

## Amendment 10 to the Fishery Management Plan for the Dolphin Wahoo Fishery of the Atlantic

(Revise annual catch limits, sector allocations, accountability measures, and management measures for dolphin and wahoo)

### Background

In March 2016, the South Atlantic Fishery Management Council (Council) directed staff to begin development of a joint dolphin wahoo and snapper grouper amendment (Dolphin Wahoo Amendment 10 and Snapper Grouper Amendment 44) to examine different ways to reallocate or share quota between the commercial and recreational sectors for dolphin and yellowtail snapper. One of the major driving events for this amendment occurred in 2015 when the commercial sector met the sector annual catch limit (ACL) for dolphin and closed on June 30, 2015 for the remainder of the calendar year. In the same year, the recreational sector harvested a little over half of the recreational sector ACL, resulting in approximately 6.7 million pounds whole weight (lbs ww) of the total ACL for dolphin going unharvested.

Of note since the 2015 in-season commercial closure for dolphin is Dolphin Wahoo Amendment 8 that went into effect on February 22, 2016 and increased the commercial sector allocation for dolphin from 7.54% to 10% of the total ACL, which added approximately 377,000 lbs ww to the commercial ACL and set the commercial ACL close to the original “soft” cap of 1.5 million lbs ww that was established in the original Dolphin Wahoo Fishery Management Plan (FMP). If Dolphin Wahoo Amendment 8 had been in place in 2015, the in-season closure of commercial dolphin harvest would have been delayed or possibly would not have occurred.

Also, on January 30, 2017, Dolphin Wahoo Framework Amendment 1 went into effect that established a 4,000 lbs ww commercial trip limit for dolphin once 75% of the commercial sector ACL is reached, with the intent of slowing down commercial harvest to avoid an in-season closure for the commercial dolphin fishery. Since 2016, neither the commercial nor the recreational sectors have harvested their respective ACLs and the conditional commercial trip limit implemented in Dolphin Wahoo Framework Amendment 1 has not been triggered.

The Council eventually split Dolphin Wahoo Amendment 10 from Snapper Grouper Amendment 44 and continued to develop the amendments. Amendment 10 previously included actions to revise the definition of optimum yield for dolphin, allow adaptive management of sector ACLs, allow possession of dolphin and wahoo when non-authorized gears in the dolphin wahoo fishery are on board a vessel, and remove the operator card requirement for vessel operators or crew members. Development of the amendment was suspended pending availability of revised recreational data from the Marine Recreational Information Program (MRIP) using the Fishery Effort Survey (FES) method instead of the Coastal Household Telephone Survey (CHTS) method, per guidance provided during the March 2017 Council meeting. With revised recreational data available, the Council directed staff at the December 2018 meeting to start work again on Amendment 10 with the inclusion of additional items that would allow bag limit sales of dolphin for dually permitted for-hire and commercial permit holders, modify gear, bait, and training requirements in the commercial longline fishery for dolphin and wahoo to align with Highly Migratory Species requirements, reduce the recreational vessel limit for dolphin, revise ACLs to accommodate new recreational data, and revise sector allocations. In March 2019, the Council reviewed the actions in the amendment and added a potential item to explore, the addition of buoy gear in the dolphin wahoo fishery. At the June 2019 meeting, the Council reviewed the amendment, removed an action that would allow bag limit sales of dolphin, and add an action that would allow for-hire vessels north of the Virginia/North Carolina border to fillet dolphin at sea. At the September 2019 meeting, the Council modified and added actions that would revise the accountability measures for dolphin and wahoo.

The Scientific and Statistical Committee (SSC) provided new acceptable biological catch (ABC) recommendations for dolphin and wahoo at their October 2019 meeting and again at their April 2020 meeting. In doing so, recreational landings were included for Monroe County, Florida for both dolphin and wahoo. These landings were previously left out of past catch level recommendations for all unassessed species due to issues with determining whether such landings occurred from Gulf of Mexico or South Atlantic waters. The new MRIP dataset allows for better partitioning of recreational landings from Monroe County, Florida between regions and the vast majority of dolphin and wahoo landed in the county are caught from South Atlantic waters. At their April 2020 meeting, the SSC revisited the time series used to set the catch level recommendations at the request of the Council and chose the third highest landings from 1994 to 2007 for both dolphin and wahoo to set the ABC instead of a time series of 1994 to 1997 for dolphin and 1999 to 2007 for wahoo. This resulted in ABCs of 24,570,764 lbs ww for dolphin and 2,885,303 lbs ww for wahoo. The Only Reliable Catch Stocks (ORCS) method was discussed but the SSC had concerns over the method and would like to revisit the application of ORCS for all the unassessed species in the ABC Control Rule Amendment. As such, ORCS was not used for setting the ABCs for dolphin or wahoo.

The actions currently in the amendment can be grouped according to the objectives that they are intended to accomplish. **Actions 1** through **4** accommodate revised recreational data and updated catch level recommendations from the SSC by implementing new ACLs while also revising sector allocations that would change as a result of updated data for the baseline years that have been used to calculate these allocations as well as the inclusion of recreational landings from Monroe County, Florida. **Actions 5** through **10** would change accountability measures. The remaining actions (**Actions 11** through **14**) would implement various management revisions for the dolphin and wahoo fisheries and are largely independent of one another.

## Actions in this amendment

### Actions that accommodate revised recreational data and catch level recommendations

- **Action 1.** Revise the total annual catch limit for dolphin to reflect the updated acceptable biological catch level
- **Action 2.** Revise the total annual catch limit for wahoo to reflect the updated acceptable biological catch level
- **Action 3.** Revise sector allocations and sector annual catch limits for dolphin
- **Action 4.** Revise sector allocations and sector annual catch limits for wahoo

### Actions that change accountability measures

- **Action 5.** Revise the commercial accountability measures for dolphin
- **Action 6.** Revise the commercial accountability measures for wahoo
- **Action 7.** Revise the trigger for the post-season recreational accountability measures for dolphin
- **Action 8.** Revise the post-season recreational accountability measures for dolphin
- **Action 9.** Revise the trigger for the post-season recreational accountability measures for wahoo
- **Action 10.** Revise the post-season recreational accountability measures for wahoo

### Actions that implement various management revisions in the dolphin and wahoo fisheries

- **Action 11.** Allow properly permitted commercial fishing vessels with trap, pot, or buoy gear on board that are not authorized for use in the dolphin wahoo fishery to possess commercial quantities of dolphin and wahoo
- **Action 12.** Remove the requirement of vessel operators or crew to hold an Operator Card in the Dolphin Wahoo Fishery
- **Action 13.** Reduce the recreational vessel limit for dolphin
- **Action 14.** Allow filleting of dolphin at sea on board charter or headboat vessels in the waters north of the Virginia/North Carolina border

## Objectives for this meeting

- Review draft purpose and need statements.
- Review actions and alternatives and make modifications as appropriate.
- Consider timing of the amendment.

## Potential amendment timing

March 2016	Council directed staff to begin development of a joint dolphin wahoo and snapper grouper amendment (Dolphin Wahoo Amendment 10 and Snapper Grouper Amendment 44).
August 2016	Scoped concepts of gear allocation of commercial sector ACL (longline vs. all other gears) and adaptive management of sector ACLs.
March 2017	Development of the amendment was suspended pending the availability of revised recreational data (MRIP revisions).
December 2018	Council directed staff to begin work again on the amendment.
September 2020	Council reviews Purpose and Need statements and provides guidance on actions.
December 2020	Council reviews preliminary effects, provides guidance on actions, approves Purpose and Need statements, selects preferred alternatives, and approves for public hearings.
Winter 2021	Public hearings occur.
March 2021	Council reviews public hearing comments and revised effects. Also provides guidance on actions.
June 2021	Council reviews the amendment and approves for Secretarial review.
2022	Dolphin Wahoo Amendment 10 actions are implemented.

## Purpose and Need Statement

The *purpose* of Amendment 10 to the Fishery Management Plan for the Dolphin Wahoo Fishery for the Atlantic (Dolphin Wahoo Amendment 10) is to revise the catch levels [acceptable biological catch (ABC), annual catch limits (ACL)], accountability measures, sector allocations, and management measures for dolphin and wahoo. The revisions to the ABC and ACL include recreational landings from Monroe County, Florida, and incorporate recreational data as per the Marine Recreational Information Program using the Fishery Effort Survey method, as well as updates to commercial and for-hire landings. Management measures address authorized gear, the operator card requirement, recreational vessel limits, and allow fillets of dolphin at sea onboard for-hire vessels.

The *need* for Dolphin Wahoo Amendment 10 is to base conservation and management measures upon the best scientific information available, and to prevent unnecessary negative social and

economic impacts that may otherwise be realized in the dolphin wahoo fishery, in accordance with the provisions set forth in the Magnuson-Stevens Fishery Conservation and Management Act.

### **IPT Recommendations/Comments:**

- As an initial starting point, the IPT has suggested the above draft purpose and need statements. These statements will likely need to be revised if the actions within Amendment 10 are changed or removed.

### **Committee Action:**

- APPROVE THE IPT'S SUGGESTED PURPOSE AND NEED STATEMENTS IN AMENDMENT 10.
- DO NOT APPROVE THE IPT'S SUGGESTED PURPOSE AND NEED STATEMENTS IN AMENDMENT 10.

## **Proposed Actions and Alternatives**

### **Action 1. Revise the total annual catch limit for dolphin to reflect the updated acceptable biological catch level**

#### **Action Alternatives:**

**Alternative 1 (No Action).** The total annual catch limit for dolphin is set equal to the current acceptable biological catch level.

**Alternative 2.** The total annual catch limit for dolphin is equal to the updated acceptable biological catch level.

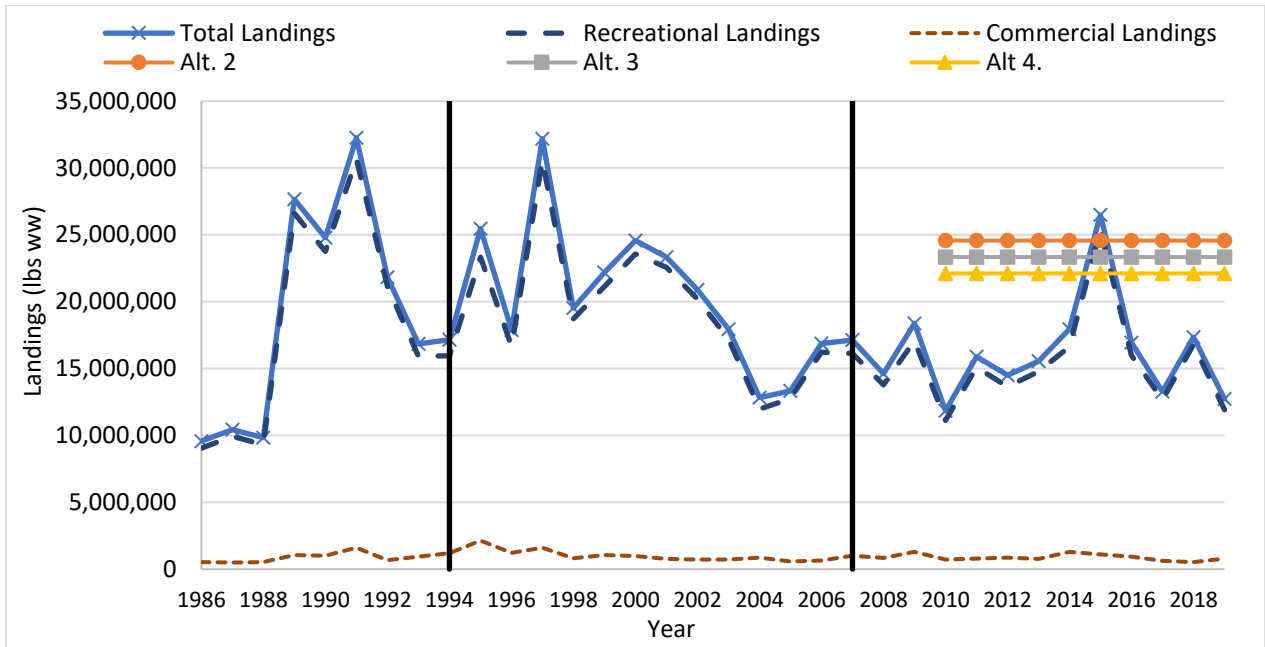
**Alternative 3.** The total annual catch limit for dolphin is equal to 95% of the updated acceptable biological catch level.

**Alternative 4.** The total annual catch limit for dolphin is equal to 90% of the updated acceptable biological catch level.

#### **Discussion:**

- The ACL for dolphin is dependent on the ABC, which is set based on catch level recommendations from the Council's SSC.
- The SSC provided a new ABC for dolphin at their October 2019 meeting and again at their April 2020 meeting. In doing so, recreational landings were included for Monroe County, Florida. These landings were previously left out of past catch level recommendations for all unassessed species due to issues with determining whether such landings occurred from Gulf of Mexico or South Atlantic waters. The new MRIP dataset allows for better partitioning of recreational landings from Monroe County, Florida between regions and the vast majority of dolphin landed in the county are caught from South Atlantic waters.

- At their April 2020 meeting, the SSC revisited the time series used to set the catch level recommendations at the request of the Council and chose the third highest landings from 1994 to 2007 for dolphin to set the ABC instead of a time series of 1994 to 1997 for dolphin.
- The revised ABC for dolphin is 24,570,764 lbs ww which incorporates FES estimates of recreational landings (**Figure 1**). The existing ABC for dolphin is 15,344,846 lbs ww and incorporates CHTS estimates of recreational landings.
- The ABC is currently set equal to the ACL as specified in Dolphin Wahoo Amendment 5, which accommodated a previous revision of MRIP data. According to this amendment, the rationale for setting ABC equal to the ACL was that:
  - This was the preferred alternative in the Comprehensive ACL Amendment.
  - Monitoring efforts had improved significantly, thereby reducing the likelihood that the commercial ACLs would be exceeded.
  - Dealers were to begin reporting electronically once a week, further enhancing ACL monitoring efforts.
  - Recreational landings had remained well below recreational ACLs since implemented.
- Dolphin landings are largely driven by the recreational sector. The percent standard errors (PSEs) for recreational dolphin landings (**Table 1**) tend to be relatively low each year and are among the lowest of the species that the Council manages. This may be an important consideration in whether a buffer is desired between the ABC and ACL to account for uncertainty.
- **Alternative 1 (No Action)** maintains the ACL equal to the existing ABC which does not incorporate recreational landings from Monroe County, FL and is tracked using CHTS estimates for recreational data. All other alternatives incorporate recreational landings from Monroe County, FL and would be tracked using FES estimates for recreational data.
- **Alternative 2** would set the ACL equal to the updated ABC. **Alternative 3** would implement a 5% buffer between the ACL and ABC which equates to approximately 1.23 million pounds. **Alternative 4** would implement a 10% buffer between the ACL and ABC which equates to approximately 2.46 million pounds.
- The potential revised dolphin ACLs are all above the observed landings in recent years except for 2015 (**Figure 1, Table 2**). The new ACL is likely not constraining on total harvest (**Table 3, Appendix A**) but could be potentially constraining in years of exceptionally high landings.



**Figure 1.** Atlantic dolphin landings (pounds whole weight) from 1986-2019 in comparison to **Alternatives 2 through 4 in Action 1**. The solid vertical lines indicate baseline years (1994 to 2007) selected by the SSC for setting the dolphin ABC. Please note that 2019 commercial landings are preliminary.

**Table 1.** Percent standard errors (PSEs) for recreational Atlantic dolphin landings (by weight), 2010-2019.

Year	Recreational PSEs for Dolphin
2010	15.2
2011	13.5
2012	12.1
2013	18.9
2014	15.4
2015	12.4
2016	11.2
2017	14.5
2018	14.6
2019	14.4

**Table 2.** Comparison of alternatives in **Action 1** to recent average annual Atlantic dolphin landings. The new ABC for dolphin = 24,570,764 lbs ww (3<sup>rd</sup> highest landings from 1994-2007). Please note that 2019 commercial landings are preliminary.

Alternative	Dolphin ACL (lbs ww)	Difference from 2015-2019 average dolphin landings (lbs ww)	Difference from 2017-2019 average dolphin landings (lbs ww)	Difference from 2019 dolphin landings (lbs ww)
Alternative 1 (No Action)*	15,344,846	Not Applicable	Not Applicable	Not Applicable
Alternative 2	24,570,764	8,019,269	10,776,047	12,641,466
Alternative 3	23,342,225	6,790,730	14,407,931	11,412,927
Alternative 4	22,113,687	5,562,192	14,407,931	10,184,389

\***Alternative 1 (No Action)** incorporates CHTS estimates for recreational landings and is not applicable to the potential new ACLs or displayed landings which incorporate FES estimates.

**Table 3.** Prediction of **Action 1** alternatives meeting or exceeding the ACL based on the average total landings from 2017, 2018, and 2019.

<b>Alternative</b>	<b>Dolphin ACL (lbs ww)</b>	<b>ACL exceeded?</b>
Alternative 1 (No Action)*	15,344,846	Not Applicable
Alternative 2	24,570,764	No
Alternative 3	23,342,226	No
Alternative 4	22,113,688	No

\***Alternative 1 (No Action)** incorporates CHTS estimates for recreational landings and is not applicable to the potential new ACLs which incorporate FES estimates.

### **Committee Action:**

- NONE REQUIRED.
- THE COMMITTEE MAY WANT TO DISCUSS THE ACTION/ALTERNATIVES AND MODIFY, AS NEEDED.
- TO HELP WITH ANALYSIS, IS THE COMMITTEE COMFORTABLE WITH CHOOSING A PREFERRED ALTERNATIVE?

### **Action 2. Revise the total annual catch limit for wahoo to reflect the updated acceptable biological catch level.**

#### **Action Alternatives:**

**Alternative 1 (No Action).** The total annual catch limit for wahoo is set equal to the acceptable biological catch level.

**Alternative 2.** The total annual catch limit for wahoo is equal to the updated acceptable biological catch level.

**Alternative 3.** The total annual catch limit for wahoo is equal to 95% of the updated acceptable biological catch level.

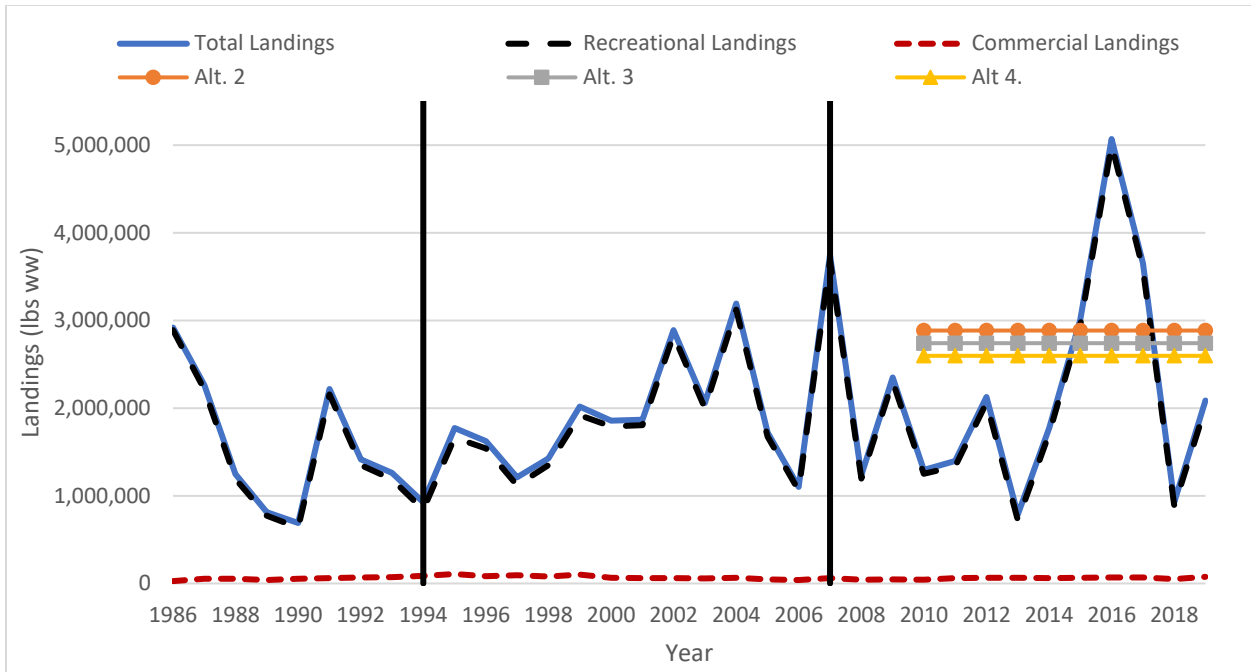
**Alternative 4.** The total annual catch limit for wahoo is equal to 90% of the updated acceptable biological catch level.

### **Discussion:**

- The ACL for wahoo is dependent on the ABC, which is set based on catch level recommendations from the Council's SSC.
- The SSC provided new ABCs for wahoo at their October 2019 meeting and again at their April 2020 meeting. In doing so, recreational landings were included for Monroe County, Florida. These landings were previously left out of past catch level recommendations for all unassessed species due to issues with determining whether such landings occurred from Gulf of Mexico or South Atlantic waters. The new MRIP dataset allows for better partitioning of recreational landings from Monroe County, Florida between regions and the vast majority of wahoo landed in the county are caught from South Atlantic waters.
- At their April 2020 meeting, the SSC revisited the time series used to set the catch level recommendations and chose the third highest landings from 1994 to 2007 to set the ABC for wahoo instead of a time series of 1999 to 2007.



- The revised ABC for wahoo is 2,885,303 lbs ww which incorporates FES estimates of recreational landings (**Figure 2**). The existing ABC for wahoo is 1,794,960 lbs ww and incorporates CHTS estimates of recreational landings.
- The ABC is currently set equal to the ACL as specified in Dolphin Wahoo Amendment 5, which accommodated a previous revision of MRIP data. According to this amendment, the rationale for setting ABC equal to the ACL was that:
  - This was the preferred alternative in the Comprehensive ACL Amendment.
  - Monitoring efforts had improved significantly, thereby reducing the likelihood that the commercial ACLs would be exceeded.
  - Dealers were to begin reporting electronically once a week, further enhancing ACL monitoring efforts.
  - Recreational landings had remained well below recreational ACLs since implemented.
- Wahoo landings are largely driven by the recreational sector. While higher than those for dolphin, the percent standard errors (PSEs) for recreational wahoo landings (**Table 4**) tend to be relatively low each year and are among the lowest for species that the Council manages. This may be an important consideration in whether a buffer is desired between the ABC and ACL to account for uncertainty.
- **Alternative 1 (No Action)** maintains the ACL equal to the existing ABC which does not incorporate recreational landings from Monroe County, FL and is tracked using CHTS estimates for recreational data. All other alternatives incorporate recreational landings from Monroe County, FL and would be tracked using FES estimates for recreational data.
- **Alternative 2** would set the ACL equal to the updated ABC. **Alternative 3** would implement a 5% buffer between the ACL and ABC which equates to approximately 144,000 pounds. **Alternative 4** would implement a 10% buffer between the ACL and ABC which equates to approximately 289,000 pounds.
- The potential revised wahoo ACLs are below some of the observed landings in recent years (**Figure 2, Table 5**). The new ACL is not constraining on total harvest based on the most recent three years of landings but could be potentially constraining in years of exceptionally high landings (**Table 6, Appendix B**).



**Figure 2.** Atlantic wahoo landings (pounds whole weight) from 1986-2019 in comparison to **Alternatives 2 through 4 in Action 2**. The solid vertical lines indicate baseline years (1994 to 2007) selected by the SSC for setting the wahoo ABC. Please note that 2019 commercial landings are preliminary.

**Table 4.** Percent standard errors (PSEs) for recreational Atlantic wahoo landings (by weight), 2010-2019.

Year	Recreational PSEs for Wahoo
2010	27.2
2011	25.1
2012	13.6
2013	21.5
2014	21.8
2015	26.7
2016	28.8
2017	40.9
2018	27
2019	28.8

**Table 5.** Comparison of alternatives in **Action 2** to recent average annual Atlantic wahoo landings. New ABC for wahoo = 2,885,303 lbs ww (3<sup>rd</sup> highest landings during 1994-2007). Please note that 2019 landings are preliminary.

Alternative	Wahoo ACL (lbs ww)	Difference from 2015-2019 average wahoo landings (lbs ww)	Difference from 2017-2019 average wahoo landings (lbs ww)	Difference from 2019 wahoo landings (lbs ww)
Alternative 1 (No Action)*	1,794,960	Not Applicable	Not Applicable	Not Applicable
Alternative 2	2,885,303	-64,106	662,116	800,008
Alternative 3	2,741,038	-208,218	517,851	655,743
Alternative 4	2,596,773	-352,546	373,586	511,478

\***Alternative 1 (No Action)** incorporates CHTS estimates for recreational landings and is not applicable to the potential new ACLs or displayed landings which incorporate FES estimates.

**Table 6.** Prediction of **Action 2** alternatives meeting or exceeding the ACL based on the average total landings from 2017, 2018, and 2019.

Alternative	Wahoo ACL (lbs ww)	ACL Exceeded?
Alternative 1 (No Action)*	1,794,960	Not Applicable
Alternative 2	2,885,303	No
Alternative 3	2,741,038	No
Alternative 4	2,596,773	No

\***Alternative 1 (No Action)** incorporates CHTS estimates for recreational landings and is not applicable to the potential new ACLs or displayed landings which incorporate FES estimates.

### Committee Action:

- NONE REQUIRED.
- THE COMMITTEE MAY WANT TO DISCUSS THE ACTION/ALTERNATIVES AND MODIFY, AS NEEDED.
- TO HELP WITH ANALYSIS, IS THE COMMITTEE COMFORTABLE WITH CHOOSING A PREFERRED ALTERNATIVE?

### Action 3. Revise sector allocations and sector annual catch limits for dolphin

#### Action Alternatives:

**Alternative 1 (No Action).** The recreational sector allocation for dolphin is 90% of the total annual catch limit. The commercial sector allocation for dolphin is 10% of the total annual catch limit. This is based on the total catch between 2008 and 2012 as reported in 2014 and does not incorporate recreational landings from Monroe County, Florida.

Retain the current recreational sector and commercial sector allocations for dolphin as 90.00% and 10.00%, respectively, of the revised total annual catch limit as per Alternative 2 in Action 1 in Amendment 10 to the Fishery Management Plan for Dolphin and Wahoo of the Atlantic. The revised total annual catch limit includes recreational landings from Monroe County, Florida, and incorporates recreational data as per the Marine Recreational Information Program using the Fishery Effort Survey method, as well as updates to commercial and for-hire landings.

Note: The revised total annual catch limit in Alternatives 2 through 6 reflects Alternative 2 in Action 1 in Amendment 10 to the Fishery Management Plan for Dolphin and Wahoo of the Atlantic. The revised total annual catch limit includes recreational landings from Monroe County, Florida, and incorporates recreational data as per the Marine Recreational Information Program using the Fishery Effort Survey method, as well as updates to commercial and for-hire landings.

**Alternative 2.** Allocate 93.95% 94.01% of the revised total annual catch limit for dolphin to the recreational sector. Allocate 6.05% 5.99% of the revised total annual catch limit for dolphin to the commercial sector. This is based on the total catch between 2008 and 2012, as reported in 2019 and does not incorporate recreational landings from Monroe County, Florida.

**Alternative 3.** Allocate 94.91% of the revised total annual catch limit for dolphin to the recreational sector. Allocate 5.09% of the revised total annual catch limit for dolphin to the commercial sector. This is based on the total catch between 1994 and 2007.

**Alternative 4.** Allocate 93.75% of the revised total annual catch limit for dolphin to the recreational sector. Allocate 6.25% of the revised total annual catch limit for dolphin to the commercial sector. This is based on approximately maintaining the current commercial annual catch limit of 1,534,485 pounds whole weight and allocating the remaining revised total annual catch limit to the recreational sector.

**Alternative 5.** Allocate 93.00% of the revised total annual catch limit for dolphin to the recreational sector. Allocate 7.00% of the revised total annual catch limit for dolphin to the commercial sector.

**Alternative 6.** Allocate 92.00% of the revised total annual catch limit for dolphin to the recreational sector. Allocate 8.00% of the revised total annual catch limit for dolphin to the commercial sector.

## Discussion:

- **Alternative 1 (No Action)** maintains the current sector allocations implemented via Dolphin Wahoo Amendment 8 (effective February 2016), which was the most recent amendment where sector allocations for dolphin were modified. This allocation was based on observed landings (not inclusive of Monroe County, FL recreational landings) in the fishery at the time from 2008 through 2012.
- **Alternative 2** revises sector allocations with updated landings data (inclusive of Monroe County, FL recreational landings as well as FES estimates) using the same baseline years that were selected in Dolphin Wahoo Amendment 8 (2008 through 2012).
- **Alternative 3** revises sector allocations with updated landings data (inclusive of Monroe County, FL recreational landings as well as FES estimates) for the same time series for catch data that the SSC examined when updating the ABC for dolphin, which was 1994 through 2007. This alternative was added per guidance from the Committee’s June 2020 meeting.
- **Alternative 4** approximately maintains the current commercial sector ACL (1,534,485 lbs ww) on a pound-basis, while allocating the remainder of the total ACL to the recreational sector.
- **Alternatives 5 and 6** revise sector allocations based on the Committee’s guidance at the June 2020 meeting.
- All alternatives would lead to an increase in the ACL for the recreational sector on a pound basis, but comparison to the current ACL may not be relevant due to the relatively large shift from CHTS to FES estimates and how landings will be tracked going forward in time.
- **Alternatives 2 and 3** would be more restrictive for the commercial sector while all other alternatives (**Alternative 1 (No Action)** and **Alternatives 4 through 6**) would increase the commercial ACL on a pound basis (**Table 9**).
- While none of the alternatives are projected to be constraining for either sector (**Table 10**), it is still possible that landings could exceed some of the alternatives in years of exceptionally high landings (**Figures 3 and 4**).

**Table 7.** Sector allocations for Atlantic dolphin in **Action 3**.

Alternative	Recreational allocation of the total ACL	Commercial allocation of the total ACL
Alternative 1 (No action)	90.00%	10.00%
Alternative 2	94.01%	5.99%
Alternative 3	94.91%	5.09%
Alternative 4*	93.75%	6.25%
Alternative 5	93.00%	7.00%
Alternative 6	92.00%	8.00%

\*Assumes ABC=ACL and new catch level recommendations are implemented in Action 1.

**Table 8.** Sector annual catch limits (ACLs) for Atlantic dolphin in **Action 3**.

Alternative	Recreational sector ACL (lbs ww) *	Commercial sector ACL (lbs ww) *
Alternative 1 (No action)	22,113,688	2,457,076
Alternative 2	23,098,975	1,471,789
Alternative 3	23,320,112	1,250,652
Alternative 4	23,035,091	1,535,673
Alternative 5	22,850,811	1,719,953
Alternative 6	22,605,103	1,965,661

\*Assumes ABC=ACL and new catch level recommendations are implemented in Action 1.

**Table 9.** Commercial sector annual catch limits (ACLs) for Atlantic dolphin in **Action 3** in comparison to the current sector ACL.

Alternative	Commercial sector ACL (lbs ww) *	Difference from current commercial sector ACL (lbs ww) **
Alternative 1 (No Action)	2,457,076	922,591
Alternative 2	1,471,789	-62,696
Alternative 3	1,250,652	-283,833
Alternative 4	1,535,673	1,188
Alternative 5	1,719,953	185,468
Alternative 6	1,965,661	431,176

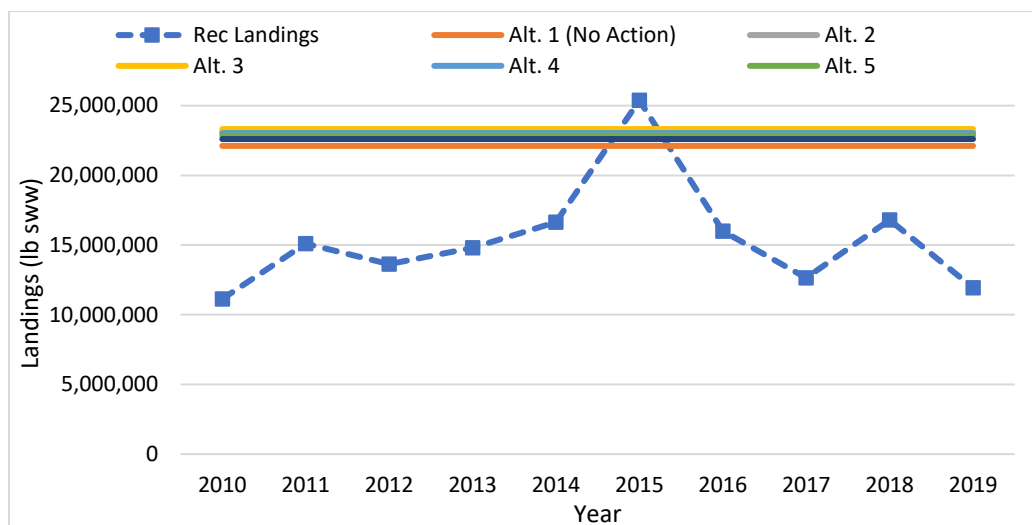
\*Assumes ABC=ACL and new catch level recommendations are implemented in Action 1.

\*\*Current commercial ACL= 1,534,485 lbs ww.

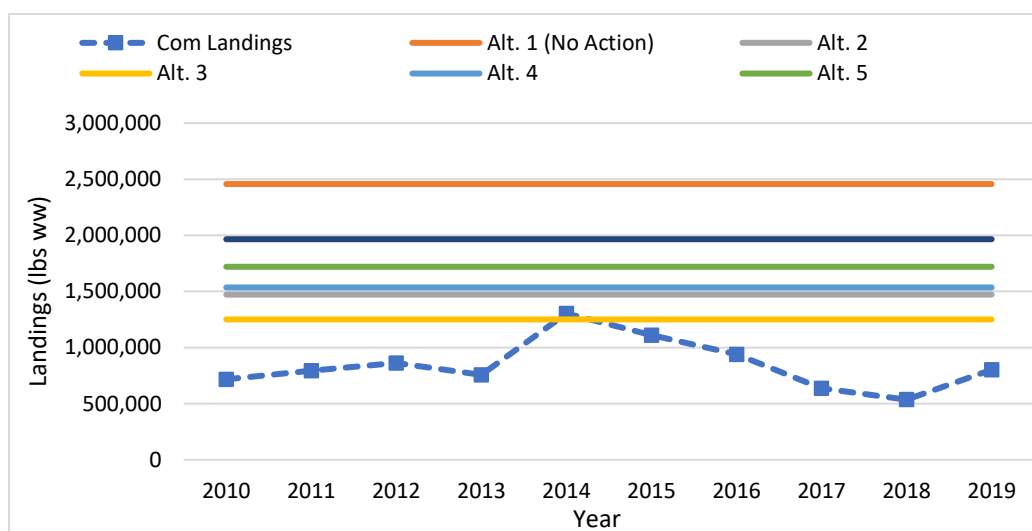
**Table 10.** Sector ACL alternatives in **Action 4** and prediction if the sector ACLs would be exceeded using average landings from 2017- 2019.

Alternative	Commercial sector ACL (lbs ww)*	Commercial ACL exceeded?	Recreational sector ACL (lbs ww)*	Recreational ACL Exceeded?
Alternative 1 (No Action)	2,457,076	No	22,113,688	No
Alternative 2	1,471,789	No	23,098,975	No
Alternative 3	1,250,652	No	23,320,112	No
Alternative 4	1,535,673	No	23,035,091	No
Alternative 5	1,719,953	No	22,850,811	No
Alternative 6	1,965,661	No	22,605,103	No

\*Assumes ABC=ACL and new catch level recommendations are implemented in Action 1.



**Figure 3.** Recreational Atlantic dolphin landings in comparison to allocation alternatives in **Action 3**, 2010-2019. Note: Assumes ABC=ACL and new catch level recommendations are implemented in Action 1.



**Figure 4.** Commercial Atlantic dolphin landings in comparison to allocation alternatives in **Action 3**, 2010-2019. Note: Assumes ABC=ACL and new catch level recommendations are implemented in Action 1.

### **IPT Recommendations/Comments:**

- Despite varying rationale and baseline years, there is very little difference between some of the alternatives. Given this outcome, are there some alternatives that the Committee does not want to consider?

### **Committee Action:**

- APPROVE THE IPT'S SUGGESTED EDITS TO ACTION 3 IN AMENDMENT 10 (HIGHLIGHTED IN YELLOW).
- DO NOT APPROVE THE IPT'S SUGGESTED EDITS TO ACTION 3 IN AMENDMENT 10 (COMMITTEE TO SUGGEST MODIFICATIONS AND APPROVE).

## Action 4. Revise sector allocations and sector annual catch limits for wahoo

### Action Alternatives:

**Alternative 1 (No Action).** The recreational sector allocation for wahoo is 96.07% of the total annual catch limit. The commercial sector allocation for wahoo is 3.93% of the total annual catch limit. This is based on the following formula for each sector using landings data as reported in 2013 and does not incorporate recreational landings from Monroe County, Florida.

Sector apportionment = (50% \* average of long term catch (pounds whole weight)) + (50% \* average of recent catch (pounds whole weight)).

Long-term catch = 1999 through 2008; Recent catch = 2006 through 2008

Retain the current recreational sector and commercial sector allocations for wahoo as 96.07% and 3.93%, respectively, of the revised total annual catch limit as per Alternative 2 in Action 2 in Amendment 10 to the Fishery Management Plan for Dolphin and Wahoo of the Atlantic. The revised total annual catch limit includes recreational landings from Monroe County, Florida, and incorporates recreational data as per the Marine Recreational Information Program using the Fishery Effort Survey method, as well as updates to commercial and for-hire landings.

Note: The revised total annual catch limit in Alternatives 2 through 5 reflects Alternative 2 in Action 2 in Amendment 10 to the Fishery Management Plan for Dolphin and Wahoo of the Atlantic. The revised total annual catch limit includes recreational landings from Monroe County, Florida, and incorporates recreational data as per the Marine Recreational Information Program using the Fishery Effort Survey method, as well as updates to commercial and for-hire landings.

**Alternative 2.** Allocate 97.45% of the revised total annual catch limit for wahoo to the recreational sector. Allocate 2.55% of the revised total annual catch limit for wahoo to the commercial sector. This is based on the following formula for each sector: using landings data as reported in 2019 and does not incorporate recreational landings from Monroe County, Florida.

Sector apportionment = (50% \* average of long-term catch (pounds whole weight)) + (50% \* average of recent catch (pounds whole weight)).

Long-term catch = 1999 through 2008; Recent catch = 2006 through 2008

**Alternative 3.** Allocate 96.35% of the revised total annual catch limit for wahoo to the recreational sector. Allocate 3.65% of the revised total annual catch limit for wahoo to the commercial sector. This is based on the total catch between 1994 and 2007.

**Alternative 4.** Allocate 97.56% of the revised total annual catch limit for wahoo to the recreational sector. Allocate 2.44% of the revised total annual catch limit for wahoo to the commercial sector. This is based on approximately maintaining the current commercial annual

catch limit of 70,542 pounds whole weight and allocating the remaining total annual catch limit to the recreational sector.

**Alternative 5.** Allocate 97.00% of the revised total annual catch limit for wahoo to the recreational sector. Allocate 3.00% of the revised total annual catch limit for wahoo to the commercial sector.

### Discussion:

- **Alternative 1 (No Action)** maintains the current sector allocations implemented via Dolphin Wahoo Amendment 5 (effective July 2014), which was the most recent amendment where sector allocations for wahoo were modified. This allocation was based on observed landings (not inclusive of Monroe County, FL recreational landings) in the fishery at the time using the same baseline years (1999 through 2008) and sector allocation formula that was originally selected in Comprehensive ACL Amendment. See **Alternative 2** for the allocation formula that was used.
- **Alternative 2** revises sector allocations with updated landings data (inclusive of Monroe County, FL recreational landings as well as FES estimates) using the same baseline years and sector allocation formula that was originally selected in Comprehensive ACL Amendment.
- **Alternative 3** revises sector allocations with updated landings data (inclusive of Monroe County, FL recreational landings as well as FES estimates) for the same time series for catch data that the SSC examined when updating the ABC for wahoo which was 1994 through 2007. This alternative was added as an IPT recommendation, since a similar alternative is being reviewed for dolphin in Alternative 3 of Action 3.
- **Alternative 4** approximately maintains the current commercial sector ACL (70,542 lbs ww) on a pound-basis, while allocating the remainder of the total ACL to the recreational sector.
- **Alternative 5** revises sector allocations based on the Committee’s guidance at the June 2020 meeting.
- All alternatives would lead to an increase in the ACL for the recreational sector on a pound basis, but comparison to the current ACL may not be relevant due to the relatively large shift from CHTS to FES estimates.
- **Alternative 4** would be slightly more restrictive for the commercial sector while all other alternatives (**Alternatives 1 (No Action)** through **3** and **Alternative 5**) would increase the commercial ACL on a pound basis (**Table 13**).
- While none of the alternatives are projected to be constraining on either sector (**Table 14**), it is still possible that landings could exceed some of the alternatives in years of exceptionally high landings (**Figures 5** and **6**).

**Table 11.** Sector allocations for Atlantic wahoo in **Action 4**.

Alternative	Recreational Allocation of Total ACL*	Commercial Allocation of Total ACL
Alternative 1 (No Action)	96.07%	3.93%
Alternative 2	97.45%	2.55%
Alternative 3	96.35%	3.65%
Alternative 4*	97.56%	2.44%
Alternative 5	97.00%	3.00%

\*Assumes ABC=ACL and new catch level recommendations are implemented in Action 2.



**Table 12.** Sector annual catch limits (ACLs) for Atlantic wahoo in **Action 4**.

Alternative	Recreational sector ACL (lbs ww) *	Commercial sector ACL (lbs ww) *
Alternative 1 (No action)	2,771,911	113,392
Alternative 2	2,811,728	73,575
Alternative 3	2,779,989	105,314
Alternative 4	2,814,902	70,401
Alternative 5	2,798,744	86,559

\*Assumes ABC=ACL and new catch level recommendations are implemented in Action 2.

**Table 13.** Commercial sector annual catch limits (ACLs) for Atlantic wahoo in **Action 4** in comparison to the current sector ACL.

Alternative	Commercial sector ACL (lbs ww) *	Difference from current commercial sector ACL (lbs ww) **
Alternative 1 (No Action)	113,392	42,850
Alternative 2	73,575	3,033
Alternative 3	105,314	34,772
Alternative 4	70,401	-141
Alternative 5	86,559	16,017

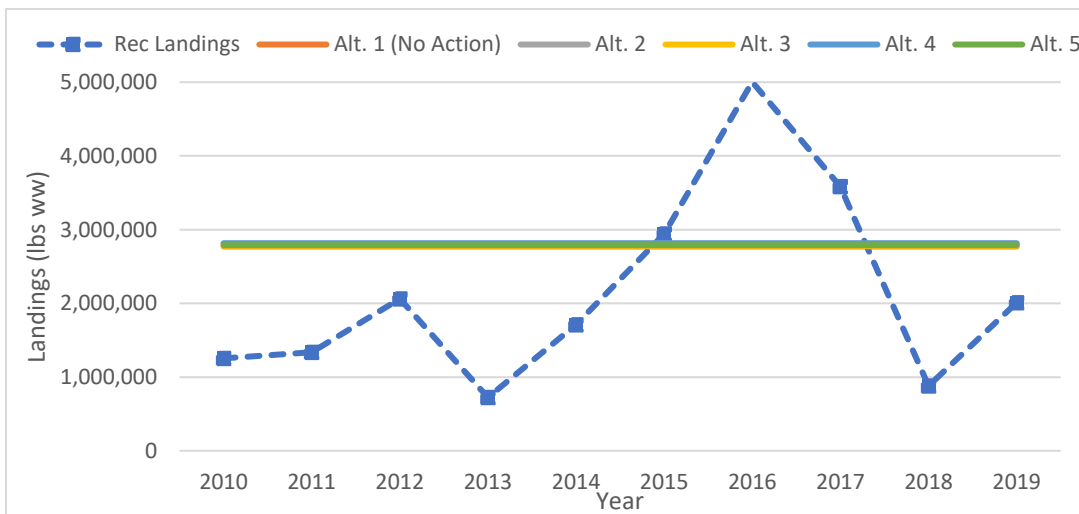
\*Assumes ABC=ACL and new catch level recommendations are implemented in Action 2.

\*\*Current commercial ACL= 70,542 lbs ww.

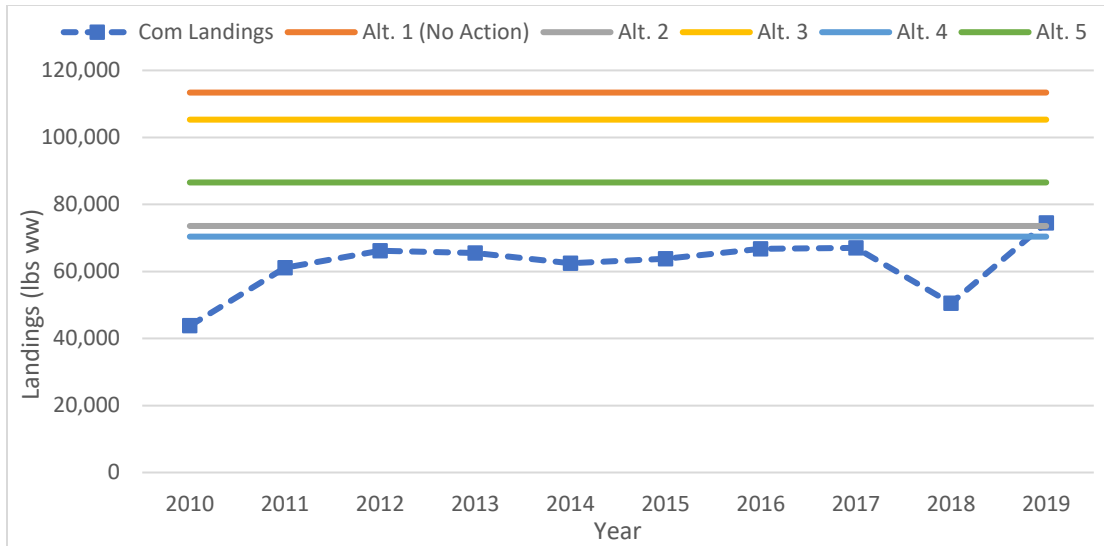
**Table 14.** Sector ACL alternatives in **Action 4** and prediction if the Sector ACLs would be exceeded using average landings from 2017- 2019.

Alternative	Commercial sector ACL (lbs ww)*	Commercial ACL exceeded?	Recreational sector ACL (lbs ww)*	Recreational ACL Exceeded?
Alternative 1 (No Action)	113,392	No	2,771,911	No
Alternative 2	73,575	No	2,811,728	No
Alternative 3	105,314	No	2,779,989	No
Alternative 4	70,401	No	2,814,902	No
Alternative 5	86,559	No	2,798,744	No

\*Assumes ABC=ACL and new catch level recommendations are implemented in Action 1.



**Figure 5.** Recreational Atlantic wahoo landings in comparison to allocation alternatives in **Action 4**, 2010-2019. Note: Assumes ABC=ACL and new catch level recommendations are implemented in Action 2.



**Figure 6.** Commercial Atlantic wahoo landings in comparison to allocation alternatives in **Action 4**, 2010-2019. Note: Assumes ABC=ACL and new catch level recommendations are implemented in Action 2.

### **IPT Recommendations/Comments:**

- **Alternative 3** was added as an IPT recommendation for the Committee’s consideration, since a similar alternative is being reviewed for dolphin in Alternative 3 of Action 3.
- Despite varying rationale and baseline years, there is very little difference between some of the alternatives. Given this outcome, are there some alternatives that the Committee does not want to consider?

### **Committee Action:**

- APPROVE THE IPT’S SUGGESTED EDITS TO ACTION 4 IN AMENDMENT 10 (HIGHLIGHTED IN YELLOW).
- DO NOT APPROVE THE IPT’S SUGGESTED EDITS TO ACTION 4 IN AMENDMENT 10 (COMMITTEE TO SUGGEST MODIFICATIONS AND APPROVE).

## **Action 5. Revise the commercial accountability measures for dolphin**

### **Action Alternatives:**

**Alternative 1 (No Action).** The current commercial accountability measure includes an in-season closure to take place if the commercial annual catch limit is met or projected to be met. If the commercial annual catch limit is exceeded, it will be reduced by the amount of the commercial overage in the following fishing year only if the species is overfished and the total annual catch limit is exceeded.

**Alternative 2.** If commercial landings for dolphin reach or are projected to reach the commercial annual catch limit, close the commercial sector for the remainder of the fishing year.

**Discussion:**

- Under **Alternative 1 (No Action)**, the commercial sector faces an in season closure if the sector ACL is met or projected to be met. Additionally, if the commercial ACL is exceeded there may be a shortening of the commercial season the following year only if dolphin are considered overfished and the total ACL is exceeded.
- **Alternative 2** would remove the “overfished” language from the commercial sector AM, which is appropriate since there is no stock assessment planned for dolphin in the near-term foreseeable future that may change the stock status. It would also remove the post season accountability measure for the commercial sector.

**IPT Recommendations/Comments:**

- The IPT noted that it may be beneficial to remove the “overfished” language from the current commercial AM (**Alternative 2**), however this is not absolutely necessary since the current AM includes an in season closure that does not depend on stock status. Also, National Standard 1 encourages consideration of accounting for ACL overages, particularly if a stock is overfished.
- It is highly unlikely that the post season AM would be triggered since the stock status for dolphin would need to change to overfished and the total ACL (commercial ACL plus recreational ACL) would need to be exceeded.
- Since it is unlikely that dolphin will be assessed in the near-term foreseeable future, the two alternatives are functionally the same. However, formally they are not the same since **Alternative 2** removes the possibility of a post season AM being implemented.
- While there are no noted issues, it would be helpful to have additional discussion to build rationale for the Council moving forward with the two-alternative approach.

**Committee Action:**

- APPROVE THE IPT’S SUGGESTED EDITS TO ACTION 5 IN AMENDMENT 10 (HIGHLIGHTED IN YELLOW).
- DO NOT APPROVE THE IPT’S SUGGESTED EDITS TO ACTION 5 IN AMENDMENT 10 (COMMITTEE TO SUGGEST MODIFICATIONS AND APPROVE).

**Action 6. Revise the commercial accountability measures for wahoo****Action Alternatives:**

**Alternative 1 (No Action).** The current commercial accountability measure includes an in-season closure to take place if the commercial annual catch limit is met or projected to be met. If the commercial annual catch limit is exceeded, it will be reduced by the amount of the commercial overage in the following fishing year only if the species is overfished and the total annual catch limit is exceeded.

**Alternative 2.** If commercial landings for wahoo reach or are projected to reach the commercial annual catch limit, close the commercial sector for the remainder of the fishing year.

**Discussion:**

- This action was added per the Committee’s guidance at the June 2020 meeting.
- Under **Alternative 1 (No Action)**, the commercial sector faces an in season closure if the sector ACL is met or projected to be met. Additionally, if the commercial ACL is exceeded there may be a shortening of the commercial season the following year only if wahoo are considered overfished and the total ACL is exceeded.
- **Alternatives 2** would remove the “overfished” language from the commercial sector AM, which is appropriate since there is no stock assessment planned for wahoo in the near-term foreseeable future that may change the stock status. It would also remove the post season accountability measure for the commercial sector.

**IPT Recommendations/Comments:**

- The IPT noted that it may be beneficial to remove the “overfished” language from the current commercial AM (**Alternative 2**), however this is not absolutely necessary since the current AM includes an in season closure that does not depend on stock status. Also, National Standard 1 encourages consideration of accounting for ACL overages, particularly if a stock is overfished.
- It is highly unlikely that the post season AM would be triggered since the stock status for wahoo would need to change to overfished and the total ACL (commercial ACL plus recreational ACL) would need to be exceeded.
- Since it is unlikely that wahoo will be assessed in the near-term foreseeable future, the two alternatives are functionally the same. However, formally they are not the same since **Alternative 2** removes the possibility of a post season AM being implemented.
- While there are no noted issues, it would be helpful to have additional discussion to build rationale for the Council moving forward with the two-alternative approach.

**Committee Action:**

- APPROVE ACTION 6 AND THE PROPOSED RANGE OF ALTERNATIVES FOR CONSIDERATION IN AMENDMENT 10.
- DO NOT APPROVE ACTION 6 AND THE PROPOSED RANGE OF ALTERNATIVES FOR CONSIDERATION IN AMENDMENT 10 (COMMITTEE TO SUGGEST MODIFICATIONS AND APPROVE).

**Action 7. Revise the trigger for the post season recreational accountability measures for dolphin****Action Alternatives:**

**Alternative 1 (No action).** If recreational landings exceed the recreational annual catch limit, then during the following fishing year, recreational landings will be monitored for persistence in increased landings. If the recreational annual catch limit is exceeded, it will be reduced by the amount of the recreational overage in the following fishing year and the recreational season will be reduced by the amount necessary to ensure that recreational landings do not exceed the reduced annual catch limit only if the species is overfished and the total annual catch limit is exceeded. However, the recreational annual catch limit and length of the recreational season will

not be reduced if the Regional Administrator determines, using the best available science, that it is not necessary.

**Alternative 2.** Implement post season accountability measures in the following fishing year if the recreational annual catch limits are constant and the 3-year geometric mean of landings exceed the recreational sector annual catch limit. If in any year the recreational sector annual catch limit is changed, the moving multi-year geometric mean of landings will start over.

**Alternative 3.** Implement post season accountability measures in the following fishing year if the summed total of the most recent past three years of recreational landings exceeds the sum of the past three years recreational sector annual catch limits.

**Alternative 4.** Implement post season accountability measures in the following fishing year if recreational landings exceed the recreational sector annual catch limit in two of the previous three fishing years or exceeds the total (commercial and recreational combined) annual catch limit in any one year.

**Alternative 5.** Implement post season accountability measures in the following fishing year if the total (commercial and recreational combined) annual catch limit is exceeded.

**Alternative 6.** Implement post season accountability measures in the following fishing year if the recreational annual catch limit is exceeded.

**Alternative 4.** Only implement post season accountability measures if:

**Sub-alternative 4a.** The recreational annual catch limits are constant and the 3 year geometric mean of landings exceed the recreational sector annual catch limit. If in any year the recreational sector annual catch limit is changed, the moving multi-year geometric mean of landings will start over.

**Sub-alternative 4b.** The recreational annual catch limits are constant and the summed total of the most recent past three years of recreational landings exceeds the sum of the past three years recreational sector annual catch limits.

**Sub-alternative 4c.** The recreational annual catch limits are constant and recreational landings exceed the recreational sector annual catch limit in two of the previous three fishing years or exceeds the total acceptable biological catch in any one year.

**Sub-alternative 4d.** The total (commercial and recreational combined) annual catch limit is exceeded.

**Alternative 5.** If the post season accountability measure is triggered, reduce the length of the following recreational fishing season by the amount necessary to prevent the annual catch limit from being exceeded in the following year.

## Discussion:

- **Action 7** was included as part of the Committee's guidance from the June 2020 meeting to split the recreational AM action for dolphin into two actions, with one focusing on the trigger

for the AM and the other focusing on the AM itself. Furthermore, the Committee specified that it did not want to consider in season AMs for the recreational sector.

- Under **Alternative 1 (No Action)**, the recreational sector AM does not include in-season closure if the sector ACL is met or projected to be met. This alternative allows the recreational sector to exceed the sector ACL in a given year and landings would be monitored for persistence in increased landings. If the recreational ACL continues to be exceeded, then the sector ACL would be reduced by the overage amount (i.e. a payback provision) and the recreational season would be reduced, but only if dolphin is overfished and the total ACL is exceeded. Additionally, the recreational ACL and season would not be reduced if the RA determines this action is not necessary.
- In accordance with the Committee's guidance from the June 2020 meeting, the crossed-out version of **Alternative 4** and its sub-alternatives were the basis for the proposed **Alternatives 2 through 5**.
- **Alternative 2** would trigger the recreational AM if the 3-year geometric mean of recreational dolphin landings exceed the sector ACL.
- **Alternative 3** would trigger the recreational AM if the summed recreational landings over 3 years exceeds the summed sector ACL over the same 3 years.
- **Alternative 4** would trigger the recreational AM if recreational landings exceed the sector ACL two times in a three-year timespan or the total ACL in any single year.
- **Alternative 5** would trigger the recreational AM if the total ACL is exceeded.
- **Alternative 6** would trigger the recreational AM if the recreational ACL is exceeded.

### **IPT Recommendations/Comments:**

- Since the current recreational AM is likely inadequate because it depends on an overfished status, this issue will need to be addressed. **Alternatives 2 through 6** address this issue.
- **Alternative 6** was added by the IPT for the Committee's consideration.

### **Committee Action:**

- APPROVE THE IPT'S SUGGESTED EDITS TO ACTION 7 IN AMENDMENT 10 (HIGHLIGHTED IN YELLOW).
- DO NOT APPROVE THE IPT'S SUGGESTED EDITS TO ACTION 7 IN AMENDMENT 10 (COMMITTEE TO SUGGEST MODIFICATIONS AND APPROVE).

## **Action 8. Revise the **post-season** recreational accountability measures for dolphin**

### **Action Alternatives:**

**Alternative 1 (No action).** If recreational landings exceed the recreational annual catch limit, then during the following fishing year, recreational landings will be monitored for persistence in increased landings. If the recreational annual catch limit is exceeded, it will be reduced by the amount of the recreational overage in the following fishing year and the recreational season will be reduced by the amount necessary to ensure that recreational landings do not exceed the reduced annual catch limit only if the species is overfished and the total annual catch limit is exceeded. However, the recreational annual catch limit and length of the recreational season will

not be reduced if the Regional Administrator determines, using the best available science, that it is not necessary.

**Alternative 2.** Reduce the recreational sector annual catch limit by the amount of the overage in the following year. Also reduce the length of the following recreational fishing season by the amount necessary to prevent the revised annual catch limit from being exceeded in the following fishing year. However, the recreational annual catch limit and recreational fishing season will not be reduced if the Regional Administrator determines, using the best available science, that it is not necessary.

**Alternative 3.** Reduce the length of the following recreational fishing season by the amount necessary to prevent the annual catch limit from being exceeded in the following year. However, the length of the recreational season will not be reduced if the Regional Administrator determines, using the best available science, that it is not necessary.

**Alternative 4.** Reduce the bag limit in the following recreational fishing season by the amount necessary to prevent the annual catch limit from being exceeded in the following year. However, the bag limit will not be reduced if the Regional Administrator determines, using the best available science, that it is not necessary.

**Alternative 5.** Reduce the vessel limit in the following recreational fishing season by the amount necessary to prevent the annual catch limit from being exceeded in the following year. However, the vessel limit will not be reduced if the Regional Administrator determines, using the best available science, that it is not necessary.

**Alternative 4.** Only implement post season accountability measures if:

**Sub-alternative 4a.** The recreational annual catch limits are constant and the 3-year geometric mean of landings exceed the recreational sector annual catch limit. If in any year the recreational sector annual catch limit is changed, the moving multi-year geometric mean of landings will start over.

**Sub-alternative 4b.** The recreational annual catch limits are constant and the summed total of the most recent past three years of recreational landings exceeds the sum of the past three years recreational sector annual catch limits.

**Sub-alternative 4c.** The recreational annual catch limits are constant and recreational landings exceed the recreational sector annual catch limit in two of the previous three fishing years or exceeds the total acceptable biological catch in any one year.

**Sub-alternative 4d.** The total (commercial and recreational combined) annual catch limit is exceeded.

**Alternative 5.** If the post-season accountability measure is triggered, reduce the length of the following recreational fishing season by the amount necessary to prevent the annual catch limit from being exceeded in the following year.

## Discussion:

- Under **Alternative 1 (No Action)**, the recreational sector AM does not include in-season closure if the sector ACL is met or projected to be met. This alternative allows the recreational sector to exceed the sector ACL in a given year and landings would be

monitored for persistence in increased landings. If the recreational ACL continues to be exceeded, then the sector ACL would be reduced by the overage amount (i.e. a payback provision) and the recreational season would be reduced, but only if dolphin is overfished and the total ACL is exceeded. Additionally, the recreational ACL and season would not be reduced if the RA determines this action is not necessary.

- In accordance with guidance from the June 2020 Committee meeting, all of the alternatives preserve language along the lines of “if the regional administrator determines, using the best available science, that it is not necessary.”
- **Alternative 2** would implement a post season AM that would reduce the recreational ACL the following fishing season by the amount that landings exceeded the sector ACL. Additionally, the length of the fishing season for dolphin would be reduced by the amount necessary to prevent the revised ACL from being exceeded. This alternative was added by the IPT for the Committee’s consideration.
- **Alternatives 3 through 5** were added at the direction of the Committee during the June 2020 meeting.
- **Alternative 3** would reduce the length of the following recreational fishing season by the amount necessary to prevent the sector ACL from being exceeded.
- **Alternative 4** would reduce the bag limit the following fishing season by the amount necessary to prevent the ACL from being exceeded.
- **Alternative 5** would reduce the vessel limit the following fishing season by the amount necessary to prevent the ACL from being exceeded.

### **IPT Recommendations/Comments:**

- **Alternative 2** was added by the IPT for the Committee’s consideration.

### **Committee Action:**

- APPROVE THE IPT’S SUGGESTED EDITS TO ACTION 8 IN AMENDMENT 10 (HIGHLIGHTED IN YELLOW).
- DO NOT APPROVE THE IPT’S SUGGESTED EDITS TO ACTION 8 IN AMENDMENT 10 (COMMITTEE TO SUGGEST MODIFICATIONS AND APPROVE).

## **Action 9. Revise the trigger for the post season recreational accountability measures for wahoo**

### **Action Alternatives:**

**Alternative 1 (No action).** If recreational landings exceed the recreational annual catch limit, then during the following fishing year recreational landings will be monitored for persistence in increased landings. If the recreational annual catch limit is exceeded, it will be reduced by the amount of the recreational overage in the following fishing only if the species is overfished and the total annual catch limit is exceeded. However, the recreational annual catch limit will not be reduced if the Regional Administrator determines, using the best available science, that it is not necessary.

**Alternative 2.** Implement post season accountability measures in the following fishing year if the recreational annual catch limits are constant and the 3-year geometric mean of landings



exceed the recreational sector annual catch limit. If in any year the recreational sector annual catch limit is changed, the moving multi-year geometric mean of landings will start over.

**Alternative 3.** Implement post season accountability measures in the following fishing year if the summed total of the most recent past three years of recreational landings exceeds the sum of the past three years recreational sector annual catch limits.

**Alternative 4.** Implement post season accountability measures in the following fishing year if recreational landings exceed the recreational sector annual catch limit in two of the previous three fishing years or exceeds the total (commercial and recreational combined) annual catch limit in any one year.

**Alternative 5.** Implement post season accountability measures in the following fishing year if the total (commercial and recreational combined) annual catch limit is exceeded.

**Alternative 6.** Implement post season accountability measures in the following fishing year if the recreational annual catch limit is exceeded.

**Alternative 2.** Only specify post-season accountability measures if:

**Sub-alternative 2a.** The recreational annual catch limits are constant and the 3-year geometric mean of landings exceed the recreational sector annual catch limit. If in any year the recreational sector annual catch limit is changed, the moving multi-year geometric mean of landings will start over.

**Sub-alternative 2b.** The recreational annual catch limits are constant and the summed total of the most recent past three years of recreational landings exceeds the sum of the past three years recreational sector annual catch limits.

**Sub-alternative 2c.** The recreational annual catch limits are constant and recreational landings exceed the recreational sector annual catch limit in two of the previous three fishing years or exceeds the total acceptable biological catch in any one year.

**Sub-alternative 2d.** The total (commercial and recreational combined) annual catch limit is exceeded.

**Alternative 3.** If the post-season accountability measure is triggered, reduce the recreational sector annual catch limit by the amount of the overage in the following fishing year.

**Alternative 4.** If the post-season accountability measure is triggered, reduce the length of the following recreational fishing season by the amount necessary to prevent the annual catch limit from being exceeded in the following year.

## Discussion:

- **Action 9** was included as part of the Committee's guidance from the June 2020 meeting to split the recreational AM action for wahoo into two actions, with one focusing on the trigger for the AM and the other focusing on the AM itself. Furthermore, the Committee specified that it did not want to consider in-season AMs for the recreational sector.
- Under **Alternative 1 (No Action)**, the recreational sector AM does not include in-season closure if the sector ACL is met or projected to be met. This alternative allows the recreational sector to exceed the sector ACL in a given year and landings would be

monitored for persistence in increased landings. If the recreational ACL continues to be exceeded, then the sector ACL would be reduced by the overage amount (i.e. a payback provision) and the recreational season would be reduced, but only if wahoo is overfished and the total ACL is exceeded. Additionally, the recreational ACL and season would not be reduced if the RA determines this action is not necessary.

- The crossed-out version of **Alternative 2** and its sub-alternatives were the basis for the proposed **Alternatives 2** through **5**.
- **Alternative 2** would trigger the recreational AM if the 3-year geometric mean of recreational dolphin landings exceed the sector ACL.
- **Alternative 3** would trigger the recreational AM if the summed recreational landings over 3 years exceeds the summed sector ACL over the same 3 years.
- **Alternative 4** would trigger the recreational AM if recreational landings exceed the sector ACL two times in a three-year timespan or the total ACL in any single year.
- **Alternative 5** would trigger the recreational AM if the total ACL is exceeded.
- **Alternative 6** would trigger the recreational AM if the recreational ACL is exceeded.

### **IPT Recommendations/Comments:**

- Since the current recreational AM is likely inadequate because it depends on an overfished status, this issue will need to be addressed. **Alternatives 2** through **6** address this issue.
- **Alternative 6** was added by the IPT for the Committee's consideration.

### **Committee Action:**

- APPROVE THE IPT'S SUGGESTED EDITS TO ACTION 9 IN AMENDMENT 10 (HIGHLIGHTED IN YELLOW).
- DO NOT APPROVE THE IPT'S SUGGESTED EDITS TO ACTION 9 IN AMENDMENT 10 (COMMITTEE TO SUGGEST MODIFICATIONS AND APPROVE).

## **Action 10. Revise the **post-season** recreational accountability measures for wahoo**

### **Action Alternatives:**

**Alternative 1 (No action).** If recreational landings exceed the recreational annual catch limit, then during the following fishing year recreational landings will be monitored for persistence in increased landings. If the recreational annual catch limit is exceeded, it will be reduced by the amount of the recreational overage in the following fishing year only if the species is overfished and the total annual catch limit is exceeded. However, the recreational annual catch limit will not be reduced if the Regional Administrator determines, using the best available science, that it is not necessary.

**Alternative 2.** Reduce the recreational sector annual catch limit by the amount of the overage in the following year. Also reduce the length of the following recreational fishing season by the amount necessary to prevent the revised annual catch limit from being exceeded in the following fishing year. However, the recreational annual catch limit and recreational fishing season will not

be reduced if the Regional Administrator determines, using the best available science, that it is not necessary.

**Alternative 3.** Reduce the length of the following recreational fishing season by the amount necessary to prevent the annual catch limit from being exceeded in the following year. However, the length of the recreational season will not be reduced if the Regional Administrator determines, using the best available science, that it is not necessary.

**Alternative 4.** Reduce the bag limit in the following recreational fishing season by the amount necessary to prevent the annual catch limit from being exceeded in the following year. However, the bag limit will not be reduced if the Regional Administrator determines, using the best available science, that it is not necessary.

**Alternative 5.** Implement a vessel limit in the following recreational fishing season that would prevent the annual catch limit from being exceeded in the following year. However, the vessel limit will not be implemented if the Regional Administrator determines, using the best available science, that it is not necessary.

**Alternative 2.** Only specify post-season accountability measures if:

**Sub-alternative 2a.** The recreational annual catch limits are constant and the 3-year geometric mean of landings exceed the recreational sector annual catch limit. If in any year the recreational sector annual catch limit is changed, the moving multi-year geometric mean of landings will start over.

**Sub-alternative 2b.** The recreational annual catch limits are constant and the summed total of the most recent past three years of recreational landings exceeds the sum of the past three years recreational sector annual catch limits.

**Sub-alternative 2c.** The recreational annual catch limits are constant and recreational landings exceed the recreational sector annual catch limit in two of the previous three fishing years or exceeds the total acceptable biological catch in any one year.

**Sub-alternative 2d.** The total (commercial and recreational combined) annual catch limit is exceeded.

**Alternative 3.** If the post-season accountability measure is triggered, reduce the recreational sector annual catch limit by the amount of the overage in the following fishing.

**Alternative 4.** If the post-season accountability measure is triggered, reduce the length of the following recreational fishing season by the amount necessary to prevent the annual catch limit from being exceeded in the following year.

## Discussion:

- Under **Alternative 1 (No Action)**, the recreational sector AM does not include in-season closure if the sector ACL is met or projected to be met. This alternative allows the recreational sector to exceed the sector ACL in a given year and landings would be monitored for persistence in increased landings. If the recreational ACL continues to be exceeded, then the sector ACL would be reduced by the overage amount (i.e. a payback provision) and the recreational season would be reduced, but only if wahoo is overfished and

the total ACL is exceeded. Additionally, the recreational ACL and season would not be reduced if the RA determines this action is not necessary.

- In accordance with guidance from the June 2020 Committee meeting, all of the alternatives preserve language along the lines of “if the regional administrator determines, using the best available science, that it is not necessary.”
- **Alternative 2** would implement at post season AM that would reduce the recreational ACL the following fishing season by the amount that landings exceeded the sector ACL. Additionally, the length of the fishing season for dolphin would be reduced by the amount necessary to prevent the revised ACL from being exceeded. This alternative was added by the IPT for the Committee’s consideration.
- **Alternatives 3 through 5** were added at the direction of the Committee during the June 2020 meeting.
- **Alternative 3** would reduce the length of the following recreational fishing season by the amount necessary to prevent the sector ACL from being exceeded.
- **Alternative 4** would reduce the bag limit the following fishing season by the amount necessary to prevent the ACL from being exceeded.
- **Alternative 5** would implement a vessel limit the following fishing season by the amount necessary to prevent the ACL from being exceeded.

#### **IPT Recommendations/Comments:**

- **Alternative 2** was added by the IPT for the Committee’s consideration.

#### **Committee Action:**

- APPROVE THE IPT’S SUGGESTED EDITS TO ACTION 10 IN AMENDMENT 10 (HIGHLIGHTED IN YELLOW).
- DO NOT APPROVE THE IPT’S SUGGESTED EDITS TO ACTION 10 IN AMENDMENT 10 (COMMITTEE TO SUGGEST MODIFICATIONS AND APPROVE).

**Action 11. Allow properly permitted commercial fishing vessels with trap, pot, or buoy gear on board that are not authorized for use in the dolphin wahoo fishery to possess commercial quantities of dolphin and wahoo**

#### **Action Alternatives:**

**Alternative 1 (No Action).** The following are the only authorized commercial gear types in the fisheries for dolphin and wahoo in the Atlantic Exclusive Economic Zone: automatic reel, bandit gear, handline, pelagic longline, rod and reel, and spearfishing gear (including powerheads). A person aboard a vessel in the Atlantic Exclusive Economic Zone that has on board gear types (including trap, pot, or buoy gear) other than authorized gear types may not possess a dolphin or wahoo. The current commercial trip limit for wahoo is 500 pounds. The current trip limit for dolphin is 4,000 pounds once 75 percent of the commercial sector annual catch limit is reached. Prior to reaching 75 percent of the commercial sector annual catch limit, there is no commercial trip limit for dolphin.

**Alternative 2.** A vessel in the Atlantic Exclusive Economic Zone that possesses both an Atlantic Dolphin/Wahoo Commercial Permit and ~~the necessary state and/or valid~~ federal commercial permits ~~for required to fish~~ trap, pot, or buoy gear ~~are is~~ authorized to retain dolphin ~~and wahoo~~ caught by rod and reel while in possession of such gears. Dolphin retained ~~by such a vessel on~~ trips when trap, pot, or buoy gear are on board shall not exceed (*Sub-alternatives 2a through 2d*). ~~The wahoo commercial trip limit will remain at 500 pounds.~~ A ~~person aboard a~~ vessel in the Atlantic Exclusive Economic Zone that has on board other gear types that are not authorized in the fisheries for dolphin ~~and wahoo~~ may not possess a dolphin ~~or wahoo~~.

**Sub-alternative 2a.** 250 pounds gutted weight

**Sub-alternative 2b.** 500 pounds gutted weight

**Sub-alternative 2c.** 750 pounds gutted weight

**Sub-alternative 2d.** 1,000 pounds gutted weight

**Alternative 3.** A vessel in the Atlantic Exclusive Economic Zone that possesses both a valid Atlantic Dolphin/Wahoo Commercial Permit and valid federal commercial permits required to fish trap, pot, or buoy gear are authorized to retain wahoo caught by rod and reel while in possession of such gears. The wahoo commercial trip limit will be 500 pounds. A vessel in the Atlantic Exclusive Economic Zone that has on board other gear types that are not authorized in the fisheries for wahoo may not possess a wahoo.

## Discussion:

- The Atlantic Offshore Lobstermen’s Association initially requested that the South Atlantic Council modify regulations to allow the historic practice of harvesting dolphin and wahoo while in the possession of lobster pots to continue.
- There currently is an incidental limit in place of 200 pounds of dolphin and wahoo, combined weight, for vessels that do not have a dolphin wahoo commercial permit but do have another federal commercial permit and catch the species north of the 39 degrees north latitude (50 CFR §622.278 Commercial Trip Limits). This incidental limit would remain in place unless otherwise specified and these vessels would not be exempt from any of the gear provisions.
- The current list of allowable gears in the dolphin wahoo fishery does not include trap, pot, or buoy gears, therefore dolphin or wahoo may not be harvested when such gear is on board a vessel (**Alternative 1 No Action**). The intent behind **Alternative 2** is to allow the possession of dolphin and wahoo on vessels with commercial vessel permits for dolphin and wahoo when trap, pot, or buoy gears are also on board.
- **Sub-alternatives 2a** through **2d** were include in response to the Committees direction to staff to examine “a range of 250 to 1,000 lbs gutted weight by 250 lbs increments.”

## IPT Recommendations/Comments:

- The IPT noted that NMFS likely does not have the ability to require a state permit in federal waters. Additionally, there are a wide range of state permits potentially involved due to the large geographic coverage of the Dolphin Wahoo FMP. Accordingly, the IPT recommended removing the mention of state permits in the action.
- The IPT felt that it would be better to remove wahoo from **Alternative 2** and place it in a new alternative (**Alternative 3**) to make it clear whether the Committee wants to include

wahoo in this action and that the wahoo trip limit would remain at 500 pounds unless the Committee specifies otherwise.

### **SSC/Advisory Panel Recommendations:**

The Dolphin Wahoo AP discussed a similar version of this action and approved the following motion during their April 21, 2017 meeting:

**MOTION:** ALLOW VESSELS WITH POT GEAR ON BOARD TO POSSESS DOLPHIN OR WAHOO AS LONG AS THEY ARE A PERMITTED VESSEL AND FISH ARE CAUGHT BY ROD AND REEL.

9 IN FAVOR; 0 OPPOSED

Note: Buoy gear was not being examined within the action at the time that it was reviewed by the Dolphin Wahoo AP.

### **Committee Action:**

- APPROVE THE IPT'S SUGGESTED EDITS TO ACTION 11 IN AMENDMENT 10 (HIGHLIGHTED IN YELLOW).
- DO NOT APPROVE THE IPT'S SUGGESTED EDITS TO ACTION 11 IN AMENDMENT 10 (COMMITTEE TO SUGGEST MODIFICATIONS AND APPROVE).

## **Action 12. Remove the requirement of vessel operators or crew to hold an Operator Card in the Dolphin Wahoo Fishery**

### **Action Alternatives:**

**Alternative 1 (No Action).** An Atlantic Charter/Headboat for Dolphin/Wahoo Permit or an Atlantic Dolphin/Wahoo Commercial Permit is not valid unless the vessel operator or a crewmember holds a valid Operator Card issued by either the Southeast Regional Office or by the Greater Atlantic Regional Fisheries Office.

**Alternative 2.** Neither a vessel operator nor any crewmember is required to have an Operator Card for an Atlantic Charter/Headboat for Dolphin/Wahoo Permit to be valid.

**Alternative 3.** Neither a vessel operator nor any crewmember is required to have an Operator Card for an Atlantic Dolphin/Wahoo Commercial Permit to be valid.

### **Discussion:**

- Operator cards were required by the original Dolphin Wahoo FMP and are also required for operators and/or crew in the rock shrimp fishery. For dolphin wahoo, current regulations under 50 C.F.R. §622.270 would be retained under **Alternative 1 (No Action)** are:

(c) *Operator permits.* (1) An operator of a vessel that has or is required to have a charter vessel/headboat or commercial permit for Atlantic dolphin and wahoo issued under this section is required to have an operator permit.

(2) A person required to have an operator permit under paragraph (c)(1) of this section must carry on board such permit and one other form of personal identification that includes a picture (driver's license, passport, etc.).

(3) An owner of a vessel that is required to have a permitted operator under paragraph (c)(1) of this section must ensure that at least one person with a valid operator permit is aboard while the vessel is at sea or offloading.

(4) An owner of a vessel that is required to have a permitted operator under paragraph (c)(1) of this section and the operator of such vessel are responsible for ensuring that a person whose operator permit is suspended, revoked, or modified pursuant to subpart D of 15 CFR part 904 is not aboard that vessel.

- The intent of including operator cards in the Dolphin Wahoo FMP was to improve enforcement and aid in data collection. It was also intended to decrease costs to vessel owners from fisheries violations and make vessel captains more accountable for damaging habitat or violating regulations intended to protect the long-term viability of the stock.
- At the March 2016 Council meeting, NMFS Office of Law Enforcement gave a presentation on operator cards, mentioning that currently the operator cards are not used for gathering data, distributing information, or enforcement to a large extent.
- **Alternative 2** would remove the requirement for the vessel operator or crew member to hold an operator card for an Atlantic Charter/Headboat for Dolphin/Wahoo Permit to be valid. It would still require Atlantic Dolphin/Wahoo Commercial Permit holders to have an operator card.
- **Alternative 3** have the same outcome as **Alternative 2**, but for the commercial sector.

### **SSC/Advisory Panel Recommendations:**

The Dolphin Wahoo AP discussed this action and approved the following motion during their April 21, 2017 meeting:

**MOTION:** SUPPORT ALTERNATIVE 2 AND 3 IN ACTION 8.  
9 IN FAVOR; 0 OPPOSED

Note: Action 13 was listed as Action 8 in the amendment at the time.

### **Committee Action:**

- NONE REQUIRED.
- THE COMMITTEE MAY WANT TO DISCUSS THE ACTION/ALTERNATIVES AND MODIFY, AS NEEDED.

## **Action 13. Reduce the recreational vessel limit for dolphin**

### **Action Alternatives:**

**Alternative 1 (No Action).** The recreational daily bag limit is 10 dolphin per person, not to exceed 60 dolphin per vessel, whichever is less, except on board a headboat where the limit is 10 dolphin per paying passenger.

**Alternative 2.** The recreational daily bag limit is 10 dolphin per person, not to exceed:

**Sub-alternative 2a.** 40 dolphin per vessel, whichever is less, except on board a headboat where the limit is 10 dolphin per paying passenger.

**Sub-alternative 2b.** 42 dolphin per vessel, whichever is less, except on board a headboat where the limit is 10 dolphin per paying passenger.

**Sub-alternative 2c.** 48 dolphin per vessel, whichever is less, except on board a headboat where the limit is 10 dolphin per paying passenger.

**Sub-alternative 2d.** 54 dolphin per vessel, whichever is less, except on board a headboat where the limit is 10 dolphin per paying passenger.

**Alternative 3.** In Florida only, the recreational daily bag limit is 10 dolphin per person, not to exceed:

**Sub-alternative 3a.** 40 dolphin per vessel, whichever is less, except on board a headboat where the limit is 10 dolphin per paying passenger.

**Sub-alternative 3b.** 42 dolphin per vessel, whichever is less, except on board a headboat where the limit is 10 dolphin per paying passenger.

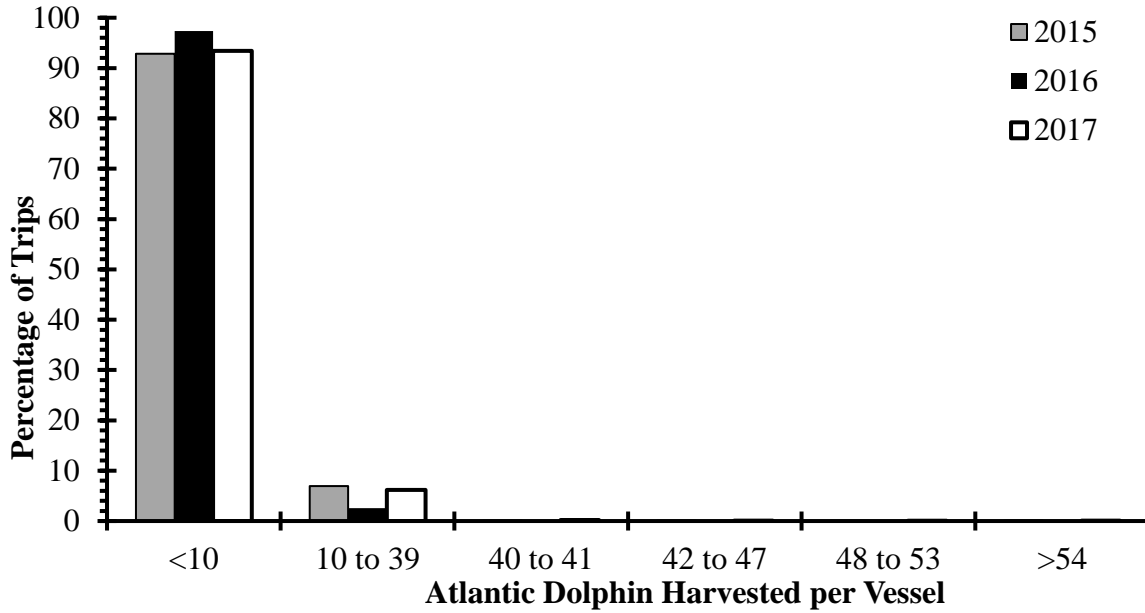
**Sub-alternative 3c.** 48 dolphin per vessel, whichever is less, except on board a headboat where the limit is 10 dolphin per paying passenger.

**Sub-alternative 3d.** 54 dolphin per vessel, whichever is less, except on board a headboat where the limit is 10 dolphin per paying passenger.

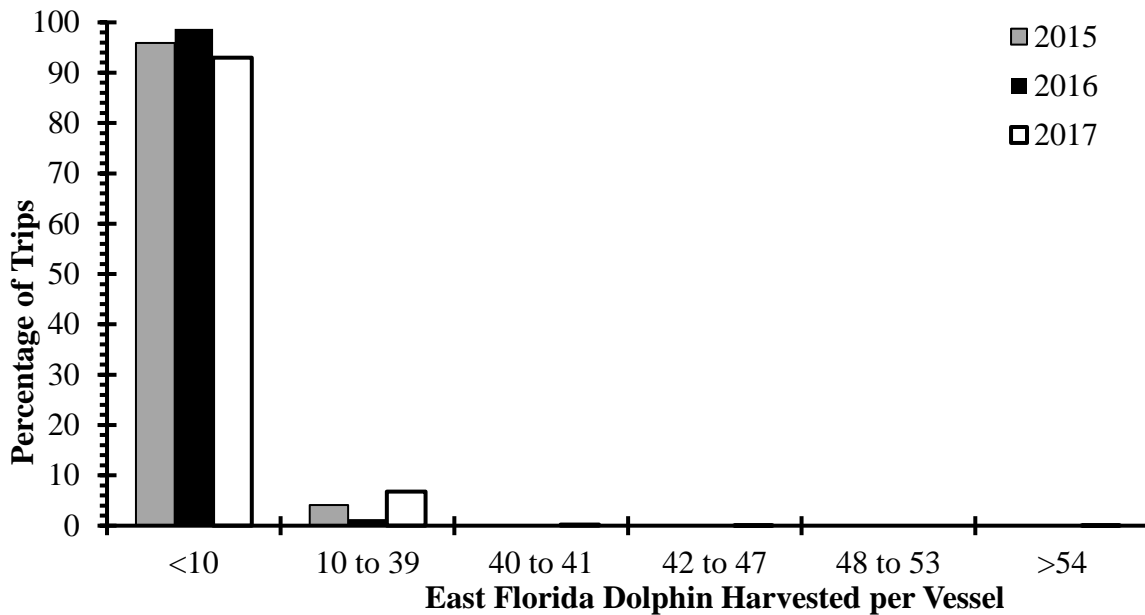
## Discussion:

- The sub-alternatives are based on the Committees guidance from December 2018 to consider alternatives that focuses on vessel limits divisible by 6 but are not below 40 fish.
- Upon initial analysis of revised MRIP data, it is possible that the recreational sector may be fully utilizing the potential sector ACL for dolphin in some years and additional restrictions may be desired to limit harvest. This will be dependent on the ACL as well as allocations set by the Council. Further information will be available at future meetings.
- Based on initial analysis that can be found in **Appendix C**, the majority of the recreational trips (more than 90% on average) typically harvest less than 10 dolphin per vessel on average (**Figure 7** through **Figure 9**).
- It has been noted in public comment and during the Dolphin Wahoo Participatory Workshops held in North Carolina that a 60-fish vessel limit is important for getting customers to book charter trips in the Carolinas. For-hire captains have indicated that they may not harvest the vessel limit but the opportunity to do so aids in “selling a trip” in some circumstances.

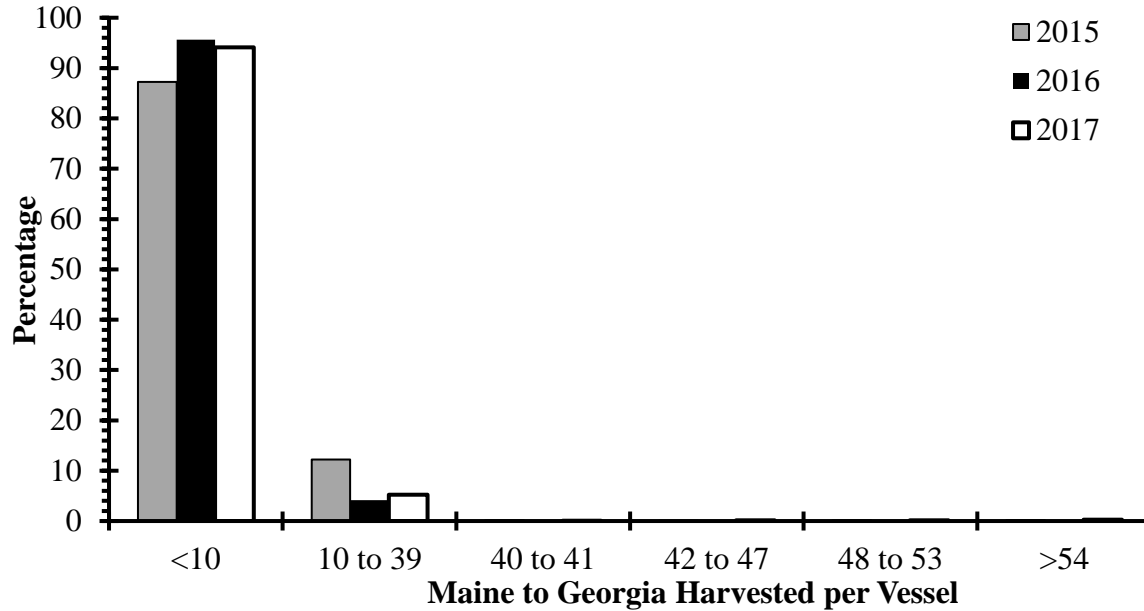




**Figure 7.** Distribution of Atlantic dolphin harvested per vessel per year for 2015, 2016, and 2017. The data comes from MRIP (1,884,919 vessel trips) and Headboat (2,837 trips) recreational surveys. The results are from Maine to Florida and include Monroe County, Florida.



**Figure 8.** Distribution of east Florida dolphin harvested per vessel per year for 2015, 2016, and 2017. The data comes from MRIP (1,164,106 vessel trips) and Headboat (2,303 trips) recreational surveys. The results are from east Florida and include Monroe County, Florida.



**Figure 9.** Distribution of Maine to Georgia dolphin harvested per vessel per year for 2015, 2016, and 2017. The data comes from MRIP (720,813 vessel trips) and Headboat (534 trips) recreational surveys.

### SSC/Advisory Panel Recommendations:

- There was initial support by the Dolphin Wahoo AP for a 40 fish vessel limit for dolphin if added as a step down once the recreational ACT has been landed.
- During the August 22, 2019 Dolphin Wahoo AP webinar, there was discussion on lowering the retention limit for dolphin, with some AP members noting that this may be acceptable while others felt that this may not be necessary and offering caution in reducing bag limits as “once you give it up, you may never get it back.” Additionally, it was noted that reducing retention limits too far could have a notable negative impact on the ability to book charter trips, therefore caution should be exercised if there is a change in the retention limit. While some members noted that a retention limit reduction may be acceptable in the South Florida area, others felt that any changes should be region wide. There seemed to be general consensus that if the Council reduces recreational limits for dolphin, consider reducing the vessel limit but do not change the bag limit of 10 fish per person per day.

### Committee Action:

- NONE REQUIRED.
- THE COMMITTEE MAY WANT TO DISCUSS THE ACTION/ALTERNATIVES AND MODIFY, AS NEEDED.

## **Action 14. Allow filleting of dolphin at sea on board charter or headboat vessels in the Atlantic Exclusive Economic Zone north of the Virginia/North Carolina border.**

**Alternative 1 (No Action).** Dolphin possessed in the Atlantic Exclusive Economic Zone must be maintained with head and fins intact, with specific exceptions for fish lawfully harvested in the Bahamas. Such fish harvested from the Atlantic Exclusive Economic Zone may be eviscerated, gilled, and scaled, but must otherwise be maintained in a whole condition.

**Alternative 2.** Exempt dolphin from regulations requiring head and fins be intact on board properly permitted charter and headboat vessels in the Atlantic Exclusive Economic Zone north of the Virginia/North Carolina border where dolphin may be filleted under the following requirement(s):

**Sub-alternative 2a.** Skin must remain intact on the entire fillet of any dolphin carcass.

**Sub-alternative 2b.** Two fillets of dolphin, regardless of the length of each fillet, is the equivalent to one dolphin.

### **Discussion:**

- This action was added per guidance received at the June 2019 Council meeting in response to a request from the Mid-Atlantic Council “that the South Atlantic Fishery Management Council and Southeast Regional Office provide an exemption for the regulation prohibiting filleting of dolphinfish (mahi mahi) in the waters north of Cape Hatteras.”
- The Committee stated that the action should include options to require that the skin remains on the entire fillet and that two fillets would equal one fish for enforcement purposes. No frames would need to be retained.

### **IPT Recommendations/Comments:**

- The recreational ACL for dolphin is tracked in weight. Allowing filleting at sea in the Mid-Atlantic and New England regions will reduce size and weight measurements from recreational catches due to fewer measurements being collected dockside by creel surveyors.
- Filleting at sea is allowed for many federally regulated groundfish and flounder species in the Mid-Atlantic and New England regions. It is not allowed for golden tilefish, blueline tilefish, or HMS species such as federally regulated tunas, sharks, and swordfish.
- Analysis on catch composition of dolphin trips based on vessel trip reports (VTRs) from for-hire trips in the Mid-Atlantic and New England regions will be provided at a future meeting.

### **Committee Action:**

- NONE REQUIRED.
- THE COMMITTEE MAY WANT TO DISCUSS THE ACTION/ALTERNATIVES AND MODIFY, AS NEEDED.

### **Committee Action:**

- APPROVE ALL ACTIONS IN DOLPHIN WAHOO AMENDMENT 10, AS MODIFIED, FOR REVIEW AT THE DECEMBER 2020.

## **APPENDIX A**

### **Dolphin Annual Catch Limit Analysis**

#### *Introduction*

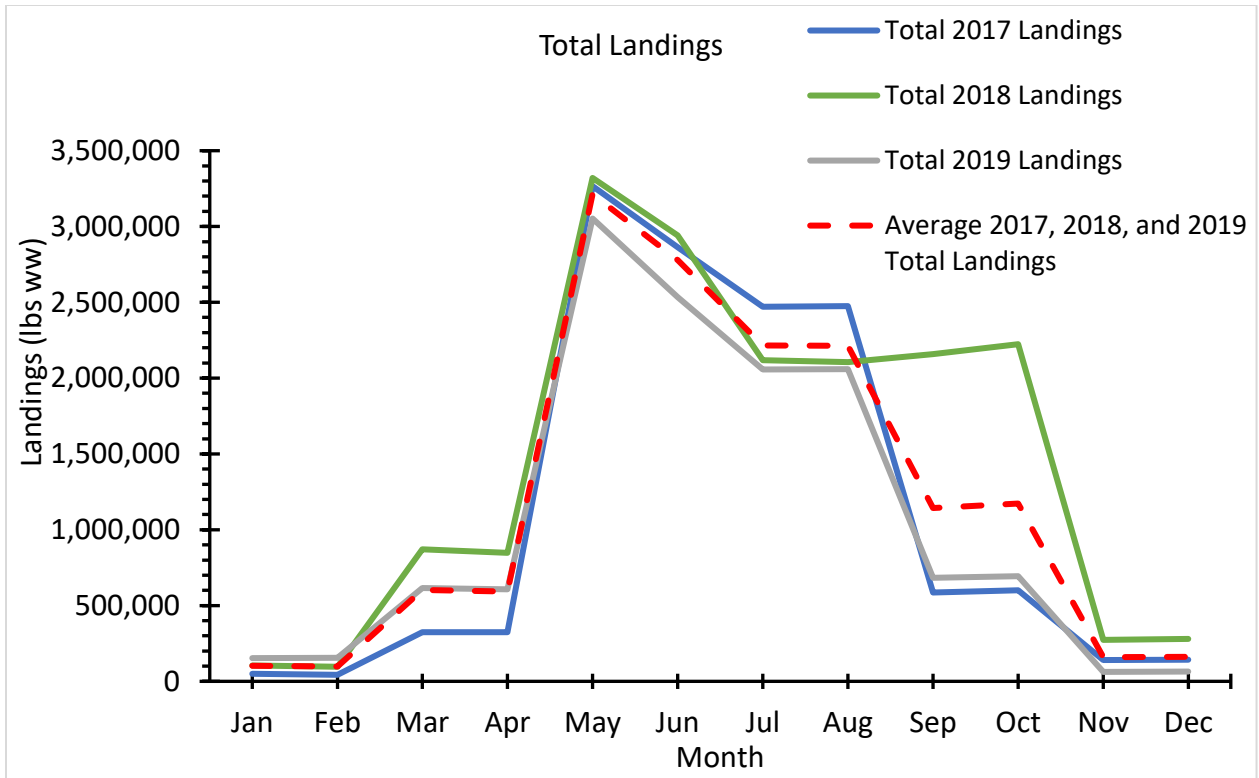
Amendment 10 to the Fishery Management Plan for the Dolphin Wahoo Fishery of the Atlantic (Amendment 10) is in the process of potentially revising annual catch limits (ACL), sector allocations, accountability measures, and management measures for dolphin and wahoo. The ACLs will be changed because in 2018 the recreational landings survey of Marine Recreational Information Program (MRIP) changed the effort component from a phone survey to a mail survey. Also, Amendment 10 is changing the area where the dolphin landings are included for the Atlantic region to include recreational landings from Monroe County, Florida. An analysis is needed to determine if the MRIP effort change and the addition of Monroe County landings will cause the ACL to be exceeded.

#### *Predicting Future Landings*

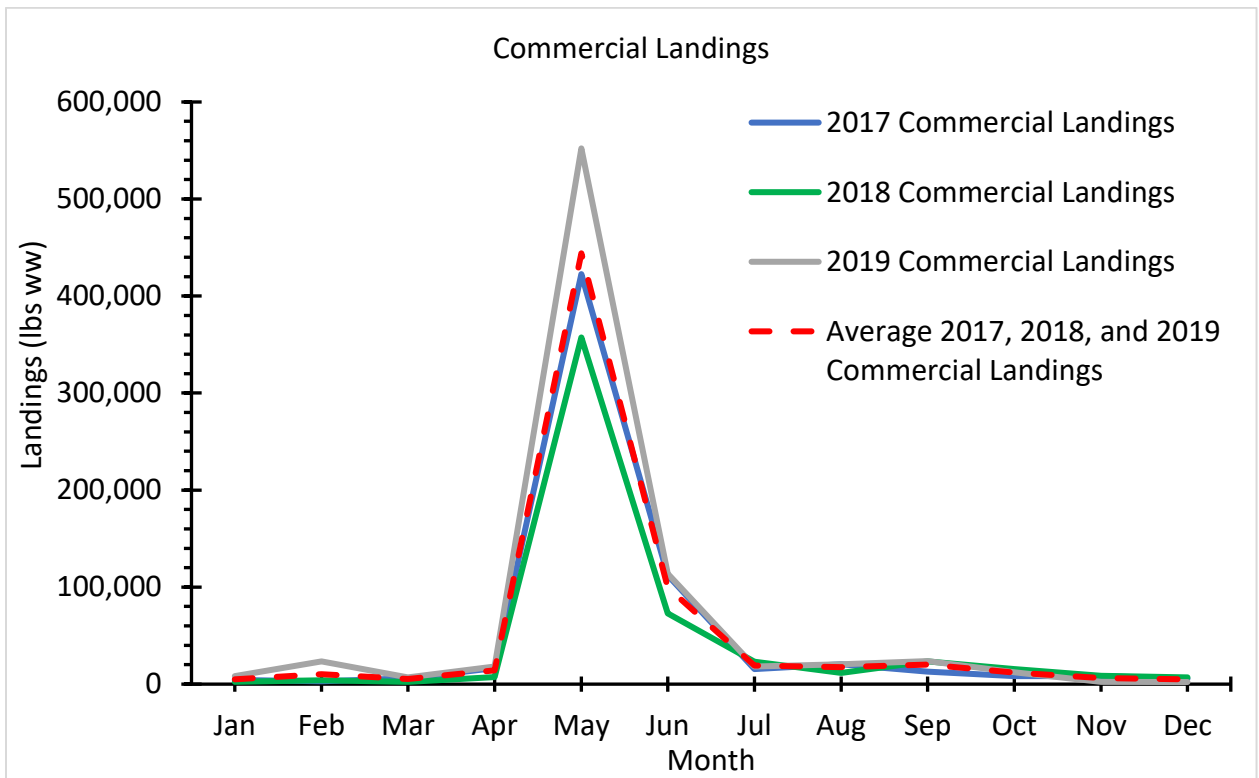
The first step in evaluating the change in the landings and the impact of an ACL change is predicting future landings. Updated dolphin commercial landings were provided by the Southeast Fisheries Science Center (SEFSC) on July 7, 2020 and updated recreational landings were provided on May 8, 2020. The recreational landings are in two-month waves (e.g. January/February) but were converted to months by assuming uniform daily landings within a wave. Since MRIP changed the effort component from a phone to a mail survey in 2018 conversion factors were used to provide the mail survey equivalent MRIP landings before 2018. The most recent years of landings were used as a proxy for future landings. Average three year annual landings from 2017, 2018, and 2019 were used. **Table A-1** provides the three-year average landings of the total (commercial and recreational), commercial, and recreational sectors. Total (commercial and recreational) landings by month are shown in **Figure A-1**, commercial monthly landings are provided in **Figure A-2**, and recreational landings are provided in **Figure A-3**. All of the landings are in pounds whole weight (lbs ww).

**Table A-1.** Three-year average of 2017, 2018, and 2019 landings for Atlantic dolphin. The “Total” landings in the table are the combined commercial and recreational landings.

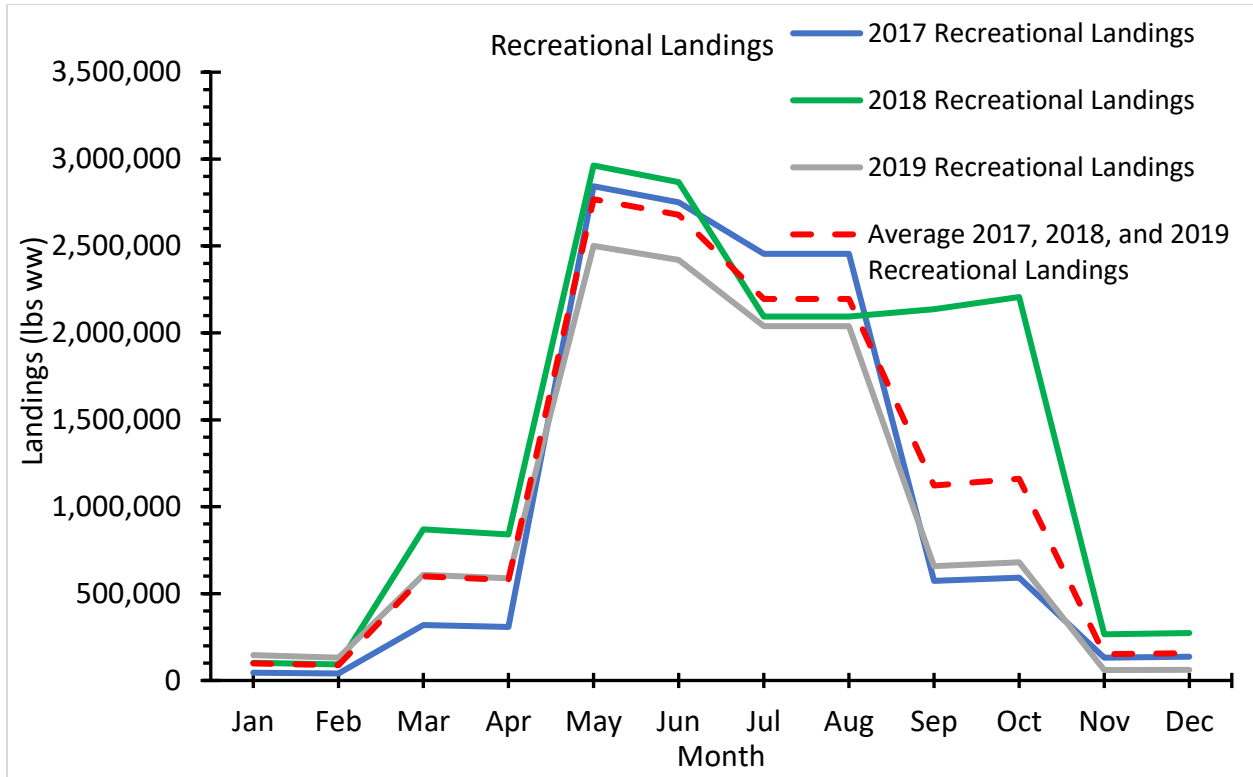
<b>Sector</b>	<b>Three Year Average (lbs ww)</b>
Total	14,452,617
Commercial	657,900
Recreational	13,794,717



**Figure A-1.** Atlantic dolphin total landings by month for 2017, 2018, and 2019. The red dashed line is the average of the landings from 2017, 2018, and 2019. The total landings are both the commercial and recreational landings combined.



**Figure A-2.** Atlantic dolphin commercial landings by month for 2017, 2018, and 2019. The red dashed line is the average of the landings from 2017, 2018, and 2019.



**Figure A-3.** Atlantic dolphin recreational landings by month for 2017, 2018, and 2019. The red dashed line is the average of the landings from 2017, 2018, and 2019.

*Actions and Alternatives*

Action 1 of Amendment 10 considers different Atlantic dolphin total annual catch limits. The total annual catch limit is for both the landings from the commercial and recreational sectors combined. The recent three-year average of total landings (commercial and recreational) (14,452,617 lbs ww) is below all of the ACLs listed under the Action 1 Alternatives. The Alternative 1 ACL (15,344,846 lbs ww) is not applicable because it’s the current ACL which was derived with the old MRIP data (phone survey) and did not include the Monroe County, Florida recreational landings. Therefore no ACL overages are expected with the Action 1 Alternatives (**Table A-2**).

**Table A-2.** Action 1 annual catch limit alternatives Amendment 10, and prediction of the average total landings from 2017, 2018, and 2019 would meet or exceed the ACL. This action proposes total annual catch limits which has both the commercial and recreational landings combined for one annual catch limit.

Alternative	Dolphin ACL (lbs ww)	ACL Exceeded
Alternative 1 (No Action)	15,344,846	Not Applicable
Alternative 2	24,570,764	No
Alternative 3	23,342,226	No
Alternative 4	22,113,688	No

Action 3 of Amendment 10 revises the Atlantic dolphin sector allocations and sector ACLs. The three-year average was compared to the ACLs to determine if there is an ACL overage for the individual commercial and recreational sectors. The predicted landings for both the commercial and recreational sectors are below the ACLs stated in Action 3. Therefore, no Atlantic dolphin ACL overages are expected (**Table A-3**).

**Table A-3.** Action 3 annual catch limit alternatives for Amendment 10, and predicted closures using the average total landings from 2017, 2018, and 2019. This action separates the annual catch limits into the separate commercial and recreational sectors.

<b>Alternative</b>	<b>Commercial Sector ACL (lbs ww)</b>	<b>Commercial ACL Closure Date</b>	<b>Recreational Sector ACL (lbs ww)</b>	<b>Recreational ACL Closure Date</b>
Alternative 1	2,457,076	No Closure	22,113,688	No Closure
Alternative 2	1,471,789	No Closure	23,098,975	No Closure
Alternative 3	1,250,652	No Closure	23,320,112	No Closure
Alternative 4	1,535,673	No Closure	23,035,091	No Closure
Alternative 5	1,719,953	No Closure	22,850,811	No Closure
Alternative 6	1,965,661	No Closure	22,605,103	No Closure

## **APPENDIX B**

### **Wahoo Annual Catch Limit Analysis**

#### *Introduction*

Amendment 10 to the Fishery Management Plan for the Dolphin Wahoo Fishery of the Atlantic (Amendment 10) is in the process of potentially revising annual catch limits (ACL), sector allocations, accountability measures, and management measures for dolphin and wahoo. The ACLs will be changed because in 2018 the recreational landings survey of Marine Recreational Information Program (MRIP) changed the effort component from a phone survey to a mail survey. Also, Amendment 10 is changing the area where the Atlantic wahoo recreational landings are included to include recreational landings from Monroe County, Florida. An analysis is needed to determine if the MRIP effort change and the addition of Monroe County recreational landings will cause the ACL to be exceeded.

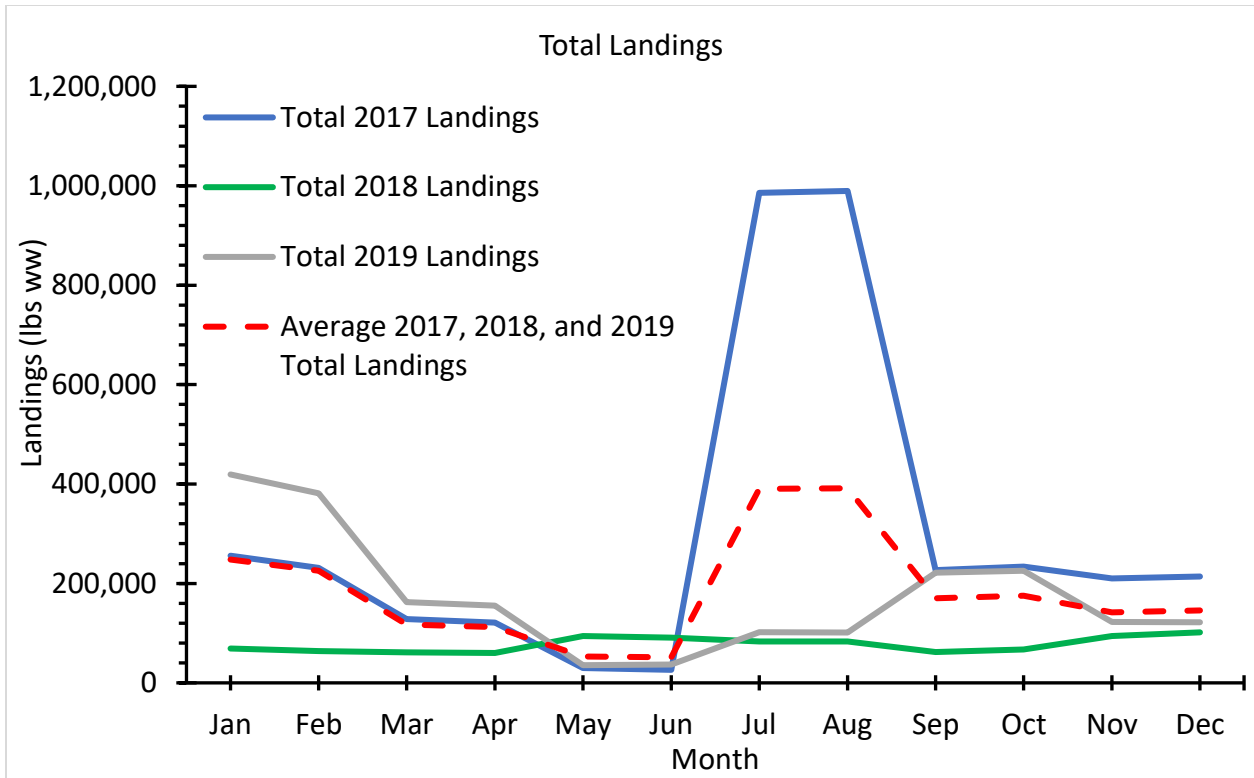
#### *Predicting Future Landings*

The first step in evaluating the change in the landings and the impact of an ACL change is predicting future landings. Updated wahoo commercial landings were provided by the Southeast Fisheries Science Center on July 7, 2020, and updated recreational landings were provided on May 8, 2020. The recreational landings are in two-month waves (e.g. January/February) but were converted to months by assuming uniform daily landings within a wave. Since in 2018 MRIP changed the effort component from a phone to a mail survey conversion factors were used to provide the mail survey equivalent MRIP landings before 2018. The most recent years of landings were used as a proxy for future landings. Average three year annual landings from 2017, 2018, and 2019 were used. **Table B-1** provides the three-year average landings of the total (commercial and recreational), commercial, and recreational sectors. Total (commercial and recreational) landings by month are shown in **Figure B-1**, commercial monthly landings are provided in **Figure B-2**, and recreational landings are provided in **Figure B-3**. All of the landings are in pounds whole weight (lbs ww).

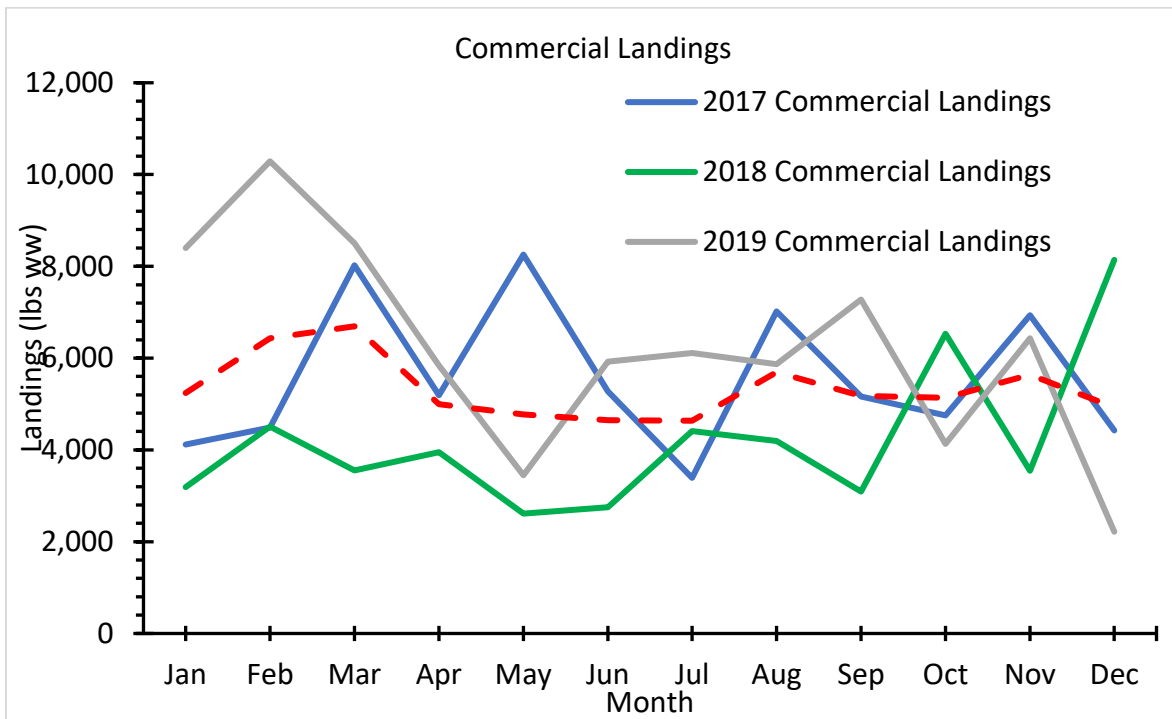
**Table B-1.** Three-year average of 2017, 2018, and 2019 landings for Atlantic wahoo. The “Total” landings in the table are the combined commercial and recreational landings.

<b>Sector</b>	<b>Three Year Average (lbs ww)</b>
Total	2,223,177
Commercial	63,989
Recreational	2,159,188

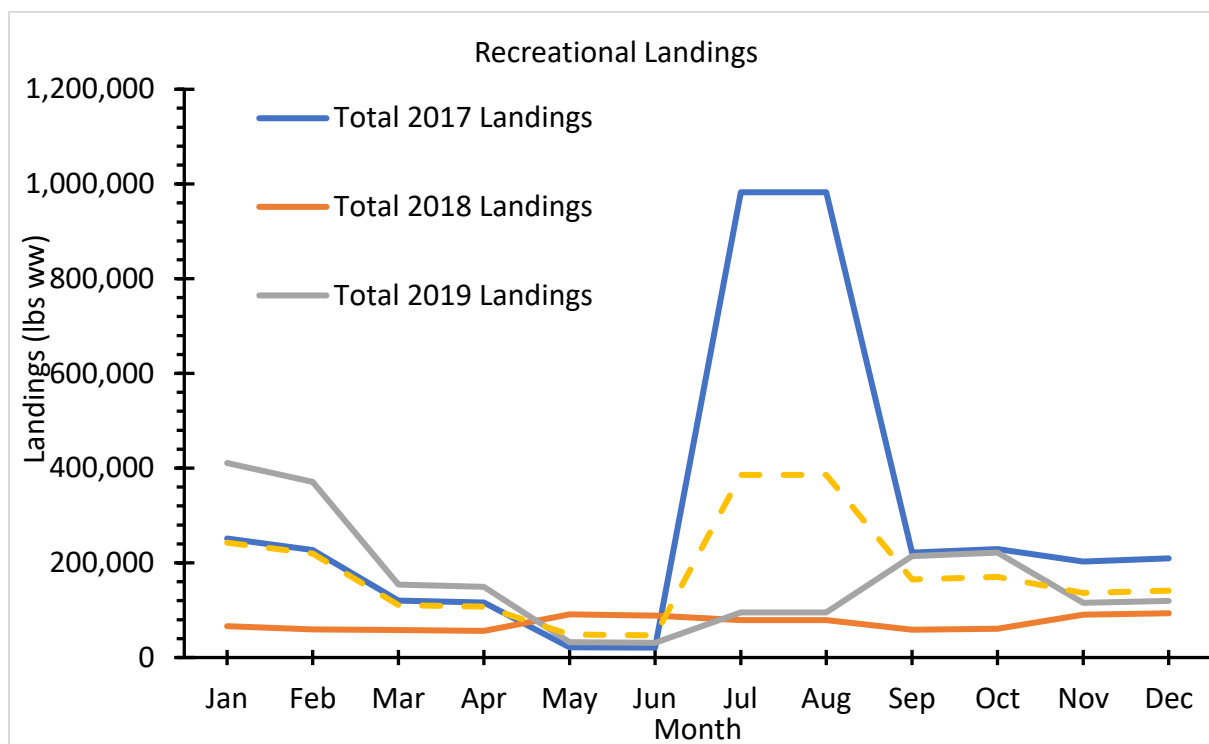




**Figure B-1.** Atlantic wahoo total landings by month for 2017, 2018, and 2019. The red dashed line is the average of the landings from 2017, 2018, and 2019. The total landings are both the commercial and recreational landings combined.



**Figure B-2.** Atlantic wahoo commercial landings by month for 2017, 2018, and 2019. The red dashed line is the average of the landings from 2017, 2018, and 2019.



**Figure B-3.** Atlantic wahoo recreational landings by month for 2017, 2018, and 2019. The red dashed line is the average of the landings from 2017, 2018, and 2019.

#### *Actions and Alternatives*

Action 2 of Amendment 10 considers different Atlantic wahoo total annual catch limits. The total annual catch limit is for both the landings from the commercial and recreational sectors combined. The recent three-year average of total landings (commercial and recreational) (2,223,177 lbs ww) is below all of the ACLs listed under the Action 2 Alternatives except for the Alternative 1. However, the Alternative 1 ACL (1,794,960 lbs ww) is not applicable because it's the current ACL which was derived with the old MRIP data (phone survey) and did not include the Monroe County, Florida recreational landings. Therefore no ACL overages are expected with the Action 2 Alternatives (**Table B-2**).

**Table B-2.** Action 2 annual catch limit alternatives from Amendment 10, and a prediction if the ACL would be exceeded using the average total landings from 2017, 2018, and 2019. This action proposes total annual catch limits which has both the commercial and recreational landings combined for one annual catch limit.

Alternative	Wahoo ACL (lbs ww)	ACL Exceeded
Alternative 1 (No Action)	1,794,960	Not Applicable
Alternative 2	2,885,303	No
Alternative 3	2,741,038	No
Alternative 4	2,596,773	No

Action 4 of Amendment 10 revises the Atlantic wahoo sector allocations and sector ACLs. The three-year average landings were compared to the Action 4 Alternative ACLs to determine if

there is an ACL overage for the individual commercial and recreational sectors. The predicted landings (three-year average landings) for both the commercial and recreational sectors are below the ACLs stated in Action 4. Therefore, no Atlantic wahoo ACL overages are expected (**Table B-3**).

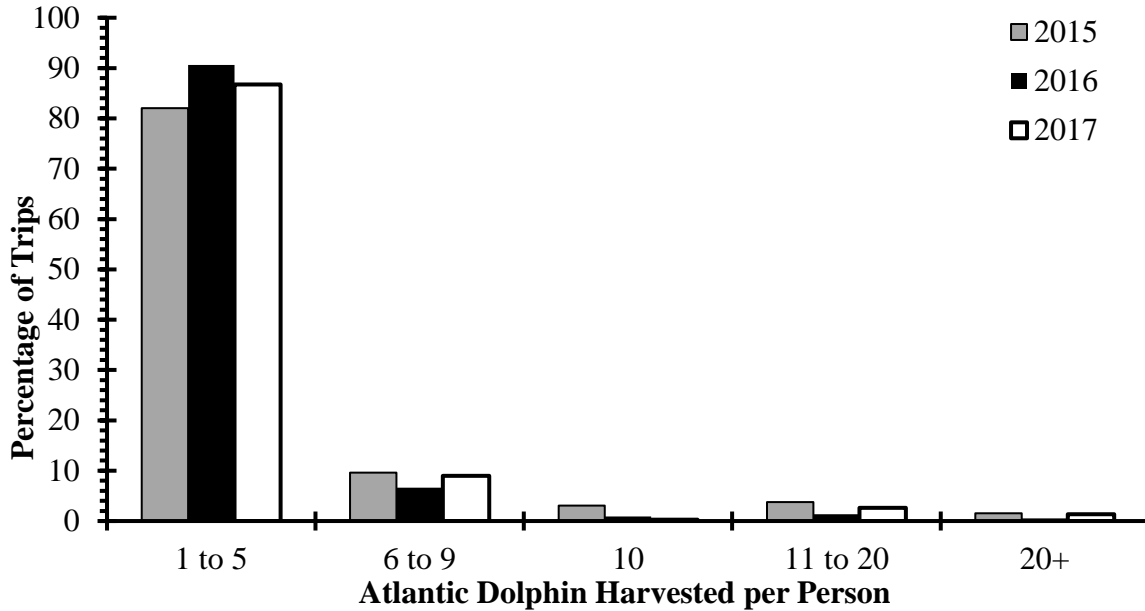
**Table B-3.** Action 4 annual catch limit alternatives for Amendment 10 and predicted closure dates using the average total landings from 2017, 2018, and 2019. This action separates the annual catch limits into the separate commercial and recreational sectors.

<b>Alternative</b>	<b>Commercial Sector ACL (lbs ww)</b>	<b>Commercial ACL Closure Date</b>	<b>Recreational Sector ACL (lbs ww)</b>	<b>Recreational ACL Closure Date</b>
Alternative 1	113,392	No Closure	2,771,911	No Closure
Alternative 2	73,575	No Closure	2,811,728	No Closure
Alternative 3	105,314	No Closure	2,779,989	No Closure
Alternative 4	70,401	No Closure	2,814,902	No Closure
Alternative 5	86,559	No Closure	2,798,744	No Closure

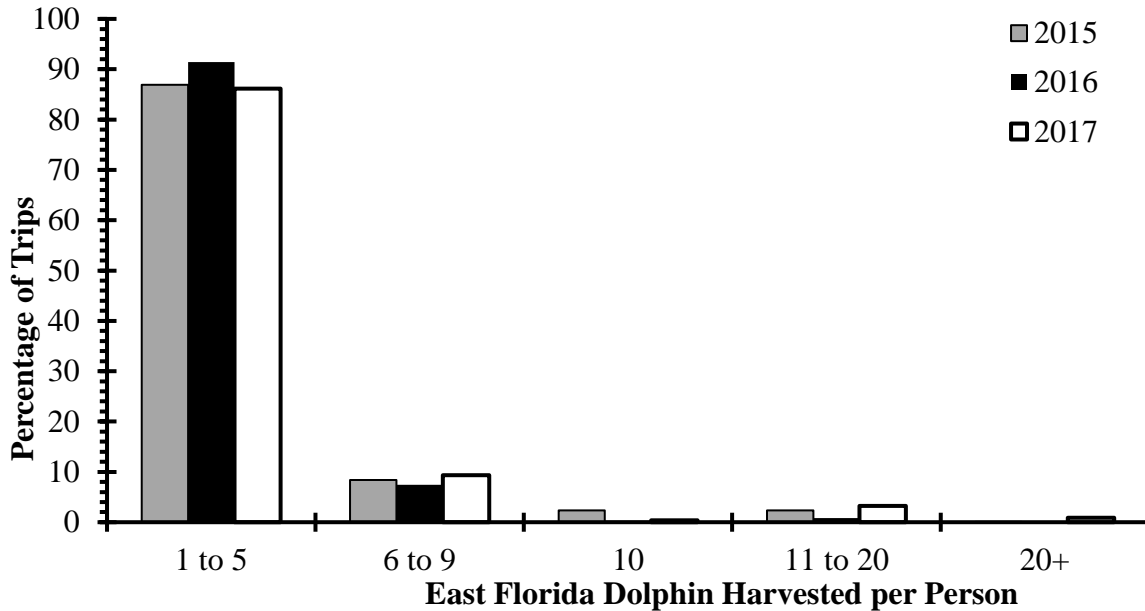
## **APPENDIX C**

### **Atlantic Dolphin Bag Limit Analysis**

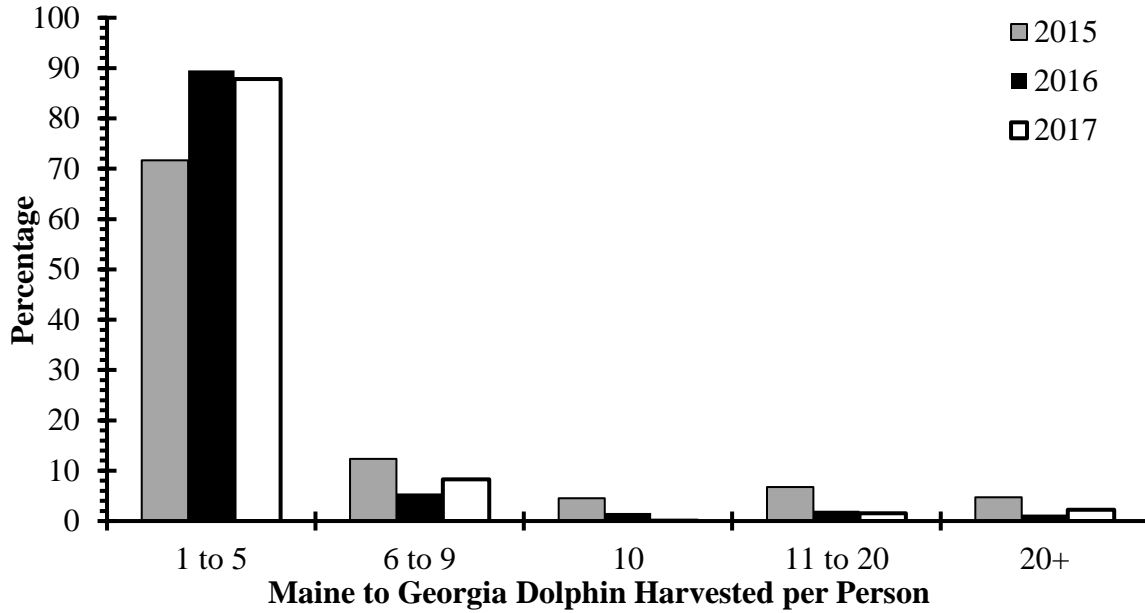
The South Atlantic Fishery Management Council is drafting Amendment 10 to the dolphin and wahoo fishery management plan. This Amendment is considering changes to the dolphin bag limit per person and changes to the dolphin vessel limit for the recreational sector. The current bag limit is 10 dolphin per person and the current vessel limit is 60 dolphin per vessel. To analyze these potential changes South Atlantic recreational datasets from Marine Recreational Information Program (MRIP) and Southeast Regional Headboat Survey were explored to determine the numbers of dolphin harvested per person and per vessel. Data from the most recent years of complete data (2015-2017) were used. The effort component of MRIP was changed from a phone survey to mail survey in 2018, the new MRIP mail survey (MRIP FES) data was used. MRIP data before 2018 were converted with calibration factors to equivalent MRIP FES data. MRIP trip, catch, and size datasets were downloaded from the NOAA recreational landings website ([www.fisheries.noaa.gov](http://www.fisheries.noaa.gov)) on April 25, 2019. There were 2,932 intercepts that recorded dolphin harvested from 2015-2017 for the Atlantic (Maine through east Florida, including Monroe County, Florida) and 1,083 intercepts were available from East Florida (Georgia/Florida border through Monroe County, Florida). The trips were expanded based on sample weight to account for the effort component of MRIP FES. Headboat data were provided from the Southeast Fisheries Science Center on June 22, 2018, and had 2,837 Headboat trips in the Atlantic and 2,303 Headboat trips in east Florida that had dolphin harvest. Since Amendment 10 is considering changes to the bag/vessel limit for both Atlantic dolphin (Maine to east Florida) and also just for east Florida the distribution of dolphin harvested per person and per vessel for both Atlantic and east Florida were provided. In both cases Monroe County, Florida is included in east Florida. **Figure C-1** provides the distribution of the dolphin harvested per person for Atlantic dolphin, **Figure C-2** provides the distribution of the dolphin harvested per person for east Florida, and **Figure C-3** provides the distribution of the dolphin harvested per person from Maine to Georgia. The majority of the trips (86% in the Atlantic and 87% in east Florida) harvested 5 or less dolphin per person. Dolphin harvested per vessel was explored in MRIP by adding the dolphin harvest from different people interviewed on the same trip into one overall boat harvest for a vessel trip. Dolphin harvest per vessel for Headboat was determined by the number of dolphin harvested on a trip and ignored the number of people. **Figure C-4** provides the distribution of the dolphin harvested per vessel for Atlantic dolphin, **Figure C-5** provides the distribution of the dolphin harvested per vessel for east Florida, **Figure C-6** provides the distribution of the dolphin harvested per vessel from Maine to Georgia. The majority of the trips (94% in the Atlantic and 96% in east Florida) harvested less than 10 dolphin per vessel.



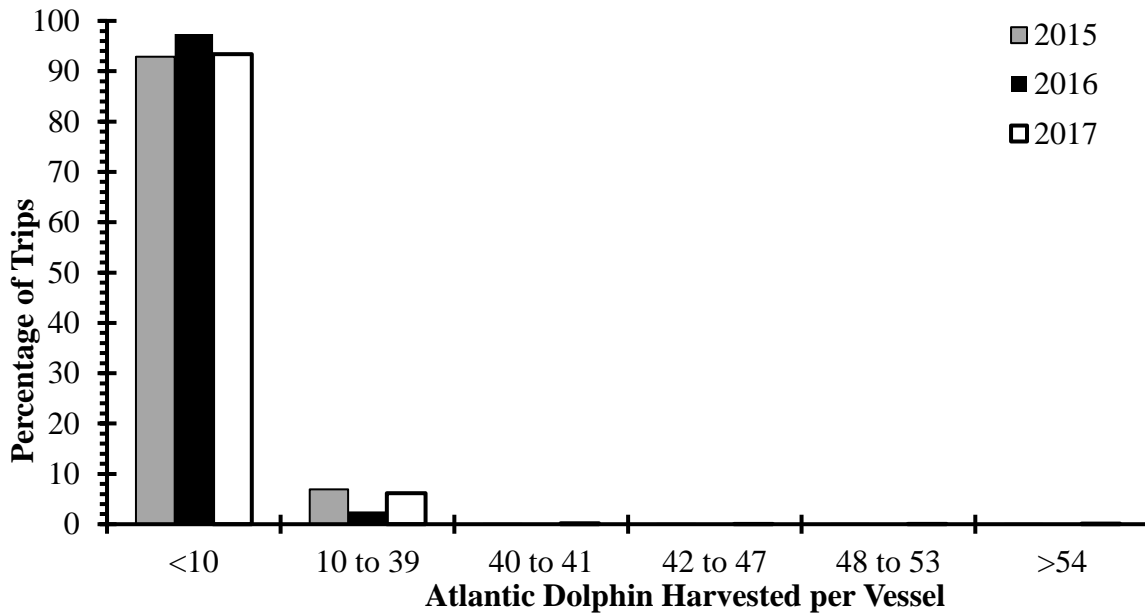
**Figure C-1.** Distribution of Atlantic dolphin harvested per angler by year for 2015, 2016, and 2017. The data comes from MRIP (2,205,414 angler trips) and Headboat (2,837 trips) recreational surveys. These results are from Maine to Florida and include Monroe County, Florida.



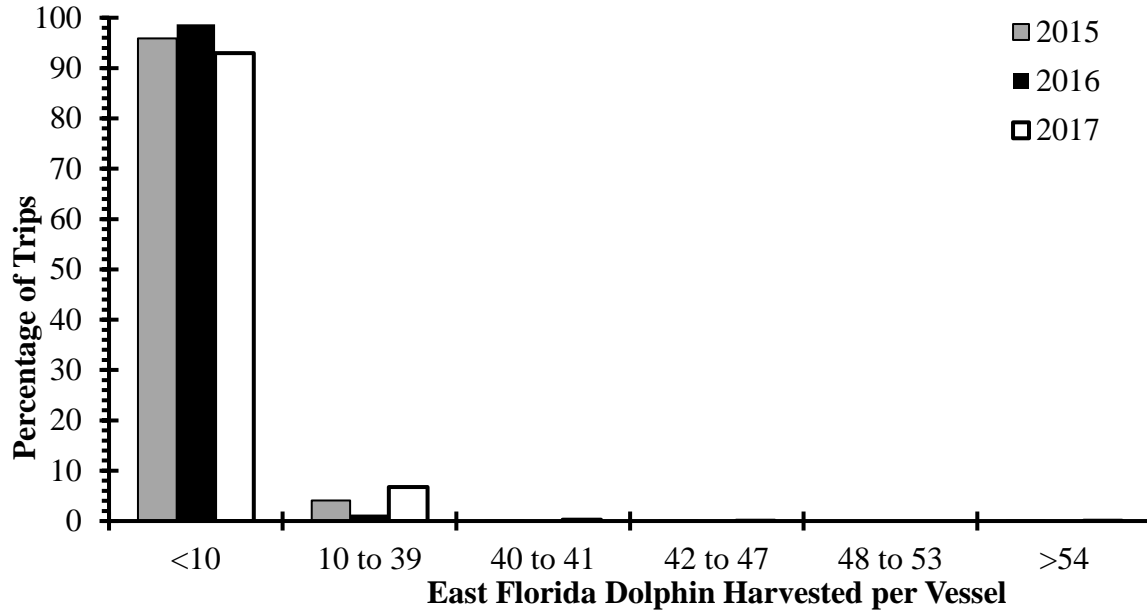
**Figure C-2.** Distribution of east Florida dolphin harvested per angler by year for 2015, 2016, and 2017. The data comes from MRIP (1,416,795 angler trips) and Headboat (2,303 trips) recreational surveys. These results are from east Florida and include Monroe County.



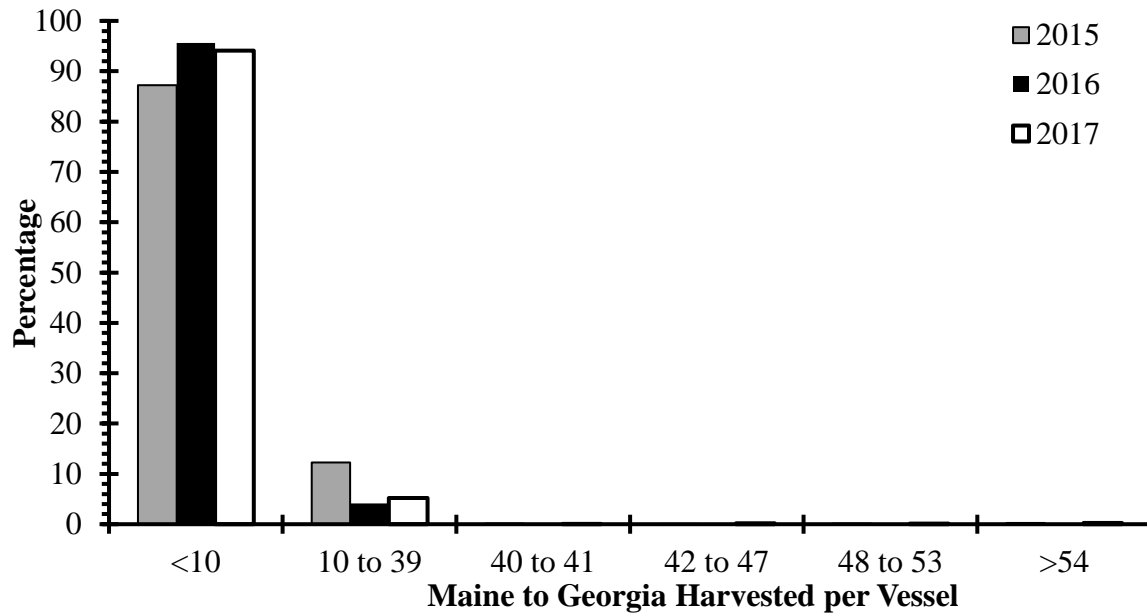
**Figure C-3.** Distribution of Maine to Georgia dolphin harvested per angler by year for 2015, 2016, and 2017. The data comes from MRIP (788,619 angler trips) and Headboat (534 trips) recreational surveys.



**Figure C-4.** Distribution of Atlantic dolphin harvested per vessel per year for 2015, 2016, and 2017. The data comes from MRIP (1,884,919 vessel trips) and Headboat (2,837 trips) recreational surveys. The results are from Maine to Florida and include Monroe County, Florida.



**Figure C-5.** Distribution of east Florida dolphin harvested per vessel per year for 2015, 2016, and 2017. The data comes from MRIP (1,164,106 vessel trips) and Headboat (2,303 trips) recreational surveys. The results are from east Florida and include Monroe County, Florida.



**Figure C-6.** Distribution of Maine to Georgia dolphin harvested per vessel per year for 2015, 2016, and 2017. The data comes from MRIP (720,813 vessel trips) and Headboat (534 trips) recreational surveys.