing this, because I can tell you -- I can show you a dock where there is ten.

It's not an everyday thing, obviously, and you do it when the conditions are right, but, when you go and set all over every weed line within dayboat range, well, you're having an adverse effect on maybe not the population dynamics overall, but you're certainly having a tremendous effect on any kind of recreational fishing that goes on, any kind of more viable longlining, and does that make sense?

MS. MCCAWLEY: Yes, but so I guess my question comes back to does the AP have a proposed solution, and so is the solution limited entry for those permits, mandatory observers, electronic reporting, or is it a combination of all those things, and did you guys make a recommendation about how to get at this concern that you have?

MR. BURROWS: We did not come across with a formal recommendation. I think there's a lot of different ways this problem could be addressed.

MS. MARHEFKA: Okay. I have Tom, and then I have Robert, but I just, really quick, wanted to make sure that everyone was aware that we do have Amendment 46 -- Not 46, and that's recreational, but the electronic logbook amendment, and I cannot remember the number, that is moving through, and so indeed -- There are -- It is not -- You don't know how long it's going to take, and, I mean, there are hard-and-fast rules about when commercial trips have to be reported, by both the dealer and the boat, and we will have electronic reporting here shortly, and so Tom and then Robert.

MR. ROLLER: Thank you, Kerry. First of all, I just want to take a moment to thank you, Chris, for your dedication and hard work as chair of this AP. I know you're terming-off, and you will be missed in that role, but thanks again, and it's a big time commitment. A lot of my points have been made already, and so I'm going to be pretty quick. You know, I do want to go back to what Andy said, and it's also what Tim got to, is a lot of these issues impacting this fishery are probably

larger, and out of our control, particularly when you look at how little of the commercial quota has been caught, how little of the recreational quota has been caught, and so I am leery towards the finger-pointing issue, right, because it kind of reminds me of some of the North Carolina versus Florida things we get at the AP, and, you know, some of the level-down of the stakeholders.

I do want to go back to some of these comments made regarding the difference between HMS and these so-called council boats, and that is that -- I just got scolded. My point is that, you know, the HMS fishery is one of the most regulated fisheries we have, and I think that was a point that was brought up, and it's not just observers and monitoring, and it's hook size, and it's set time, and all these other issues, and that's also to look at bycatch issues, and endangered species interactions, and, when you have something like this, who is not abiding by those same regulations, it does present the previous issues, and that's also something that was brought up that I want to point out though. I do think, going forward, it would be interesting to see what the AP has to say about what they think is a solution, to what Jessica said. Thank you.

MR. SPOTTSWOOD: Chris, I was a little curious about the comments, and the focus, on spearfishing down in the Keys. One, I was curious who from the Keys was on the AP, if any, and then, secondly, you know, just a general comment. I think it's a very limited -- You know, there's like maybe seven or eight days a year, between December and the end of January, or maybe February, where that's even a viable fishery.

There's six or seven boats that are doing it, and it's really targeted, and so I think, at least from my perspective, that's a really, really valuable fishery on the rec side, and I understand there may be some issues with commercial sale of those fish, but I'm just curious on where that feedback was coming from and if I can kind of dig into that down in the Keys a little bit.

MR. BURROWS: Well, the good news is you're going to get to know our main commenter on that issue very well, because he's the new chair, Jon Reynolds, and he spends a lot of time on the water, and I can't tell you a thing about spearfishing, and he certainly can, and so you'll have a good opportunity to get to know him, and he seems to know what he's talking about, and I can't repeat anything he says, because I've never put on a wetsuit.

MS. MARHEFKA: I have Trish.

MS. MURPHEY: Just to put a little context to the amount that we're talking about, so I had data run for North Carolina pelagic longline, and, in 2022, last year, we had seventeen boats, and this counts all boats, all the boats, and this counts all the boats, but that was seventeen vessels that landed a little over 13,000 pounds last year, and so that's a pretty small amount of that 7 percent of that commercial quota, and then I'm probably not going to get this right, but there's something about the HMS guys, and they are -- They can't use their sets to count -- You know, for mahi to count towards tuna, and I'm not quite sure that I understand that, but how I understand it, and this is from discussions with Dewey, is they will actually be changing how they're fishing, because they won't be going for mahi, because it won't count towards tuna, and so maybe the commercial guys understand that better than -- Or can word that better than me, but my understanding is those HMS boats are not -- They're probably not going to go for mahi, just for that reason.

MS. MARHEFKA: Yes, and I would also like to say that, as a dealer, it's a stretch too to think that anyone is really going to go out and think they're going to make a ton of money off a mahi

trip, because it's really, really, really hard to wholesale local mahi, and it just is. The restaurants that use mahi on their menus are using imports, the vast majority of them. It's consistent, and it's cheap, and there's tons of it, and so I think -- I have a hard time imagining a scenario where everyone is like there's a lot of catch out there, and let's go get it, you know, and so that's just my perspective, as a seafood dealer, and it doesn't seem very profitable, to me, at this moment, but does anyone else have any questions for Chris about this topic? Laurilee.

MS. THOMPSON: I had a question about the wahoo and the spearfishing, and are the wahoo like coming through the Keys at the same time that they're spawning, or do the wahoo go to certain areas in the Keys to spawn, like grouper do? I don't know anything about this fishery, but I was wondering, and are the spear fishermen targeting spawning aggregations of wahoo?

MR. BURROWS: I have to admit that I don't exactly know, and it sounds like they're being targeted on wrecks and reefs, but I think we have a better --

MR. SPOTTSWOOD: I could just -- From our experience, they show up in the wintertime, when the speedos show up on the reef, and so it appears that they're, you know, following feed around, and I don't know that they're spawning either way, but I do know that, when the spear fishermen see them, they're in very, very large schools, you know, hundreds of them at a time showing up on outgoing tides, and taking a couple of them, and I think that's kind of consistent with the way the Bahamas fishery works. They're catching them over reefs and wrecks on certain tides, and certain moon cycles, but I don't have any information, and I don't know if anybody else knows if they're spawning down in the Keys.

MS. MARHEFKA: Okay. Any other questions for Chris? You know, while we're finishing up this AP report, they certainly, you know, had some recommendations for things for us to do, and look at, and I just wanted to remind everyone where we're at in the process of moving forward with dolphin wahoo, because there was some questions that came up, during the AP meeting, and Trish hopefully reminded us of our timing, as far as management at this point, is that, at our June meeting, we passed a motion to bring back discussions of further regulations, or whatever was in Reg Amendment 3, if you will in December 2024, or when the MSE was finished, whichever was first. That's sort of how we left things at the last meeting, and, John, am I stating that correctly?

You know, so everyone can keep that in their mind, as some of these things that the AP has asked us to address have come up, and so the AP understands where we are in this process, and so, if there's nothing else for Chris, we can now get an update from Cassidy Peterson about where we're at in the MSE process and the timing, and so is everyone okay? No more questions for Chris? Okay. Hi, Cassidy.

DR. PETERSON: Thank you all for giving me a couple of minutes to give an update on the dolphin management strategy evaluation, and I will certainly start by -- This is a huge undertaking, and so I acknowledge everyone who has been a part of it, including all of the stakeholders who have dedicated their time to this process thus far. Here's a quick schematic of what the project outlook looks like, and we're starting in the top-left corner, with doing a first round of stakeholder workshops, to get a better understanding of some of the problems and management objectives that underpin the dolphin fishery.

Those workshops were completed in May of this year, and we're using all of that input to help structure the way that we build the management strategy evaluation, and so we're making sure that the operating models that we're developing are reflective of what we heard from those stakeholder workshops, and we're also using this first round of stakeholder workshops as a way to sort of recruit volunteers for a -- We're also using the workshops to recruit a small group of stakeholder participants who want to be more involved in the process moving forward, and these individuals, who will volunteer their time, will really serve a huge advisory role in the management strategy evaluation as it progresses.

This small working group will iteratively interact with the dolphin MSE analytical team, and we will work together to sort of build management procedures and refine the management strategy evaluation, to make sure that the performance metrics are reflective of the management objectives identified by the stakeholders and making sure that we're optimizing management procedure performance, as possible, and hopefully this entire process will lead to a best performing, or a couple of best performing, management procedures that can then come forward for a vote to the council.

I mentioned the small stakeholder working group, and this is the application sort of heading that we sent out, and hopefully we will have the group appointed by the end of this week, if everything works out, and we're looking for a small stakeholder working group who are committed to dedicating several hours of their time over 2024, and maybe into 2025, and they will be selected, or they are being selected, through the South Atlantic Council appointment process, and we're really looking for these participants to serve as representatives for their regions and their sectors, and so we want them to sort of represent their interests, and their colleagues' interests, to the best of their ability, attend all of the meetings, and really invest in learning the management strategy evaluation process, that they're really owning the process, moving forward.

I don't have any results to share as of yet, but I will give you an update on where we're at with the modeling component of the MSE. This is going to be a really complex modeling exercise, and so the model, the operating model, for the MSE is going to be spatial, seasonal, and it's going to be length-based. We're looking at developing an empirical management procedure, and so, as a reminder, that's an indicator-based management procedure, and so there's going to be no stock assessment, or population dynamics model, and we're going to take an indicator of relative abundance and use that to adjust management advice adaptively with the underlying dynamics of the stock.

Where we're at right now is we're currently developing the base case operating model. Matt Damiano is leading this effort. He has a preexisting management strategy evaluation for black sea bass and cobia. He's modifying it for dolphinfish, and so that does require quite a bit of overhaul of the operating model, and so that's in progress right now. We're gathering data and exploring some indicators for predictive ability that we might use as the basis for our empirical management procedure. This includes a vector autoregressive spatiotemporal, or VAST, model that Matt is publishing on right now.

We're working with Wes Merton to develop some movement matrices. Because this is a spatial model, we do need to reflect movement, and movement is one of the uncertainties that stakeholders sort of flagged in the first round of workshops, and so we're going to have multiple different movement matrices to reflect changes in movement that might be occurring over time, or occurring

into the future, and we have also recruited an Oregon State University undergraduate, who is a computer programmer by trade, and he's going back to school to sort of retrain for a second career, and he will be developing our Shiny app, and so this will be an app that we can use to interface with the MSE results, and so it will be a lot easier to kind of see what's going on.

Here is where I will let everyone know that we're currently pursuing different options to recruit additional analytical assistance. Matt Damiano, as I mentioned, is our lead MSE developer at the moment, but he is also committed to a fulltime post-doc that he is working on simultaneously, and so, since there is only one Matt, we're looking for ways to get some additional analytical assistance.

One option that we are moving forward with is we did submit an interim MARFIN proposal to get some help, and I will note that, if that proposal is funded, we'll have Blue Matter Science, the contractor company that is comprised of Tom Carruthers, Adrian Hordyk, and Huang Huynh, and they're the same group that is working on the snapper grouper South Atlantic MSE, and they're really great. They've done a lot of really good work, and they're super professional, and they will be the ones to pick up the management strategy evaluation after the operating models are fully built and conditioned, and so that's one sort of iron that we have in the fire, but I do want to clarify that we are looking for some additional help.

Of course, the way that we get additional assistance might affect the timeline, but here's sort of the tentative timeline that we have right now. You might note that, since our original presentation of the anticipated timeline, it has shifted back a little bit, which we should have probably been expecting, given how ambitious it was at the beginning.

What we're looking at right now is, this winter, we're selecting the small group, and maybe we'll have sort of our first meeting with the small group, to introduce management strategy evaluation and the management procedure concepts, discuss conceptual management objectives and how we might be able to quantify those, or operationalize those, and to perform these metrics. Present the operating model structure and the operating model uncertainty grid, get an understanding of whether that's sufficient, or get some feedback from the small group, in terms of some assumptions that we might need to build into the operating model, and start considering the form and parameterization of the candidate management procedures. That, in terms of working with the small group, will take us probably through next summer.

On the model development side, we'll be building the operating model, conditioning the base case operating model, and defining what the operating model grid might look like, build and condition those alternate operating models that are a part of the grid, develop the projection model and proof of concept management procedure, and then, in the fall, we'll start to really develop the management strategy evaluation. We'll have that closed loop developed, and we'll have some results to start presenting to the council, and to the small stakeholder group, and we'll iteratively work with the council, the SSC, and the small stakeholder group, through 2024, and into 2025, to really refine the operating model, the management strategy evaluation, and management procedures.

We're looking at sort of an end guesstimated date of the summer, or the fall, of 2025, and, again, if we do recruit some additional analytical assistance, the timing of maybe that funding, or of how that process pans out, might impact this timeline a little bit.

Sort of this is a then what, and this is a slide that we've shown in the past, and so hopefully it looks familiar, but this is the idea of how MSEs might be able to play into the council process, and so the key aspects of the management strategy evaluation, building the operating models, identifying the management objectives, and building the management procedures, are here, and, here, we outline the role that each of the different agency players might have in each of these different processes.

Ultimately, the modeling team is going to be responsible for sort of hearing the advice, and the input from everyone else, and quantifying that into code, and algorithms, and the stakeholders will advise on every aspect of the process. This SSC will adopt the operating models as best available science, and have their input on what sort of the Magnuson management objectives might look like, as well as the allowable risk tolerances that we're trying to meet, and they'll advise on the management procedures, and the council will ultimately advise on the operating models, adopt the management objectives, and the management procedures will be forth in front of the council for a council vote, where a no change action alternative will always be on the table.

The management strategy evaluation should serve as sort of the research behind the different management alternatives, and they will be voted on by the council to then adopt and implement, and so that's all I have for the update, and I will take any questions, and thanks, again, for the time.

MS. MARHEFKA: Thanks, Cassidy. That was actually really helpful. Any questions for Cassidy? We're all just experts on MSEs now. Thank you very much, and I know we'll see you -- Oh, wait.

DR. WALTER: I just have a question, or more of a comment, for the council, and so I think a lot of the things that came up today, in terms of dolphin management, and how that -- The challenge that we're facing, and we seem to often reiterate many of the same problems, which is the whole reason to go to a management procedure approach here, is to ideally be able to -- Even if we can't fix those problems, to develop a management procedure that best addresses those problems, and does it better maybe than something else, because that's really the goal, is can we do better management, that better meets a number of the objectives, some of which are competing, and I think that's why -- There's a complex process to get to that, but the actual management procedure is going to likely be relatively simple, and that's the goal of simple management tools that address complex problems.

Then, if you want to hear how the end game of a management procedure goes, in terms of when it's actually adopted, Cassidy will be talking about the bluefin tuna management -- The adopted management procedure tonight in the science lightning talks, and so you'll get to hear the gory details at the very end, and how that went down, which actually is kind of exciting. Thanks.

MS. MARHEFKA: All right. Jessica.

MS. MCCAWLEY: I guess I just wanted to bring up this timing change that you referenced earlier, and I guess, thinking about when we would start talking about some of these management actions that we talked about before, that the AP is bringing up, et cetera, and so that motion that Trish is talking about -- So, once again, I think it said that we would start working on this in December of 2024, or when the MSE is completed, whichever comes first, and is that what it said?

So then the intent would be that we would bring that amendment back and restart those discussions again, with everything on the table, everything that the AP has been talking about, everything that we've been hearing concerns about, and we would throw everything into that document, and is that right? It's not like we're talking about two separate amendments, or one framework action, one plan amendment, and we're talking about throwing everything into this whatever this is going to be, starting in December of next year?

MS. MARHEFKA: Certainly John may correct me, but the way I understood that we left in December is you said this, and this being Reg Amendment 3, which specifically, if I recall, addressed the trip limit, and the size limit, off of North Carolina that have been sort of up for discussion since we finished Amendment 10, and that's what we were sort of setting aside as the MSE process rolled along, or until December of 2024.

That's how we left it, and I don't -- Obviously, you know, it's up to this committee, as far as what needs to -- You know, if that needs to change, or other things that came out of the advisory panel get put into that, and, obviously, then maybe it's different than a reg amendment, but this, in my mind, were the couple of items that were pulled out of -- Or as a result of 10, and is that correct?

MS. MURPHEY: If we do move forward in December of 2024, even though they won't be finished with the MSE, we will still have information from them, and, granted, maybe not in a written report, but I think there will still be information. I mean, looking at their timeline, there was going to be some potential management procedures already available, you know, but just not a report, and it's not gone through the SSC, but I guess my point is we'll still have additional information, when we get to that December timeline, and then maybe then we can decide either to move forward with what we've got, or is it going to be worth waiting until the next -- Until they do have the report, and so I guess that's a conversation to have later.

MS. MCCAWLEY: I guess I would just point out that, you know, we are continuing to hear concerns, and so that's why I'm, you know, trying to understand what the specific timeline is and what would come back at that meeting and what we would have, like what Trish is saying, because we definitely are continuing to hear concerns, and it's not like it went away, plus we've got now inconsistency between state waters off of Florida and federal waters off of Florida, and so that was another piece of what we were looking to fix, or change, here, because FWC was so concerned about dolphin that they went first and put regulations in in state waters, and then they reported that back to the council, to say kind of here's what we've done, and can you please consider additional actions, and so I just wanted to say that that hasn't gone away, and I just wanted to bring it up.

MS. MARHEFKA: I guess I have a question to Trish's point, and, John Walter, I don't know if this is for you or Cassidy, but Trish had mentioned that, while the MSE might not be completed, there will be -- That we will have some additional information in December of 2024 that we don't have now, because of that process, and is that how you feel?

DR. WALTER: The ideal way that the MSE finishes is actually in an iterative round with decision-making bodies, because, for an MSE to be finished, that -- It requires looking at the performance of different management options and then saying, actually, that's good, but can we do better than this, and can we add this in, which comes from this body, and so that iterative round usually lasts for a couple of meetings, which actually fits well with the council process for seeing an initial

document, and then sending it out for scoping, and then final action, which is really three bites at the apple.

The way this would best work would be, okay, there are results that have come through the small group that are ready for primetime of being viewed by the council. The council gets a series of management procedures and says -- Then they see how they're performing, and you get to look at and say, actually, we like this one, and we're not so much of a fan of this one, and can we tweak this one a bit, and then you would run it back through, after making those changes to it, because a lot of the management procedures are going to have a lot of tuning options, which are basically the knobs that let you dial up or down something, and then it will come back to this body again.

Actually, the way we outlined it, it would, ideally, go through the SSC, so that the SSC would at least say, okay, it's meeting the things under their purview, the biological must-pays, and then back to the council, and how is it meeting the other management objectives, and then there would be -- You would say, okay, let's remove this one, and let's prioritize this one to be preferred, but we still want to see the results of these, with just a few slight tweaks for final action, and then you get -- It iterates again, which could be accomplished in one final year sprint, basically, until you get to actually choosing the action.

That's the way that it would work best, because it would actually fit well with a lot of the other processes, which that's essentially how we do actions, and frameworks, anyway, but it's just informed by this process called the MSE.

MS. MCCAWLEY: So the one thing I didn't hear in there is, is it going to the AP as well? I didn't see it on this tentative timeline chart either, and I assume that the AP will get to discuss it as well?

MR. HADLEY: The answer is, yes, the AP will get to discuss it, and any sort of amendment that John alluded to, that goes along with the MSE, and we would build in the AP for probably at least two reviews, and that's, you know, typically done with larger amendments, but integrate the AP in there, you know, at certain major decision points, to help advise the council.

MS. MARHEFKA: I think the question before this committee, at this moment, is, you know, in light of what we've heard from the AP, and I know different people from different areas are hearing different concerns from their constituents, and then, in light of the MSE and that process, is everyone still comfortable with the timing of the track that we're on? I think that's the question we sort of need to wrap-up this committee. Jessica.

MS. MCCAWLEY: I think so. Just one more piece of information on this MSE, and it's covering both commercial and recreational, right?

DR. WALTER: That is correct. You can't do this without considering all of the different user groups on it, and, ideally, a management action would be a package deal between -- It would be the full recipe for setting out management, which has to include any of the user groups. Thanks.

MS. MARHEFKA: Anyone have anything else on this topic, before we end this discussion? Then has anyone changed their mind on Other Business? Hearing none, you guys did good, and look.

We're only -- That's because everyone is hungry. All right. Fine. Whatever. Hearing no further discussion, I adjourn the Dolphin Wahoo Committee and turn things back over to our chairwoman.

(Whereupon, the meeting adjourned on December 5, 2023.)

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Transcribed By Amanda Thomas February 12, 2024

Dec. 5, 2023

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Dec. 5, 2023 Dolphin Wahoo Committee

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