

Summary Report

Dolphin Wahoo Advisory Panel Meeting

April 20-21, 2022

The South Atlantic Council's Dolphin Wahoo Advisory Panel (AP) convened in Charleston, SC on April 20-21, 2022.

The AP approved minutes from the October 2020 meeting and the agenda for the April 2022 meeting.

There was no public comment given, either in the room or via webinar. AP members were all made aware of the written public comment that had been made online prior to the meeting.

Kerry Marhefka, Chair of the Dolphin Wahoo Committee for the South Atlantic Fishery Management Council (Council), provided opening remarks along with a framework for what the Council was looking for from the AP at the meeting. This went a long way towards helping the AP understand what was at stake at the current meeting and what issues to focus on.

1. Update on recent regulation changes and status of amendments

Council staff updated the AP on the status of recent and developing Council actions, regulation changes, and other related efforts including:

- Dolphin Wahoo Amendment 12 (Bullet Mackerel and Frigate Mackerel as Ecosystem Component Species)
- Dolphin Wahoo Amendment 10 (Revise Dolphin and Wahoo catch levels and management measures)
- Dolphin Wahoo Regulatory Amendment 3 (Modifications to the minimum size limit, recreational retention limits, and for-hire captain and crew bag limits for dolphin)
- Potential changes to the pelagic longline fishery and the updated Biological Opinion for the Dolphin Wahoo fishery
- Recent actions by the Florida Fish and Wildlife Conservation Commission that reduce recreational retention limits for dolphin in state waters

This helped set the stage or discussion of Regulatory Amendment 3 and brought the potential regulatory conflict in Florida state versus federal waters to the attention of the AP. It also served as a reminder that Amendment 10 was going into effect very shortly after the time of the meeting.

2. Update on the SAFMC Citizen Science Program

Council staff provided an update of program activities and recent efforts of the Citizen Science Program. Of particular note was the discussion regarding FISHstory and its potential impact on historical size data. There was a good degree of consensus within the AP that this project could provide useful data and augment other data sources. Several AP members indicated that they had some older photos that could be helpful to the project and would be willing to assist with the process.

3. Fishery Performance Report update for dolphin

With input from the APs, Fishery Performance Reports (FPRs) have been developed for several fish species managed by the Council. The intent of the FPRs is to assemble information from AP members' experience and observations on the water and in the marketplace to complement scientific and landings data. Council staff provided an overview of landings trends as well as other background information and the AP focused their input based on a series of discussion questions from which the FPR for dolphin was developed. This sparked a very spirited discussion amongst the AP members. There was participation from all present members throughout the discussion, including those that had joined via webinar. A copy of the full report as well as other FPRs, including the previously completed FPRs for dolphin and wahoo can be found at: <https://safmc-shinyapps.shinyapps.io/FPRAll/>.

4. Regulatory Amendment 3 – Modifications to the minimum size limit, recreational retention limits, and for-hire captain and crew bag limits for dolphin

Regulatory Amendment 3 contains actions that would potentially increase the applicable geographic range of the 20 inch minimum size limit for dolphin, modify recreational bag and vessel limits for dolphin, potentially with varying limits by mode (i.e. private vessels, charter vessels, and headboats), and reduce or remove captain and crew bag limits for dolphin onboard charter vessels. The amendment is in the early stages of development. It was approved for scoping at the Council's March 2022 meeting, but scoping will not occur until after the Council's next review of the amendment at their June 2022 meeting in Key West, Florida.

Council staff provided an overview of the development and status of the amendment. The AP reviewed all potential actions currently being considered in the amendment, providing the following comments and recommendations:

General comments:

- From the FL perspective, the stock is a shared stock and everyone should make a compromise.
- Dolphin are so migratory that each region is sharing the same stock. What happens in one region impacts another.
- Fish outside of the EEZ are going to be targeted by other fleets. The Council is not able to manage all of the major fisheries for dolphin due to the international nature of the fishery.
- If limits are reduced, that is going to affect NC charter business whereas that may not be the case for most charter businesses in FL.
- Private and charter vessels could be treated differently rather than split up geographically.
 - Given large portion of harvest from private vessels, that may need to be the focus if any meaningful harvest reductions are made.
- In SC, have seen decline in quality (size) of the fish. Want to increase the average size of the fish landed.
- In GA, the dolphin fishery is predominantly private recreational (i.e. harvest is largely driven by private vessels).

Modify the applicable geographic range of the minimum size limit for dolphin

Comments:

- Those from states where a 20” minimum size for dolphin is already in place widely supported the expansion of that 20” minimum size limit northward throughout the range of the species.
- This concept met stiff resistance in discussion from those operating charter boats in North Carolina, as it would have a damaging effect on the “bailer” dolphin fishery, which supports these operators through the summer season.
- Arguments offered by AP members **in support** of extending the 20” minimum size limit north of the NC/SC state line:
 - Florida, Georgia, and South Carolina are allowing more dolphin to get to spawning size by releasing fish under 20”.
 - The minimum size limit is a marginal but preventative conservation measure. It allows the fish to attain maturity and potentially spawn before being harvested.
 - There is not much meat yield on a dolphin less than 20”. Allowing the fish to grow larger before being harvested would be a better use of the fish.
 - A minimum size limit discourages targeting of very small fish.
- Arguments offered by AP members **against** extending the 20” minimum size limit north of the NC/SC state line:
 - Will imperil the NC charter boat fleet during the summer, clients will lose interest and less trips will be booked. Also will add a potential reason to receive a ticket if a “short” fish accidentally ends up in the fish box.
 - Florida takes the majority of the recreational/for-hire catch of dolphin, even with a 20” minimum size.
 - Not much is known about the potential mortality of released “short” dolphin, it is perceived that keeping a shorter one could be less harmful to the stock than “culling” through “short” fish to get to a particular length of fish of legal size.
 - Even with the directed “bailer” fishery in the for-hire sector in NC, the average length of a dolphin landed is still 23”. There is self-policing that minimizes small fish that are harvested, particularly for charter boats.
- It was noted that a minimum size limit would likely have little to no effect on the commercial fishery since the hook sizes and the gear typically used limits the number of smaller fish that are caught.
- A motion was made to recommend extending the 20” minimum size limit northward through Maine. When it came to a vote, the result was a deadlock, with one AP member choosing to abstain.

Recommendations:

- Consider extending the size limit to be consistent across the entire management unit.
- Do not make changes to the size limit.
- A 20” minimum size limit could have a provision for a certain number of fish in the bag or vessel limit that could potentially be short of that size.

- This approach could minimize the impacts on the for-hire sector while also incurring some of the benefits of a size limit such as discouraging targeting of small fish (i.e. a hybrid approach).
- Consider potential variation between size limits onboard for-hire and private vessels.

Modify the daily recreational bag limit for dolphin

Comments:

- It was stated by several AP members from throughout the region that the disparity between the landings from the private recreational fleet and the for-hire fleet was massive. The data presented to the AP underlined this sentiment, as the last 5 years showed the private recreational fleet taking 83% of estimated total recreational landings and 79% of total dolphin landings overall.
- It was noted that the data are now more accurate for the for-hire fleet than it is for the private recreational fleet since for-hire operators are working under electronic reporting mandates.
- Several AP members stated that the for-hire sector would be hurt more by a reduction in daily bag limits than would the private recreational boats.

Recommendations:

- If limits are changed, consider higher limits for charter vessels than private vessels.
 - Help protect the viability of the charter industry by maintaining an incentive for customers to book trips while also encouraging buy-in if other measures are considered.
 - If the bag limit is changed for charter vessels, change the bag limit onboard headboat vessels to the same number of fish.

Modify the recreational vessel limit for dolphin

Comments:

- It was noted that while the for-hire industry takes less than 20% of the landings, they do catch more dolphin per trip than the private recreational fleet.
- There was consensus from all AP members that the headboat catch of dolphin was insignificant with regards to the ACL and headboats should continue to not have a vessel limit.

Recommendations:

- Do not implement a vessel limit for headboats.
- Several AP members advocated for a higher vessel limit for charter boats than for private recreational vessels. There was no opposition stated to this concept. It was perceived that this would not be nearly as big a burden on private recreational anglers as it would be on for-hire vessels.
- If the vessel limit is changed, maintain a limit divisible by 6.

Modify captain and crew recreational daily bag limits for dolphin onboard charter vessels

Comments:

- There was consensus from all AP members that captain and crew should still be able to retain a daily bag limit in the for-hire dolphin fishery, provided that the recreational vessel limit would not be exceeded.

Recommendations:

- Maintain captain and crew bag limits.
 - Make captain and crew bag limits the same as bag limits for anglers onboard charter vessels.
 - These limits are important on charter trips, particularly those with a low number of anglers.
 - Could be used as a conservation tool that also maintains the viability of the charter industry if individual bag limits are reduced.

5. Regional management needs and potential future changes to the Dolphin Wahoo Fishery Management Plan

Due to time constraints, this topic was not discussed as a stand alone item but several aspects of regional management and future management needs were captured in the development of the FPR for dolphin and in discussion of Regulatory Amendment 3.

6. Other Business

There were no items under other business

Members attending in-person

Chris Burrows, NC (Chair)
Jonathan Reynolds, FL (Vice Chair)
Glenn Hopkins, NC
Dan Owsley, GA
Rom Whitaker III, NC
James “Chip” Berry, SC
Tim Scalise, SC
Michael Plaia, CT

Members attending via webinar

Richard DeLizza, FL
Jay Kavanaugh, NC