

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

(Revise annual catch limits, accountability measures, sector allocations, 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 the availability of revised recreational data from the Marine Recreational Information Program (MRIP), 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, both of which are higher than the previously recommended ABCs. The Only Reliable Catch Stocks (ORCS) method was discussed but the SSC had some 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 may 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 **7** relate to potential revisions to the definition of optimum yield. **Actions 8** through **10** would change accountability measures. The remaining actions (**Actions 11** through **15**) implement miscellaneous 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 redefine optimum yield in the dolphin fishery

- **Action 5.** Revise the optimum yield definition for dolphin
- **Action 6.** Establish a commercial annual catch target for dolphin
- **Action 7.** Modify the recreational annual catch target for dolphin

Actions that change accountability measures

- **Action 8.** Revise the commercial accountability measures for dolphin
- **Action 9.** Revise the recreational accountability measures for dolphin
- **Action 10.** Revise the recreational accountability measures for wahoo

Actions that implement miscellaneous management revisions in the dolphin and wahoo fisheries

- **Action 11.** Allow properly permitted commercial vessels with gear on board that are not authorized for use in the dolphin wahoo fishery to possess dolphin or wahoo
- **Action 12.** Remove the requirement of vessel operators or crew to hold an Operator Card in the Dolphin Wahoo Fishery
- **Action 13.** Modify the recreational vessel limit for dolphin
- **Action 14.** Modify gear, bait, and training requirements in the commercial longline fishery for dolphin and wahoo to align with Highly Migratory Species requirements
- **Action 15.** 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 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.
June 2020	Council reviews Purpose and Need statements and provides guidance on actions.
September 2020	Council reviews preliminary effects, provides guidance on actions, approves Purpose and Need statements, selects preferred alternatives, and approves for public hearings.
Fall 2021	Public hearings occur.
December 2020	Council reviews public hearing comments and revised effects. Also provides guidance on actions.
March 2021	Council reviews revised effects and 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 [annual catch limits (ACL)], annual catch targets (ACT), accountability measures (AM), sector allocations, and management measures for dolphin and wahoo. The revisions to the ABC and ACL incorporate recreational data as per the Marine Recreational Information Program (MRIP) using the Fishery Effort Survey method, as well as updates to commercial and for-hire landings.

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 as 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 (ACL) 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. The current total annual catch limit for dolphin is 15,344,846 pounds whole weight.

~~**Alternative 2.** The total annual catch limit for dolphin is set equal to the acceptable biological catch. Revise the total annual catch limit for dolphin to reflect the updated 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:

- At the June 2019 meeting, the Committee approved this action and requested sub-alternatives that allow for a buffer between the ABC and the ACL.
- 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 (**Figure 1**). The existing ABC for dolphin is 15,344,846 lbs ww and the previously recommended ABC from the October 2019 SSC meeting was 18,354,469 lbs ww.
- 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 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.
- The potential revised dolphin ACLs are below some of the observed landings in recent years (**Figure 1, Table 2**). Depending on the accountability measure, the new ACL may be constraining on total harvest, particularly for the recreational sector.

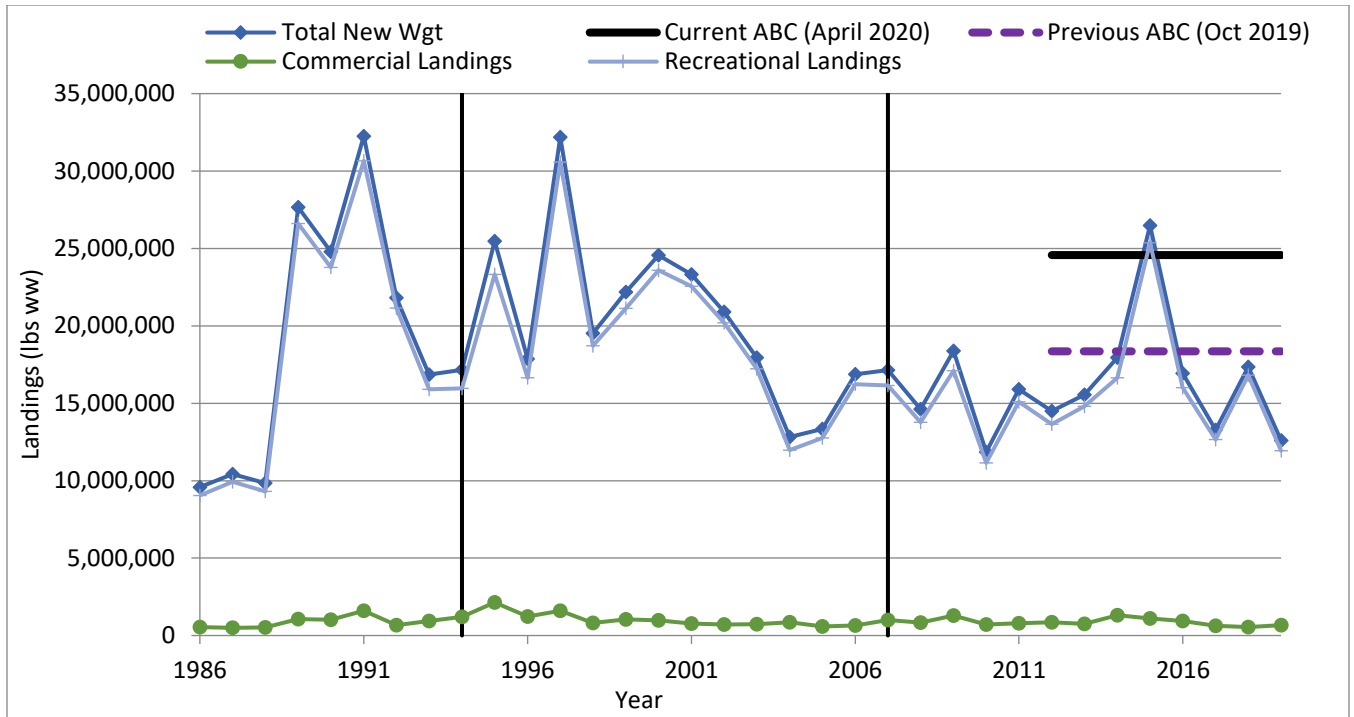


Figure 1. Atlantic dolphin landings (pounds whole weight) from 1986-2019 in comparison to the previous ABC recommendation from the October 2019 SSC meeting and the current ABC recommendation from the April 2020 SSC meeting. The solid vertical lines indicate baseline years (1994 to 2007) selected by the SSC for setting the dolphin ABC. Please note that 2019 landings are preliminary.

Table 1. Percent standard errors (PSEs) for recreational Atlantic dolphin landings (by weight), 2009-2018.

Year	Recreational PSEs for Dolphin
2009	9.0%
2010	10.6%
2011	8.6%
2012	16.8%
2013	29.5%
2014	17.3%
2015	15.4%
2016	9.4%
2017	19.6%
2018	14.2%

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 (3rd highest landings from 1994-2007). Please note that 2019 landings are preliminary.

Alternative	Dolphin ACL (lbs ww)	Average Dolphin Landings (lbs ww) 2015-2019	Average Dolphin Landings (lbs ww) 2017-2019	2019 Dolphin Landings (lbs ww)
Alternative 1 (No Action)	15,344,846	N/A	N/A	N/A
Alternative 2	24,570,764	17,329,415	14,407,931	12,597,964
Alternative 3	23,342,225	17,329,415	14,407,931	12,597,964
Alternative 4	22,113,687	17,329,415	14,407,931	12,597,964

Committee Action:

- APPROVE THE IPT'S SUGGESTED EDITS TO ACTION 1 IN AMENDMENT 10 (HIGHLIGHTED IN YELLOW).
- DO NOT APPROVE THE IPT'S SUGGESTED EDITS TO ACTION 1 IN AMENDMENT 10 (COMMITTEE TO SUGGEST MODIFICATIONS AND APPROVE).

Action 2. Revise the total annual catch limit (ACL) 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. The current total annual catch limit for wahoo is 1,794,960 pounds whole weight.

~~**Alternative 2.** The total annual catch limit for wahoo is set equal to the acceptable biological catch. Revise the total annual catch limit for wahoo to reflect the updated 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:

- At the June 2019 meeting, the Committee approved this action and requested sub-alternatives that allow for a buffer between the ABC and the ACL.
- 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 (**Figure 2**). The existing ABC for wahoo is 1,794,960 lbs ww and the previously recommended ABC from the October 2019 SSC meeting was 2,181,585 lbs ww.
- 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 3**) tend to be relatively low each year and are among the lowest for species that the SAFMC manages. This may be an important consideration in whether a buffer is desired between the ABC and ACL to account for uncertainty.
- The potential revised wahoo ACLs are below some of the observed landings in recent years (**Figure 2, Table 4**). Depending on the accountability measure, the new ACL may be constraining on total harvest, particularly for the recreational sector.

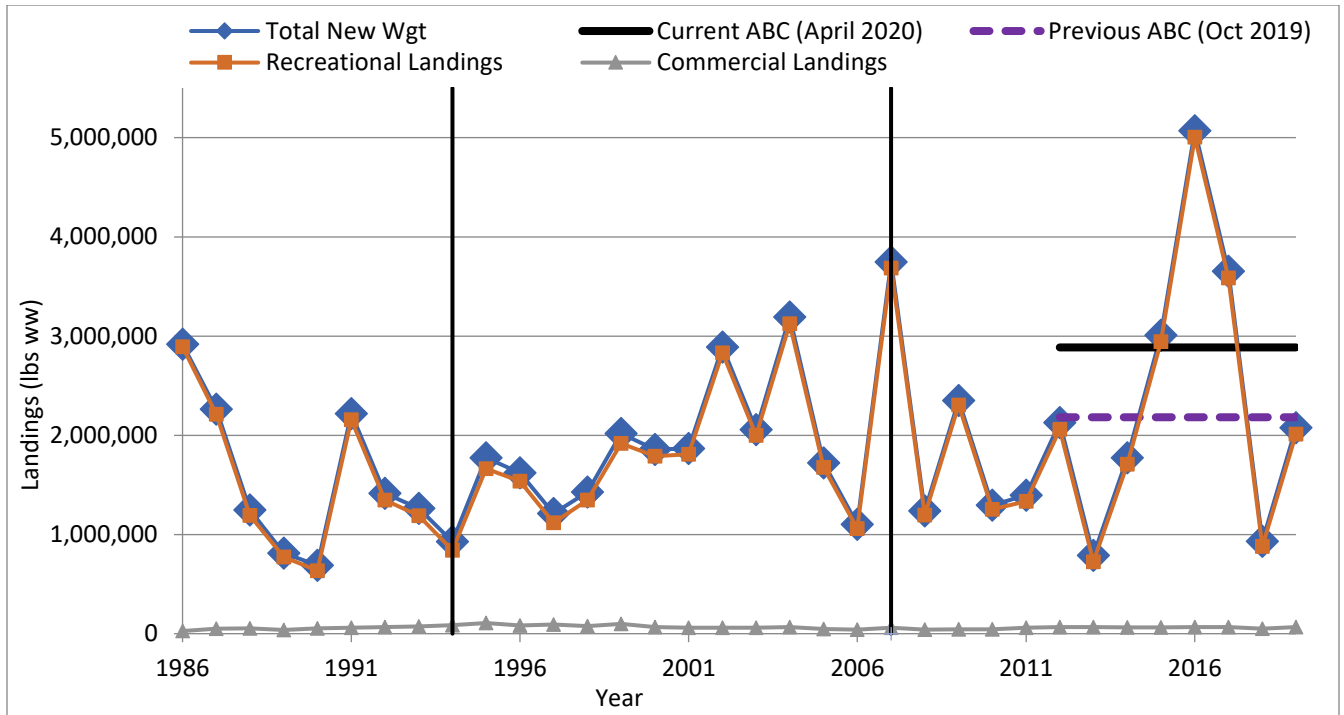


Figure 2. Atlantic wahoo landings (pounds whole weight) from 1986-2019 in comparison to the previous ABC recommendation from the October 2019 SSC meeting and the current ABC recommendation from the April 2020 SSC meeting. The solid vertical lines indicate baseline years (1994 to 2007) selected by the SSC for setting the wahoo ABC. Please note that 2019 landings are preliminary.

Table 3. Percent standard errors (PSEs) for recreational Atlantic wahoo landings (by weight), 2009-2018.

Year	Recreational PSEs for Wahoo
2009	40.4%
2010	12.8%
2011	20.5%
2012	8.9%
2013	22.4%
2014	23.9%
2015	29.9%
2016	9.2%
2017	13.1%
2018	10.8%

Table 4. Comparison of alternatives in **Action 2** to recent average annual Atlantic wahoo landings. New ABC for wahoo = 2,885,303 lbs ww (3rd highest landings during 1994-2007). Please note that 2019 landings are preliminary.

Alternative	Wahoo ACL (lbs ww)	Average Wahoo Landings (lbs ww) 2015-2019	Average Wahoo Landings (lbs ww) 2017-2019	2019 Wahoo Landings (lbs ww)
Alternative 1 (No Action)	1,794,960	N/A	N/A	N/A
Alternative 2	2,885,303	2,947,674	2,220,446	2,010,815
Alternative 3	2,741,038	2,947,674	2,220,446	2,010,815
Alternative 4	2,596,773	2,947,674	2,220,446	2,010,815

Committee Action:

- APPROVE THE IPT'S SUGGESTED EDITS TO ACTION 2 IN AMENDMENT 10 (HIGHLIGHTED IN YELLOW).
- DO NOT APPROVE THE IPT'S SUGGESTED EDITS TO ACTION 2 IN AMENDMENT 10 (COMMITTEE TO SUGGEST MODIFICATIONS AND APPROVE).

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

Note: This is a new action for the amendment and has not been discussed in detail by the Committee.

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.

Alternative 2. Allocate 93.95% of the total annual catch limit for dolphin to the recreational sector. Allocate 6.05% of the 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 incorporate recreational landings from Monroe County, Florida.

Alternative 3. Allocate 94.70% of the total annual catch limit for dolphin to the recreational sector. Allocate 5.30% of the total annual catch limit for dolphin to the commercial sector. This is based on the total catch between 2013 and 2017 as reported in 2019 and does incorporate recreational landings from Monroe County, Florida.

Alternative 4. Allocate 94.91% of the total annual catch limit for dolphin to the recreational sector. Allocate 5.09% of the total annual catch limit for dolphin to the commercial sector. This is based on the total catch between 1986 and 2017 as reported in 2019 and does incorporate recreational landings from Monroe County, Florida.

Alternative 5. Modify the time series and method by which allocations for dolphin are specified for the recreational and commercial sectors by applying the following formula and using

landings data as reported in 2019. This method incorporates 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)).

Sub-alternative 5a. Long-term catch = 1999 through 2008; Recent catch = 2006 through 2008. This would result in 95.21% of the total annual catch limit to the recreational sector and 4.79% of the total annual catch limit to the commercial sector.

Sub-alternative 5b. Long-term catch = 2008 through 2017; Recent catch = 2015 through 2017. This would result in 94.82% of the total annual catch limit to the recreational sector and 5.18% of the total annual catch limit to the commercial sector.

Sub-alternative 5c. Long-term catch = 1986 through 2017; Recent catch = 2015 through 2017. This would result in 95.07% of the total annual catch limit to the recreational sector and 4.93% of the total annual catch limit to the commercial sector.

Alternative 6. Allocate 93.75% of the total annual catch limit for dolphin to the recreational sector. Allocate 6.25% of the total annual catch limit for dolphin to the commercial sector. This is based on maintaining the current commercial annual catch limit of 1,534,485 pounds whole weight and allocating the remaining total annual catch limit to the recreational sector.

Discussion:

- This action is new to the amendment and was added in accordance with guidance received at the December 2018 Council meeting to “add an action to revise sector allocations.” The Committee has not discussed this action.
- **Alternative 1 (No Action)** does not change sector allocations which are partially based upon non-revised MRIP data (exclusive of Monroe County, FL recreational landings) using the same baseline years and sector allocation formula that was selected in Dolphin Wahoo Amendment 8, which was the last amendment that sector allocations for dolphin were modified.
- **Alternative 2** updates sector allocations with revised MRIP data (inclusive of Monroe County, FL recreational landings) using the same baseline years that were selected in Dolphin Wahoo Amendment 8.
- **Alternative 3** updates sector allocations with revised MRIP data (inclusive of Monroe County, FL recreational landings) as well as the time series for which sector allocations are calculated. This alternative uses 5 years of recent data with a terminal year of 2017. 2017 was chosen as the terminal year since this was the terminal year of data that the SSC examined.
- **Alternative 4** updates sector allocations with revised MRIP data (inclusive of Monroe County, FL recreational landings) and uses the longest time series of available usable recreational data with a terminal year of 2017.
- **Alternative 5** applies the sector allocation formula originally used for wahoo in the Comprehensive ACL amendment to revised MRIP data (inclusive of Monroe County, FL recreational landings). The sub-alternatives of **Alternative 5** use varying time series for baseline years. “Recent catch” refers to the most recent three years in the time series selected.

- **Alternative 6** maintains the current commercial sector ACL on a pound-basis (1,534,485 pounds whole weight), while allocating the remainder of the total ACL to the recreational sector.
- The alternatives presented are all landings-based, except for **Alternative 6**, and should be considered as an initial starting point. The range of alternatives can be altered and the Committee may want to provide guidance on other ways that allocations should be considered.
- Additionally, comments on other ways to set allocations may be provided during public hearings and these comments could be posed to solicit this type of feedback

Table 5. Sector allocations for **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	93.95%	6.05%
Alternative 3	94.70%	5.30%
Alternative 4	94.91%	5.09%
Alternative 5a	95.21%	4.79%
Alternative 5b	94.82%	5.18%
Alternative 5c	95.07%	4.93%
Alternative 6	93.75%	6.25%

Table 6. Sector annual catch limits (ACLs) for Atlantic dolphin in **Action 3**.

Alternative	Recreational Sector ACL* (lbs ww)	Difference from Current Recreational ACL** (lbs ww)	Commercial Sector ACL* (lbs ww)	Difference from current Commercial ACL*** (lbs ww)
Alternative 1 (No Action)	22,113,688	8,303,327	2,457,076	922,591
Alternative 2	23,083,265	9,272,904	1,487,499	-46,986
Alternative 3	23,269,505	9,459,144	1,301,259	-233,226
Alternative 4	23,320,526	9,510,165	1,250,238	-284,247
Alternative 5a	23,393,026	9,582,665	1,177,738	-356,747
Alternative 5b	23,299,022	9,488,661	1,271,742	-262,743
Alternative 5c	23,359,694	9,549,333	1,211,070	-323,415
Alternative 6	23,036,279	9,225,918	1,534,485	0

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

**Current recreational ACL = 13,810,361 lbs ww.

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

Table 7. Comparison of alternatives in **Action 3** to recent average annual recreational Atlantic dolphin landings. Please note that 2019 landings are preliminary.

Alternative	Recreational Sector ACL* (lbs ww)	2015-2019 Average Recreational Dolphin Landings (lbs ww) 2015-2019	Average Recreational Dolphin Landings (lbs ww) 2017-2019	2019 Recreational Dolphin Landings (lbs ww)
Alternative 1 (No Action)	22,113,688	16,470,581	13,626,787	11,929,298
Alternative 2	23,083,265	16,470,581	13,626,787	11,929,298
Alternative 3	23,269,505	16,470,581	13,626,787	11,929,298
Alternative 4	23,320,526	16,470,581	13,626,787	11,929,298
Alternative 5a	23,393,026	16,470,581	13,626,787	11,929,298
Alternative 5b	23,299,022	16,470,581	13,626,787	11,929,298
Alternative 5c	23,359,694	16,470,581	13,626,787	11,929,298
Alternative 6	23,036,279	16,470,581	13,626,787	11,929,298

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

Table 8. Comparison of alternatives in **Action 3** to recent average annual commercial Atlantic dolphin landings. Please note that 2019 landings are preliminary.

Alternative	Commercial Sector ACL* (lbs ww)	Average Commercial Dolphin Landings (lbs ww) 2015-2019	Average Commercial Dolphin Landings (lbs ww) 2017-2019	2019 Commercial Dolphin Landings (lbs ww)
Alternative 1 (No Action)	2,457,076	777,920	613,213	667,765
Alternative 2	1,487,499	777,920	613,213	667,765
Alternative 3	1,301,259	777,920	613,213	667,765
Alternative 4	1,250,238	777,920	613,213	667,765
Alternative 5a	1,177,738	777,920	613,213	667,765
Alternative 5b	1,271,742	777,920	613,213	667,765
Alternative 5c	1,211,070	777,920	613,213	667,765
Alternative 6	1,534,485	777,920	613,213	667,765

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

IPT Recommendations/Comments:

- The recommended initial draft wording and range of alternatives is provided in the action for the Committee's consideration.
- Size limits (commercial and recreational) and bag limits (recreational) have potentially constrained the fishery since 2004 with implementation of the Dolphin Wahoo FMP. Since ACLs have gone into place, the commercial sector faced an in-season closure in 2015 for approximately 5 months but has remained open otherwise. The recreational sector has not faced an in-season closure. This may be a consideration if allocations are based on landings for more certain years.
- Despite varying rationale and baseline years, there is very little difference between some of the alternatives or sub-alternatives. Given this outcome, are there some alternatives or sub-alternatives that the Committee does not want to consider?

- Since commercial landings have not notably changed but recreational landings have increased due to MRIP revisions, the initial range of alternatives does not increase the allocation of dolphin to the commercial sector on a percent basis. Is this the intent of the Committee or would the Committee also like to consider alternatives that would increase the commercial allocation of the total ACL to more than the current 10%?
- Are there factors other than historic landings that the Committee wants to consider at this time?

Committee Action:

- APPROVE ACTION 3 AND THE PROPOSED RANGE OF ALTERNATIVES FOR CONSIDERATION IN AMENDMENT 10.
- DO NOT APPROVE ACTION 3 AND THE PROPOSED RANGE OF ALTERNATIVES FOR CONSIDERATION IN AMENDMENT 10 (COMMITTEE TO SUGGEST MODIFICATIONS AND APPROVE).

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

Note: This is a new action for the amendment and has not been discussed in detail by the Committee.

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

Alternative 2. Allocate 97.45% of the total annual catch limit for wahoo to the recreational sector. Allocate 2.55% of the 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. Modify the time series by which allocations for wahoo are specified for the recreational and commercial sectors applying the following formula and 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)).

Sub-alternative 3a. Long-term catch = 2008 through 2017; Recent catch = 2015 through 2017. This would result in 97.99% of the total annual catch limit to the recreational sector and 2.01% of the total annual catch limit to the commercial sector.

Sub-alternative 3b. Long-term catch = 1986 through 2017; Recent catch = 2015 through 2017. This would result in 97.81% of the total annual catch limit to the recreational sector and 2.19% of the total annual catch limit to the commercial sector.

Alternative 4. Allocate 96.81% of the total annual catch limit for wahoo to the recreational sector. Allocate 3.19% of the total annual catch limit for wahoo to the commercial sector. This is based on the total catch between 1986 and 2017 as reported in 2019 and does incorporate recreational landings from Monroe County, Florida.

Alternative 5. Allocate 97.56% of the total annual catch limit for wahoo to the recreational sector. Allocate 2.44% of the total annual catch limit for wahoo to the commercial sector. This is based on 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.

Discussion:

- This action is new to the amendment and was added in accordance with guidance received at the December 2018 Council meeting to “add an action to revise sector allocations.” The Committee has not discussed this action.
- **Alternative 1 (No Action)** does not change sector allocations which are partially based upon non-revised MRIP data (exclusive of Monroe County, FL recreational landings) using the same baseline years and sector allocation formula that was originally selected in Comprehensive ACL Amendment.
- **Alternative 2** updates sector allocations with new MRIP data (inclusive of Monroe County, FL recreational landings) using the same baseline years and sector allocation formula that was originally selected in Comprehensive ACL Amendment.
- **Alternative 3** and its sub-alternatives updates sector allocations with new MRIP data (inclusive of Monroe County, FL recreational landings) as well as the time series for which sector allocations are calculated in the sector allocation formula.
- **Alternative 4** updates sector allocations with new MRIP data (inclusive of Monroe County, FL recreational landings) and examines the longest time series of available usable recreational data but does not use the sector allocation formula.
- **Alternative 5** maintains the current commercial sector ACL on a pound-basis (70,542 pounds whole weight), while allocating the remainder of the total ACL to the recreational sector.
- The alternatives presented are all landings-based, except for **Alternative 5**, and should be considered as an initial starting point. The range of alternatives can be expanded and the Committee may want to provide guidance on other ways that allocations should be considered.

- Additionally, comments on other ways to set allocations may be provided during public hearings and these comments could be posed to solicit this type of feedback.

Table 9. 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 3a	97.99%	2.01%
Alternative 3b	97.81%	2.19%
Alternative 4	96.81%	3.19%
Alternative 5	97.56%	2.44%

Table 10. Sector annual catch limits (ACLs) for Atlantic wahoo in **Action 4**.

Alternative	Recreational Sector ACL* (lbs ww)	Difference from Current Recreational ACL** (lbs ww)	Commercial Sector ACL* (lbs ww)	Difference from current Commercial ACL*** (lbs ww)
Alternative 1 (No Action)	2,771,911	1,047,493	113,392	42,850
Alternative 2	2,811,863	1,087,445	73,440	2,898
Alternative 3a	2,827,258	1,102,840	58,045	-12,497
Alternative 3b	2,822,119	1,097,701	63,184	-7,358
Alternative 4	2,793,140	1,068,722	92,163	21,621
Alternative 5	2,814,761	1,090,343	70,542	0

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

**Current recreational ACL = 1,724,418 lbs ww.

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

Table 11. Comparison of alternatives in **Action 4** to recent average annual recreational Atlantic wahoo landings. Please note that 2019 landings are preliminary.

Alternative	Recreational Sector ACL* (lbs ww)	Average Recreational Wahoo Landings (lbs ww) 2015-2019	Average Recreational Wahoo Landings (lbs ww) 2017-2019	2019 Recreational Wahoo Landings (lbs ww)
Alternative 1 (No Action)	2,771,911	2,884,803	2,159,188	2,010,815
Alternative 2	2,811,863	2,884,803	2,159,188	2,010,815
Alternative 3a	2,827,258	2,884,803	2,159,188	2,010,815
Alternative 3b	2,822,119	2,884,803	2,159,188	2,010,815
Alternative 4	2,793,140	2,884,803	2,159,188	2,010,815
Alternative 5	2,814,761	2,884,803	2,159,188	2,010,815

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

Table 12. Comparison of alternatives in **Action 4** to recent average annual commercial Atlantic wahoo landings. Please note that 2019 landings are preliminary.

Alternative	Commercial Sector ACL* (lbs ww)	Average Commercial Wahoo Landings (lbs ww) 2015-2019	Average Commercial Wahoo Landings (lbs ww) 2017-2019	2019 Commercial Wahoo Landings (lbs ww)
Alternative 1 (No Action)	113,392	62,871	61,258	66,256
Alternative 2	73,440	62,871	61,258	66,256
Alternative 3a	58,045	62,871	61,258	66,256
Alternative 3b	63,184	62,871	61,258	66,256
Alternative 4	92,163	62,871	61,258	66,256
Alternative 5	70,542	62,871	61,258	66,256

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

IPT Recommendations/Comments:

- The recommended initial draft wording and range of alternatives is provided in the action.
- Trip limits (commercial) and bag limits (recreational) have potentially constrained the fishery since 2004 with implementation of the Dolphin Wahoo FMP. Since ACLs have gone into place, the commercial sector faced an in-season closure in 2012 for less than a month but has remained open otherwise. The recreational sector has not faced an in-season closure. This may be a consideration if allocations are based on landings for certain years.
- Despite varying rationale and baseline years, there is very little difference between some of the alternatives or sub-alternatives. Given this outcome, are there some alternatives or sub-alternatives that the Committee does not want to consider?
- Since commercial landing have not changed but recreational landings have increased due to MRIP revisions, the initial range of alternatives does not increase the allocation of wahoo to the commercial sector on a percent basis. Is this the intent of the Committee or would the Committee also like to consider alternatives that would increase the commercial allocation of the total ACL to more than the current 3.93%?
- Are there factors other than historic landings that the Committee wants to consider at this time?

Committee Action:

- APPROVE ACTION 4 AND THE PROPOSED RANGE OF ALTERNATIVES FOR CONSIDERATION IN AMENDMENT 10.
- DO NOT APPROVE ACTION 4 AND THE PROPOSED RANGE OF ALTERNATIVES FOR CONSIDERATION IN AMENDMENT 10 (COMMITTEE TO SUGGEST MODIFICATIONS AND APPROVE).

Action 5. Revised the optimum yield (OY) definition for dolphin

Action Alternatives:

Alternative 1 (No Action). Optimum yield is equal to the total annual catch limit.

Alternative 2. OY Optimum yield is equal to the sum of the commercial annual catch limit ACL and the recreational annual catch target ACT.

Alternative 3. OY Optimum yield is equal to 75% maximum sustainable yield MSY.

Alternative 4. OY Optimum yield is the long-term average catch, which is not to exceed the total annual catch limit ACL, and will fall between the total annual catch limit ACL and the sum of the commercial and recreational annual catch targets ACTs.

Discussion:

- The Magnuson-Stevens Fishery Conservation and Management Act defines optimum yield (OY) as “the amount of fish that will provide the greatest overall benefit to the Nation, particularly with respect to food production and recreational opportunities and taking into account the protection of marine ecosystems; that is prescribed on the basis of the maximum sustainable yield (MSY) from the fishery, as reduced by any relevant economic, social, or ecological factor; and, in the case of an overfished fishery, that provides for rebuilding to a level consistent with producing the MSY in such fishery” (50 C.F.R. §600.310 (i)(A)).
- Defining OY for dolphin can be linked to how the definition affects the access of each user group at the present and in the future.
- For the commercial sector, an OY that allows the commercial fleet to access the maximum proportion of the ACL (**Alternative 1 (No Action)**) would likely be the most beneficial by maximizing the commercial landings. The effects of **Alternatives 2** through **4** would depend on how much of the ACL is available to the commercial fleet.
- For the recreational sector, the effects of OY may be associated with the trade-off between allowing access and retention of dolphin to keep trip satisfaction high, but also leaving enough dolphin in the water to allow a high probability of interaction with the species and continued targeted recreational trips.

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 1 IN ACTION 1.
9 IN FAVOR, 1 OPPOSED**

Note: Action 5 was listed as Action 1 in the amendment at the time.

IPT Recommendations/Comments:

- According to the revised National Standard 1 Guidelines, although a Council can establish an annual OY, it must establish a long-term OY. ACLs are inherently short-term in nature and thus OY cannot be solely set equal to the ACL and or to an annual value. Based on this guidance, the current definition of OY being set equal to the ACL is not adequate. Since this definition of OY (OY=ACL) is used in many of the SAFMC FMPs, it may be better to address it in a separate amendment.
- As such, the IPT recommends removing **Action 5** and addressing it at a later date in a comprehensive manner since OY is set equal to the ACL for multiple species in various FMPs.
- If the Committee would like to keep the action to re-define OY in the amendment, **Actions 5, 6, and 7** should remain together as all three actions pertain to potentially using ACTs in setting OY. Should the Committee choose to remove **Action 5, Actions 6 and 7** could largely

be removed as a block as well. However, please note that draft alternatives that revise accountability measures in **Actions 8, 9, and 10** propose potentially using ACTs as triggers.

- If the Committee wants to maintain the action redefining the OY in the Dolphin fishery, further revisions to **Alternative 2** and **Alternative 3** would be necessary, such as examining long-term averages instead of annual values. Also, the Committee may want to add an action to address wahoo, since OY is set the ACL for wahoo.

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. Establish a commercial annual catch target (ACT) for dolphin

Action Alternatives:

Alternative 1 (No Action). There is no annual catch target for the commercial sector.

Alternative 2. The commercial annual catch target ACT equals 80% of the commercial annual catch limit ACL [commercial annual catch limit ACL *0.8].

Alternative 3. The commercial annual catch target ACT equals 90% of the commercial annual catch limit ACL [commercial annual catch limit ACL *0.9].

Alternative 4. The commercial annual catch target ACT equals the commercial annual catch limit ACL.

Discussion:

- Currently there is not a commercial ACT for dolphin. If the definition of OY is changed to incorporate a commercial ACT, then one needs to be established. Additionally, a commercial ACT will need to be established if the Committee would like to consider using ACTs in accountability measures.
- **Alternatives 2 and 3** would establish a commercial ACT at 20% and 10% less than the commercial ACL, respectively.
- **Alternative 4** would establish a commercial ACT equal to the commercial ACL.
- A commercial ACT for dolphin may function as a performance standard and does not need to be linked to an AM. Therefore, assuming no further action is taken to link the ACT to an AM, using a commercial ACT as a “soft target” could help define OY without implementing restrictions in the fishery if the ACT is met or exceeded.

SSC/Advisory Panel Recommendations:

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

MOTION: ADOPT ALTERNATIVE 1 IN ACTION 3.
10 IN FAVOR, 0 OPPOSED

Note: Action 6 was listed as Action 3 in the amendment at the time.

IPT Recommendations/Comments:

- Since the ACT is currently used as a “soft target” with no related management items, **Action 6** may not be necessary if not intended for use in the definition of OY. However, please note that draft alternatives that revise commercial accountability measures in **Action 8** proposes potentially using the commercial ACT as a trigger.

Committee Action:

- APPROVE THE IPT’S SUGGESTED EDITS TO ACTION 6 IN AMENDMENT 10 (HIGHLIGHTED IN YELLOW).
- DO NOT APPROVE THE IPT’S SUGGESTED EDITS TO ACTION 6 IN AMENDMENT 10 (COMMITTEE TO SUGGEST MODIFICATIONS AND APPROVE).

Action 7. Modify the recreational annual catch target (ACT) for dolphin

Action Alternatives:

Alternative 1 (No Action). The annual catch target for the recreational sector equals [sector annual catch limit*(1- percent standard error)] or [annual catch limit*0.5], whichever is greater.

Alternative 2. The recreational annual catch target ACT equals 50% of the recreational annual catch limit ACL [recreational annual catch limit ACL *0.5].

Alternative 3. The recreational annual catch target ACT equals 60% of the recreational annual catch limit ACL [recreational annual catch limit ACL *0.6].

Alternative 4. The recreational annual catch target ACT equals 70% of the recreational annual catch limit ACL [recreational annual catch limit ACL *0.7].

IPT suggested action and alternatives:

Proposed Action 7. Modify the recreational annual catch target for dolphin and wahoo

Alternative 1 (No Action). The recreational annual catch target for dolphin and wahoo equals [sector annual catch limit*(1-percent standard error)] or [annual catch limit*0.5], whichever is greater. The current annual catch target for dolphin is 12,769,061 pounds whole weight. The current annual catch target for wahoo is 1,258,825 pounds whole weight.

Alternative 2. The recreational annual catch target for dolphin and wahoo equals [the updated sector annual catch limit*(1-percent standard error)] or [updated annual catch limit*0.5], whichever is greater.

Alternative 3. Remove the recreational annual catch target for dolphin.

Alternative 4. Remove the recreational annual catch target for wahoo.

Discussion:

Current Action 7:

- **Alternative 1 (No Action)** would retain the recreational ACT implemented in Dolphin Wahoo Amendment 5.
- **Alternatives 2, 3, and 4** would reduce the recreational ACT by 50%, 40% and 30%, respectively in comparison to the ACL.
- The recreational ACT for dolphin functions as a performance standard, and does not trigger an AM. Therefore, assuming no further action is taken to link the ACT to an AM, using the recreational ACT as a “soft target” could help define OY without implementing restrictions on the fishery if the ACT is met or exceeded.

Proposed Action 7:

- **Alternative 2** would update the recreational ACT for dolphin with the revised ACL.
- **Alternative 3** would remove the recreational ACT for dolphin.
- **Alternative 4** would remove the recreational ACT for wahoo.

SSC/Advisory Panel Recommendations:

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

MOTION: CONSIDER RECREATIONAL ACT OF 70% OF THE ACL. ALSO ADD A FUTURE AM THAT WOULD TRIGGER A RECREATIONAL REDUCTION IF THE RECREATIONAL ACT IS MET. SUGGEST 10 PER PERSON WITH A MAXIMUM OF 40 PER VESSEL.

9 IN FAVOR; 1 OPPOSED

IPT Recommendations/Comments:

Current Action 7:

- Since the recreational ACT is a “soft target” with no related management items, **Action 7** as it currently stands may not be necessary if not intended for use in the definition of OY.

Proposed Action 7:

- Assuming the recreational ACT is not used in the definition of OY or in accountability measures, the IPT provided suggested revised alternatives for **Action 7**.
- The recreational ACT may still need to be updated to reflect the new ACL for dolphin and wahoo, which is the rationale for the IPT’s suggested **Alternative 2**.
- Additionally, since the recreational ACT is not currently used in management, it could be removed all together for dolphin and wahoo if not intended for use in the future. This could take place via the IPT’s suggested **Alternatives 3 and 4**. However, please note that draft alternatives that revise accountability measures in **Actions 9 and 10** propose potentially using the recreational ACT as a trigger.

Committee Action:

- APPROVE THE IPT’S SUGGESTED EDITS TO ACTION 7 IN AMENDMENT 10 (HIGHLIGHTED IN YELLOW).

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

Action 8. 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 exceed the commercial annual catch limit, then during the following fishing year, commercial landings will be monitored for persistence in increased landings. If the commercial annual catch limit is exceeded for a second consecutive year, it will be reduced by the amount of the commercial overage in the following fishing year and the commercial season will be reduced by the amount necessary to ensure that commercial 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 commercial annual catch limit and length of the commercial season will not be reduced if the Regional Administrator determines, using the best **scientific information** available **science**, that it is not necessary.

Alternative 3. If commercial landings exceed the commercial annual catch limit, then during the following fishing year the commercial season will be reduced by the amount necessary to ensure that commercial landings do not exceed the current year commercial sector annual catch limit. However, the length of the commercial season will not be reduced if the Regional Administrator determines, using the best **scientific information** available **science**, that it is not necessary.

IPT suggested action and alternatives:

Proposed Action 8. Revise the commercial accountability measures for dolphin

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. If commercial landings for dolphin exceed the commercial annual catch limit *and* total landings

exceed the total annual catch limit, then during the following fishing year, reduce the commercial annual catch limit by the amount of the commercial overage.

Alternative 3. If commercial landings for dolphin reach or are projected to reach the commercial annual catch target, close the commercial sector for the remainder of the fishing year. If commercial landings for dolphin exceed the commercial annual catch limit *and* total landings exceed the total annual catch limit, then during the following fishing year, reduce the commercial annual catch target by the amount of the commercial annual catch limit overage.

Alternative 4. 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. If commercial landings for dolphin exceed the commercial annual catch limit *and* total landings exceed the total annual catch limit, then during the following fishing year, reduce the length of the commercial fishing season to ensure commercial landings do not exceed the commercial annual catch limit the following fishing year.

Alternative 5. If commercial landings for dolphin exceed the commercial annual catch limit *and* total landings exceed the total annual catch limit, then during the following fishing year, reduce the length of the commercial fishing season to ensure commercial landings do not exceed the commercial annual catch limit the following fishing year.

Discussion:

Current Action 8:

- 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 apply a similar version of the current recreational AM to the commercial sector. This alternative would allow the commercial sector to exceed the sector ACL in a given year without an in-season closure and landings would be monitored for persistence in increased landings. If the commercial ACL was exceeded for a second year, then the ACL would be reduced in the third year by the overage amount (i.e. a payback provision) and the commercial season would be reduced, but only if dolphin is overfished and the total ACL is exceeded. Additionally, the commercial ACL and season would not be reduced if the RA determines this action is not necessary.
- **Alternative 3** would remove the in-season closure and allow the commercial sector to exceed the sector ACL in a given year, however there would be a potential shortening of the commercial season the following year “to ensure that commercial landings do not exceed the current year commercial sector annual catch limit.” This shortening of the season would not occur if the RA determines this action is not necessary.

Proposed Action 8:

- **Alternatives 2 through 5** would remove the “overfished” language from the commercial sector AM, which is appropriate since there is no stock assessment planned for dolphin in the foreseeable future that may change the stock status.

- **Alternative 2** would implement an in-season closure if the commercial ACL is met. Additionally, if the commercial ACL and total ACL are exceeded then the commercial ACL would be reduced the following year by the amount of the commercial overage as a post-season AM.
- **Alternative 3** would implement an in-season closure if the commercial ACT is met. Additionally, if the commercial ACL and total ACL are exceeded then the commercial ACT would be reduced in the following year by the amount of the commercial ACL overage as a post-season AM.
- **Alternative 4** would implement an in-season closure if the commercial ACL is met. Additionally, if the commercial ACL and total ACL are exceeded then the commercial season would be reduced in the following year as a post-season AM.
- **Alternative 5** does not include an in-season AM. If the commercial ACL and total ACL are exceeded, then the commercial season would be reduced in the following year as a post-season AM.

Table 13. In-season and post-season commercial accountability measures for **Proposed Action 8.**

Alternative	In-season closure	Post-season AM	
		If commercial and total ACL exceeded	If commercial and total ACL exceeded, and overfished
1 (No Action)	√ ¹		√ ²
2	√ ¹	√ ²	
3	√ ³	√ ⁴	
4	√ ²	√ ⁵	
5		√ ⁵	

¹When commercial ACL reached or projected to be reached.
²Reduce commercial ACL by overage.
³When commercial ACT reached or projected to be reached.
⁴Reduce commercial ACT by commercial ACL overage.
⁵Reduce commercial season length.

IPT Recommendations/Comments:

Current Action 8:

- **Alternative 2** remained in the action after some discussion at the September and December 2019 meeting since it mirrored the current recreational AM for dolphin. It was also discussed that the current recreational AM is not adequate since it is only triggered by an overfished status, which is unlikely for dolphin since there is no stock assessment planned for the foreseeable future. The language remained after the December 2019 meeting as well but it was noted that this alternative may need to be removed or revised.

Proposed Action 8:

- The proposed alternatives are mirrored in **Action 9** and **10** for consistency. These alternatives are meant as a starting point for the discussion and to get the Committee’s input on whether there should be a standard set of AM alternatives among these actions. Different preferred alternatives could still be chosen to reflect the different needs of the sectors.

- The IPT noted that it may be beneficial to remove the “overfished” language from the current commercial AM (proposed **Alternative 2**), however this is not necessary since the current AM includes an in-season closure that does not depend on stock status. National Standard 1 encourages consideration of accounting for ACL overages, particularly if a stock is overfished.
- It was also noted that roll-over of unused ACL will be addressed in the ABC Control Rule Amendment, which may add an additional buffer to prevent commercial in-season closures.
- The IPT discussed “monitoring for persistence” language but did not include it in the initial proposed alternatives. Landings uncertainty is often rationale for monitoring landings for persistence. The group noted that uncertainty is low for commercial dolphin landings.

Committee Action:

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

Action 9. Revise the 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. If recreational landings exceed the recreational annual catch limit and the available common pool 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 and the available common pool 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 scientific information available science, that it is not necessary.

Alternative 3. If recreational landings exceed the recreational annual catch limit and the available uncaught sector annual catch limit from the previous fishing year, then during the

following fishing year recreational landings will be monitored for persistence in increased landings. If the recreational annual catch limit and the available uncaught sector annual catch limit from the previous fishing year 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 scientific information 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.

~~**Sub-alternative 4e.** The stock is overfished based on the most recent Status of U.S. Fisheries Report to Congress.~~

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 reduce the probability that the annual catch limit from being will be exceeded in the following year.

IPT suggested action and alternatives:

PROPOSED Action 9. Revise the recreational accountability measures for dolphin

Alternative 1 (No Action). There is no in-season recreational accountability measure for dolphin. If recreational landings for dolphin, exceed the recreational annual catch limit, then during the following fishing year recreational landings will be monitored for a persistence in increased landings. If the total (commercial and recreational combined) dolphin landings exceed the total annual catch limit, and dolphin are overfished, the Assistant Administrator will file a notification with the Office of the Federal Register, at or near the beginning of the following fishing year, to reduce the recreational annual catch limit for that following year by the amount of the recreational overage in the prior fishing year, and reduce the recreational fishing season by the amount necessary to ensure recreational landings do not exceed the reduced annual catch limit. However, the recreational annual catch limit and the length of the recreational fishing season will not be reduced during the following fishing year if the Regional Administrator

determines, using the best scientific information available, that a reduced recreational annual catch limit and a reduction in the length of the following fishing season is unnecessary.

Alternative 2. If recreational landings for dolphin reach or are projected to reach the recreational annual catch limit, close the recreational sector for the remainder of the fishing year. If recreational landings for dolphin exceed the recreational annual catch limit *and* total landings exceed the total annual catch limit, then during the following fishing year, reduce the recreational annual catch limit by the amount of the recreational overage.

Alternative 3. If recreational landings for dolphin reach or are projected to reach the recreational annual catch target, close the recreational sector for the remainder of the fishing year. If recreational landings for dolphin exceed the recreational annual catch limit *and* total landings exceed the total annual catch limit, then during the following fishing year, reduce the recreational annual catch target by the amount of the recreational annual catch limit overage.

Alternative 4. If recreational landings for dolphin reach or are projected to reach the recreational annual catch limit, close the recreational sector for the remainder of the fishing year. If recreational landings for dolphin exceed the recreational annual catch limit *and* total landings exceed the total annual catch limit, then during the following fishing year, reduce the length of the recreational fishing season to ensure recreational landings do not exceed the recreational annual catch limit the following fishing year.

Alternative 5. If recreational landings for dolphin exceed the recreational annual catch limit *and* total landings exceed the total annual catch limit, then during the following fishing year, reduce the length of the recreational fishing season to ensure recreational landings do not exceed the recreational annual catch limit the following fishing year.

Discussion:

Current Action 9:

- 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.
- **Alternative 2** would largely maintain the current recreational AM but accommodate a common pool ACL if implemented, which is existing language referencing an action that was removed from this amendment. The language referring to an overfished designation was suggested for removal according to guidance received at the September 2019 meeting.
- **Alternative 3** would maintain the current recreational AM but accommodate the rollover of uncaught recreational sector ACL if implemented, which is existing language referencing an action that was removed from this amendment. The language referring to an overfished designation was suggested for removal according to guidance received at the September 2019 meeting.

- **Alternative 4** and its sub-alternatives would only apply the recreational AM if the 3-year geometric mean of recreational dolphin landings exceed the sector ACL (**Sub-alternative 4a**), the summed recreational landings over 3 years exceeds the summed sector ACL over the same 3 years (**Sub-alternative 4b**), recreational landings exceed the sector ACL two times in a three year time-span (**Sub-alternative 4c**), the total ACL is exceeded (**Sub-alternative 4d**), or if the dolphin stock becomes overfished (**Sub-alternative 4e**).
- **Alternative 5** would change the post season accountability measure to reduce the length of the following recreational fishing season by the amount necessary to prevent the sector ACL from being exceeded.

Proposed Action 9:

- **Alternatives 2 through 5** would remove the “overfished” language from the recreational sector AM, which is appropriate since there is no stock assessment planned for dolphin in the foreseeable future that may change the stock status.
- **Alternative 2** would implement an in-season closure if the recreational ACL is met. Additionally, if the recreational ACL and total ACL are exceeded then the recreational ACL would be reduced the following year by the amount of the recreational overage as a post-season AM.
- **Alternative 3** would implement an in-season closure if the recreational ACT is met. Additionally, if the recreational ACL and total ACL are exceeded then the recreational ACT would be reduced the following year by the amount of the recreational ACL overage as a post-season AM.
- **Alternative 4** would implement an in-season closure if the recreational ACL is met. Additionally, if the recreational ACL and total ACL are exceeded the recreational season would be reduced the following year as a post-season AM.
- **Alternative 5** does not include an in-season AM. If the recreational ACL and total ACL are exceeded, then the recreational season would be reduced the following year as a post-season AM.

Table 14. In-season and post-season recreational accountability measures for **Proposed Action 9**.

Alternative	In-season closure	Post-season AM	
		If recreational and total ACL exceeded	If recreational and total ACL exceeded, and overfished
1 (No Action)			$\sqrt{1}$
2	$\sqrt{2}$	$\sqrt{3}$	
3	$\sqrt{4}$	$\sqrt{5}$	
4	$\sqrt{2}$	$\sqrt{6}$	
5		$\sqrt{6}$	

¹Reduce recreational season length and recreational ACL by overage.
²When recreational ACL reached or projected to be reached.
³Reduce recreational ACL by the recreational ACL overage.
⁴When recreational ACT reach or projected to be reached.
⁵Reduce recreational ACT by recreational ACL overage.
⁶Reduce recreational season length.

IPT Recommendations/Comments:

Current Action 9:

- Since the current recreational AM is likely inadequate because it depends on an overfished status, this issue will need to be addressed.
- If the original **Action 9** remains, the IPT recommends removing **Alternatives 2** and **3** since they reference an action that was removed from AM 10 in December 2019.
- The IPT recommends removal of **Sub-alternative 4e** since it is unlikely that dolphin will be assessed anytime soon and if it is, then the AM can be re-examined at that time. This also follows the logic applied in **Action 8** to remove references to an overfished status.
- If it remains, this action may need to be split into an action addressing what the new recreational AM should be and an action specifying under what circumstance the AM will be triggered.

Proposed Action 9:

- The IPT suggested a new set of alternatives for the following reasons:
 - Use of overfished as trigger – dolphin is not overfished/not undergoing overfishing and a stock assessment for the species is not likely in the future.
 - Use of 3-year timeframes to trigger AMs – this time horizon may create long-term measures that are not necessary, especially given the short life span of the species.
- The proposed alternatives will be largely mirrored in Rec AMs amendment for consistency.
- The IPT discussed “monitoring for persistence” language but did not include it in the initial proposed alternatives. Landings uncertainty is often rationale for wanting to monitor landings for persistence. The group noted that uncertainty is relatively low for recreational dolphin landings (i.e. low PSEs).

Committee Action:

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

Action 10. Revise the 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. 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.

~~**Sub-alternative 2e.** The stock is overfished based on the most recent Status of U.S. Fisheries Report to Congress.~~

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 season **only if the species is overfished.**

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 reduce the probability that** the annual catch limit **from being will be** exceeded in the following year.

IPT suggested action and alternatives:

PROPOSED Action 10. Revise the recreational accountability measures for wahoo

Alternative 1 (No Action). There is no in-season recreational accountability measure for wahoo. If recreational landings for wahoo, exceed the recreational annual catch limit, then during the following fishing year recreational landings will be monitored for a persistence in increased landings. If the total (commercial and recreational combined) wahoo landings exceed the total annual catch limit, and wahoo are overfished, the Assistant Administrator will file a notification with the Office of the Federal Register, at or near the beginning of the following fishing year, to reduce the recreational annual catch limit for that following year by the amount of the recreational overage in the prior fishing year. However, the recreational annual catch limit will not be reduced during the following fishing year if the Regional Administrator determines, using the best scientific information available, that a reduced recreational annual catch limit for the following fishing season is unnecessary.

Alternative 2. If recreational landings for wahoo reach or are projected to reach the recreational annual catch limit, close the recreational sector for the remainder of the fishing year. If recreational landings for wahoo exceed the recreational annual catch limit **and** total landings exceed the total annual catch limit, then during the following fishing year, reduce the recreational annual catch limit by the amount of the recreational overage.

Alternative 3. If recreational landings for wahoo reach or are projected to reach the recreational annual catch target, close the recreational sector for the remainder of the fishing year. If recreational landings for wahoo exceed the recreational annual catch limit *and* total landings exceed the total annual catch limit, then during the following fishing year, reduce the recreational annual catch target by the amount of the recreational annual catch limit overage.

Alternative 4. If recreational landings for wahoo reach or are projected to reach the recreational annual catch limit, close the recreational sector for the remainder of the fishing year. If recreational landings for wahoo exceed the recreational annual catch limit *and* total landings exceed the total annual catch limit, then during the following fishing year, reduce the length of the recreational fishing season to ensure recreational landings do not exceed the recreational annual catch limit the following fishing year.

Alternative 5. If recreational landings for wahoo exceed the recreational annual catch limit *and* total landings exceed the total annual catch limit, then during the following fishing year, reduce the length of the recreational fishing season to ensure recreational landings do not exceed the recreational annual catch limit the following fishing year.

Discussion:

Current Action 10:

- Under **Alternative 1 (No Action)**, the recreational sector AM does not include an 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), but only if wahoo is overfished and the total ACL is exceeded. Additionally, the recreational ACL would not be reduced if the RA determines this action is not necessary.
- **Alternative 2** and its sub-alternatives would only apply the recreational AM if the 3-year geometric mean of recreational wahoo landings exceed the sector ACL (**Sub-alternative 2a**), the summed recreational landings over 3 years exceeds the summed sector ACL over the same 3 years (**Sub-alternative 2b**), recreational landings exceed the sector ACL two times in a three year time-span (**Sub-alternative 2c**), the total ACL is exceeded (**Sub-alternative 2d**), or if the wahoo stock becomes overfished (**Sub-alternative 2e**).
- **Alternative 3** would change the post season accountability measure to reduce the recreational sector ACL by any overage (i.e. a payback provision).
- **Alternative 4** would change the post season accountability measure to reduce the length of the following recreational fishing season by the amount necessary to prevent the sector ACL from being exceeded.

Proposed Action 10:

- **Alternatives 2 through 5** would remove the “overfished” language from the recreational sector AM, which is appropriate since there is no stock assessment planned for wahoo in the foreseeable future that may change the stock status.
- **Alternative 2** would implement an in-season closure if the recreational ACL is met. Additionally, if the recreational ACL and total ACL are exceeded then the recreational ACL

would be reduced the following year by the amount of the recreational overage as a post-season AM.

- **Alternative 3** would implement an in-season closure if the recreational ACT is met. Additionally, if the recreational ACL and total ACL are exceeded then the recreational ACT would be reduced the following year by the amount of the recreational ACL overage as a post-season AM.
- **Alternative 4** would implement an in-season closure if the recreational ACL is met. Additionally, if the recreational ACL and total ACL are exceeded the recreational season would be reduced the following year as a post-season AM.
- **Alternative 5** does not include an in-season AM. If the recreational ACL and total ACL are exceeded, then the recreational season would be reduced the following year as a post-season AM.

Table 15. In-season and post-season accountability measures for **Proposed Action 10.**

Alternative	In-season closure	Post-season AM	
		If recreational and total ACL exceeded	If recreational and total ACL exceeded, and overfished
1 (No Action)			$\sqrt{1}$
2	$\sqrt{2}$	$\sqrt{3}$	
3	$\sqrt{4}$	$\sqrt{5}$	
4	$\sqrt{2}$	$\sqrt{6}$	
5		$\sqrt{6}$	

¹Reduce recreational season length and recreational ACL by overage.
²When recreational ACL reached or projected to be reached.
³Reduce recreational ACL by the recreational ACL overage.
⁴When recreational ACT reach or projected to be reached.
⁵Reduce recreational ACT by recreational ACL overage.
⁶Reduce recreational season length.

IPT Recommendations/Comments:

Current Action 10:

- Since the current recreational AM is likely inadequate because it references an overfished status, this issue will need to be addressed.
- The IPT recommends removal of **Sub-alternative 2e** since it is unlikely that wahoo will be assessed anytime soon and if it is, then the AM can be re-examined at that time. This also follows the logic applied in **Action 9** to remove references to an overfished status.
- If it remains, this action may need to be split into an action addressing what the new recreational AM should be and an action specifying under what circumstance the AM will be triggered.

Proposed Action 10:

- The IPT suggested a new set of alternatives for the following reasons:
 - Use of overfished as trigger –wahoo status is unknown and a stock assessment for the species not likely in the near future.

- Use of 3-year time frames to trigger AMs – this time horizon may create long-term measures that are not necessary, especially given the short life span of the species.
- Proposed alternatives will be largely mirrored in Rec AMs amendment for consistency.
- The IPT discussed “monitoring for persistence” language but did not include it in the initial proposed alternatives. Landings uncertainty is often rationale for wanting to monitor landings for persistence. The group noted that uncertainty is relatively low for recreational wahoo landings (i.e. low PSEs).

Committee Action:

- APPROVE THE IPT’S SUGGESTED EDITS TO ACTION 10 IN AMENDMENT 10 (HIGHLIGHTED IN YELLOW).
- APPROVE THE IPT’S PROPOSED ACTION 10 IN AMENDMENT 10 (HIGHLIGHTED IN GRAY).
- 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 gear on board that are not authorized for use in the dolphin wahoo fishery to possess 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 other than authorized gear types may not possess a dolphin or wahoo.

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 federal commercial permits for trap, pot, or buoy gear are authorized to retain dolphin and wahoo caught by rod and reel while in possession of such gears. Dolphin retained 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

Discussion:

- The Atlantic Offshore Lobstermen’s Association initially requested that the South Atlantic Council modify regulations to allow the historical 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.
- 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 included in response to the Committee's direction to staff to examine "a range of 250 to 1000 lbs gutted weight by 250 lbs increments."

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:

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

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. Modify 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 the **Appendix**, the majority of the recreational trips (more than 90% on average) typically harvest less than 10 dolphin per vessel on average (**Figure 3** through **Figure 5**).

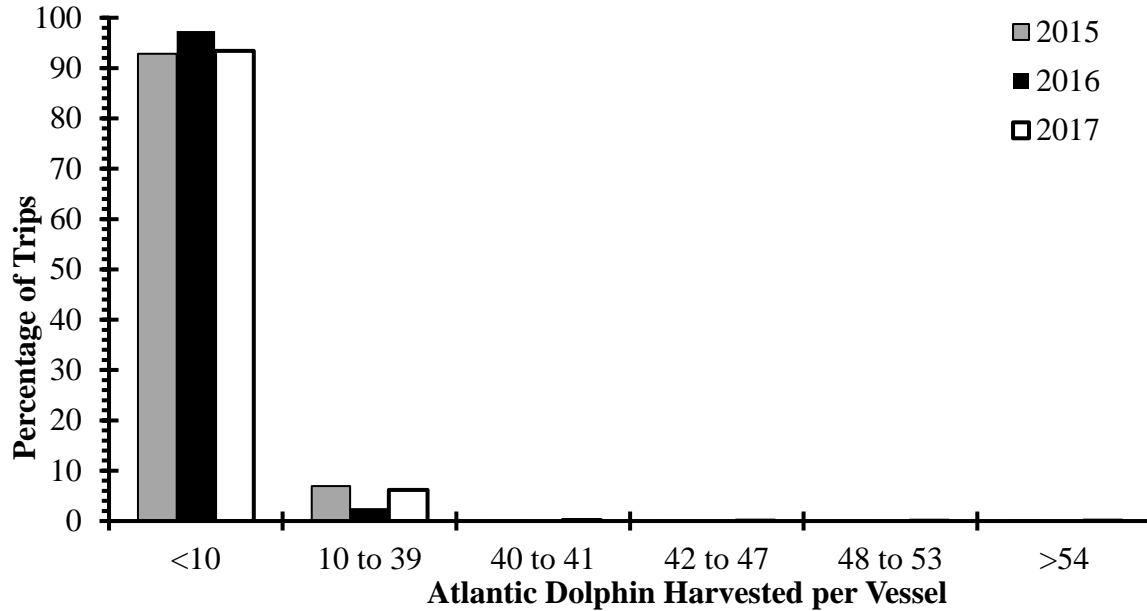


Figure 3. Distribution of Atlantic dolphin harvested per vessel per year for 2015, 2016, and 2017. The data comes from MRIP (1,884,919 vessel trips) and Headboat (2,837 trips) recreational surveys. The results are from Maine to Florida and include Monroe County, Florida.

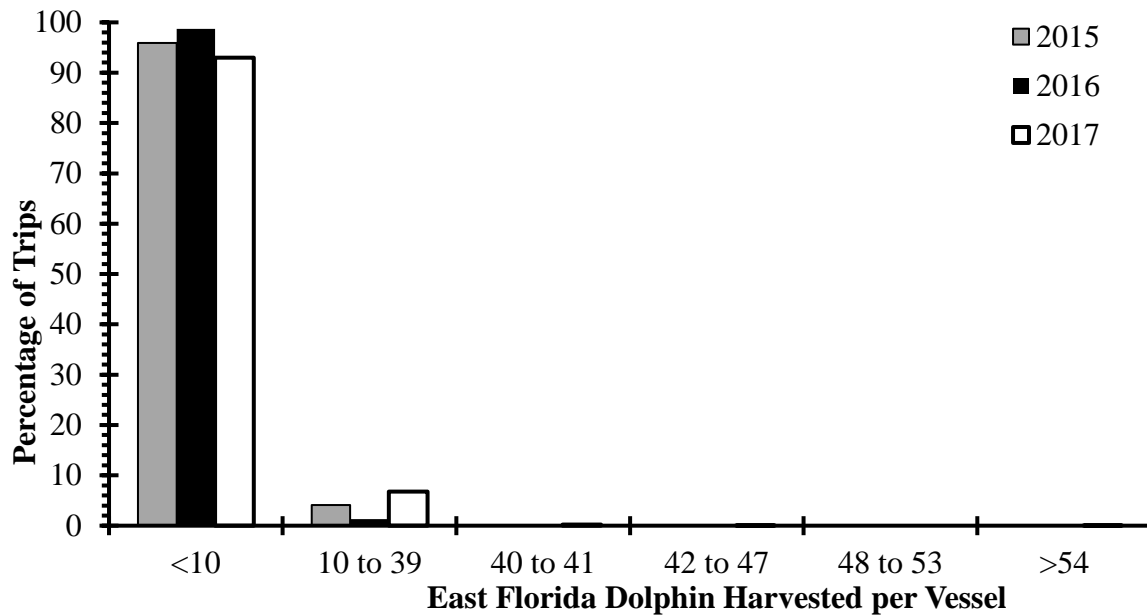


Figure 4. Distribution of east Florida dolphin harvested per vessel per year for 2015, 2016, and 2017. The data comes from MRIP (1,164,106 vessel trips) and Headboat (2,303 trips) recreational surveys. The results are from east Florida and include Monroe County, Florida.

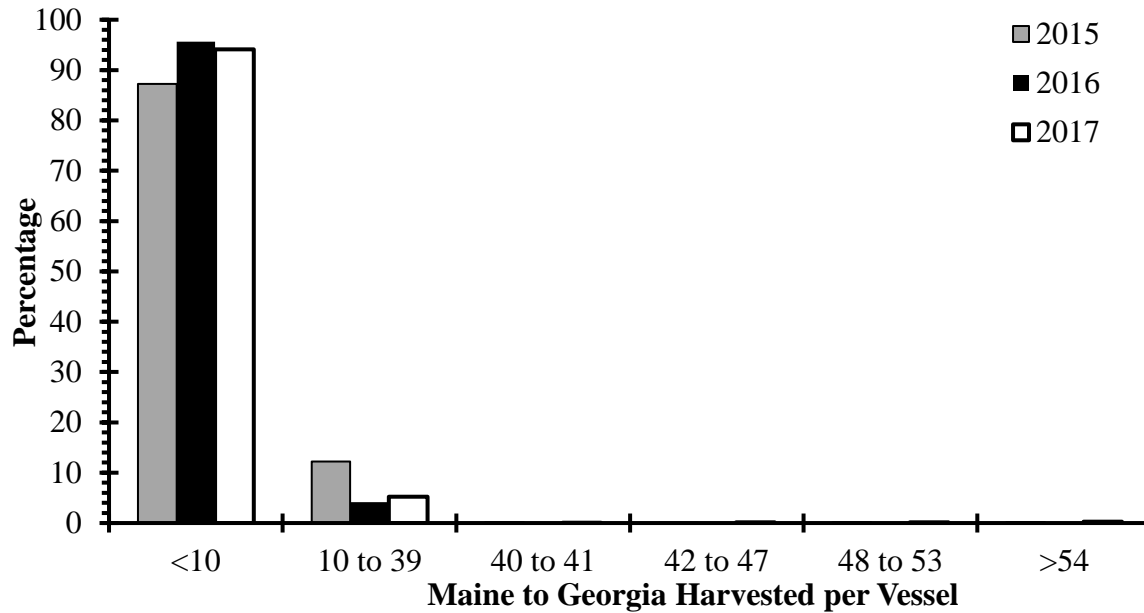


Figure 5. Distribution of Maine to Georgia dolphin harvested per vessel per year for 2015, 2016, and 2017. The data comes from MRIP (720,813 vessel trips) and Headboat (534 trips) recreational surveys.

SSC/Advisory Panel Recommendations:

- As mentioned in **Action 7**, 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:

- APPROVE THE IPT’S SUGGESTED EDITS TO ACTION 13 IN AMENDMENT 10 (HIGHLIGHTED IN YELLOW).
- DO NOT APPROVE THE IPT’S SUGGESTED EDITS TO ACTION 13 IN AMENDMENT 10 (COMMITTEE TO SUGGEST MODIFICATIONS AND APPROVE).

Action 14. Modify gear, bait, and training requirements in the commercial longline fishery for dolphin and wahoo to align with Highly Migratory Species requirements

Action Alternatives:

Alternative 1 (No Action). The owner or operator of a vessel for which an Atlantic Dolphin/Wahoo Commercial Permit has been issued and that has on board a pelagic longline must post inside the wheelhouse the sea turtle handling and release guidelines. Such owner or operator must also comply with the sea turtle bycatch mitigation measures, including gear requirements and sea turtle handling requirements, as specified in 50 C.F.R. §635.21(c)(5)(i) and (ii). These requirements are a reference to the Highly Migratory Species regulations for pelagic longlines. There are no protected species handling, release or identification training, circle hook, hook material, or gangion length requirements.

Alternative 2. Require the following for vessels with **an Atlantic Dolphin/Wahoo Commercial Permit** ~~a commercial dolphin wahoo permit~~ when using pelagic longlines:

Sub-alternative 2a. Must possess valid Safe Handling, Release, and Identification Workshop certificate on board for both the owner and operator.

Sub-alternative 2b. Must possess and/or use only corrodible (i.e., non-stainless steel) circle hooks.

Sub-alternative 2c. Must possess and/or use only 18/0 or larger hooks with an offset not to exceed 10 degrees, and/or 16/0 or larger non-offset hooks.

Sub-alternative 2d. Must use whole finfish and/or squid as bait.

Sub-alternative 2e. If the total length of any gangion plus the length of any floatline is less than 100 meters, then the length of all gangions must be at least 10 percent longer than the length of the floatlines.

Sub-alternative 2f. Cannot deploy a pelagic longline that exceeds 20 nautical miles in length in the Mid-Atlantic Bight.

Alternative 3. Require that a valid Safe Handling, Release, and Identification Workshop certificate be supplied when renewing an Atlantic Dolphin/Wahoo Commercial Permit if the permitted vessel intends to land dolphin with pelagic longline gear.

Alternative 4. Require the following for vessels with **an Atlantic Dolphin/Wahoo Commercial Permit** ~~a commercial dolphin wahoo permit~~ when using pelagic longlines that do not have an HMS permit that allows the use of pelagic longline gear (tri-pack):

Sub-alternative 4a. Must possess valid Safe Handling, Release, and Identification Workshop certificate on board for both the owner and operator.

Sub-alternative 4b. Must use only corrodible (i.e., non-stainless steel) 12/0 or larger non-offset circle hooks.

Sub-alternative 4c. Must use only corrodible (i.e., non-stainless steel) 14/0 or larger non-offset circle hooks.

Sub-alternative 4d. Must use only corrodible (i.e., non-stainless steel) 16/0 or larger non-offset circle hooks.

Sub-alternative 4e. Must use whole finfish and/or squid as bait.

Alternative 5. Require a longline endorsement on the **Atlantic Dolphin/Wahoo Commercial Permit** ~~commercial dolphin wahoo permit~~ to use longline gear to land dolphin or wahoo

IPT suggested actions and alternatives:

Proposed Action 14. Establish a permit endorsement requirement for dolphin and wahoo when using pelagic longline gear.

Alternative 1 (No Action). Currently there is no permit endorsement required to use pelagic longline gear in the Dolphin Wahoo fishery. Do not establish permit endorsement requirement for vessels issued an Atlantic Dolphin/Wahoo Commercial Permit to use pelagic longline gear.

Alternative 2. In order to use pelagic longline gear onboard a vessel, require a longline endorsement to the Atlantic Dolphin/Wahoo Commercial Permit.

Proposed Action 15. Modify gear, bait, and training requirements in the commercial longline fishery for dolphin and wahoo to align with Highly Migratory Species requirements.

Sub-action 15A: Protected species handling and release training requirements for dolphin and wahoo when using pelagic longline gear.

Alternative 1A (No Action). The owner or operator of a vessel for which an Atlantic Dolphin/Wahoo Commercial Permit has been issued and that has on board a pelagic longline must post inside the wheelhouse the sea turtle handling and release guidelines. Such owner or operator must also comply with the sea turtle bycatch mitigation measures, including gear requirements and sea turtle handling requirements, as specified in 50 C.F.R. §635.21(c)(5)(i) and (ii). These requirements are a reference to the Highly Migratory Species regulations for pelagic longlines. Currently there are no protected species handling and release training requirements to use pelagic longline gear in the Dolphin Wahoo fishery. Do not establish protected species handling and release training requirements for vessels issued an Atlantic Dolphin/Wahoo Commercial Permit and/or endorsement to use pelagic longline gear.

Alternative 2A. In order to use pelagic longline gear on board a vessel, require a valid Safe Handling, Release, and Identification Workshop certificate on board for both the owner and operator of a vessel issued an Atlantic Dolphin/Wahoo Commercial Permit and/or endorsement.

Alternative 3A. In order to use pelagic longline gear on board a vessel, require a valid Safe Handling, Release, and Identification Workshop certificate be supplied when renewing an Atlantic Dolphin/Wahoo Commercial Permit and/or endorsement.

Sub-action 15B: Rigging and deployment requirements for dolphin and wahoo when using pelagic longline gear.

Alternative 1B (No Action). Currently there are no rigging or deployment requirements to use pelagic longline gear in the Dolphin Wahoo fishery. Do not establish requirements for rigging or deployment of pelagic longline gear on board vessels issued an Atlantic Dolphin/Wahoo Commercial Permit and/or endorsement.

Alternative 2B. If the total length of any gangion plus the length of any floatline is less than 100 meters, then the length of all gangions must be at least 10 percent longer than the length of the floatlines on board vessels issued an Atlantic Dolphin/Wahoo Commercial Permit and/or endorsement.

Alternative 3B. Cannot deploy a pelagic longline that exceeds 20 nautical miles in length in the Mid-Atlantic Bight as defined at 50 CFR §635.2 on board vessels issued an Atlantic Dolphin/Wahoo Commercial Permit and/or endorsement.

Sub-action 15C: Hook requirements for dolphin and wahoo when using pelagic longline gear.

Alternative 1C (No Action). Currently there are no hook requirements to use pelagic longline gear in the Dolphin Wahoo fishery. Do not establish hook requirements on board vessels with an Atlantic Dolphin/Wahoo Commercial Permit and/or endorsement when using pelagic longline gear.

Alternative 2C. Vessels with an Atlantic Dolphin/Wahoo Commercial Permit and/or endorsement must possess and/or use only corrodible (i.e., non-stainless steel) circle hooks when using pelagic longline gear.

Alternative 3C. Vessels with an Atlantic Dolphin/Wahoo Commercial Permit and/or endorsement must possess and/or use only 18/0 or larger corrodible (i.e., non-stainless steel) circle hooks with an offset not to exceed 10 degrees, and/or 16/0 or larger non-offset corrodible circle hooks when using pelagic longline gear.

Alternative 4C. Vessels with an Atlantic Dolphin/Wahoo Commercial Permit and/or endorsement must possess and/or use only 12/0 or larger non-offset circle hooks when using pelagic longline gear.

Alternative 5C. Vessels with an Atlantic Dolphin/Wahoo Commercial Permit and/or endorsement must possess and/or use only 14/0 or larger non-offset circle hooks when using pelagic longline gear.

Alternative 6C. Vessels with an Atlantic Dolphin/Wahoo Commercial Permit and/or endorsement must possess and/or use only 16/0 or larger non-offset circle hooks when using pelagic longline gear.

Sub-action 15D: Bait requirements for dolphin and wahoo when using pelagic longline gear.

Alternative 1D (No Action). Currently there are no bait requirements to use pelagic longline gear in the Dolphin Wahoo fishery. Do not establish bait requirements on board vessels with an Atlantic Dolphin/Wahoo Commercial Permit and/or endorsement when using pelagic longline gear.

Alternative 2D. Require the use of whole finfish and/or squid as bait on board vessels that are issued an Atlantic Dolphin/Wahoo Commercial Permit and/or endorsement when using pelagic longline gear.

Discussion:

Current Action 14:

- This action was added in accordance with guidance received at the December 2018 Council meeting to “consider HMS gear and training requirements in the pelagic longline fishery for dolphin and wahoo.” Clarification was made to exclude HMS monitoring requirements.
- In **Action 1 (No Action)**, 50 C.F.R. §635.21(c)(5)(i) and (ii) references Highly Migratory Species (HMS) sea turtle-related gear and release requirements and not training.
- The items listed in **Alternative 2**, **Alternative 3** and portions of **Alternative 4** came about as a result of a Biological Opinion (BiOp) issued by the NOAA Office of Protected Resources (OPR) for the HMS pelagic longline fishery (PLL) that required these measures to minimize sea turtle bycatch mortality and right whale interactions. The Safe Handling, Release, and Identification Workshop certificate serves as proof of required training (**Sub-alternative 2a**, **Alternative 3**, **Sub-alternative 4a**), corrodible circle hooks are intended to mitigate injuries to hooked sea turtles (**Sub-alternative 2b**, **Sub-alternative 4a**, **Sub-alternative 4b**, **Sub-alternative 4c**, **Sub-alternative 4d**), larger hooks (16/0 and 18/0) are intended to discourage hooking of sea turtles (**Sub-alternative 2c**, **Sub-alternative 4d**), whole baits are intended to be easier for sea turtles to pull off of a hook (**Sub-alternative 2d**, **Sub-alternative 4e**), the specified length of a gangion is intended to help sea turtles resurface (**Sub-alternative 2e**), and the longline length restriction is intended to minimize right whale interactions (**Sub-alternative 2f**).
- The last BiOp for the Dolphin Wahoo fishery was issued in 2003, with the development of the initial Dolphin Wahoo FMP.
- Coinciding with the development of Amendment 10, OPR will be developing and issuing a new BiOp for the Dolphin Wahoo fishery.
- **Alternative 5** would require a longline endorsement on the commercial dolphin wahoo permit in order to fish pelagic longline gear in the dolphin wahoo fishery.

Proposed Action 14:

- There is currently not an endorsement required for the commercial dolphin wahoo permit to use pelagic longlines. **Alternative 2** would establish this endorsement. The proposed action is based on **Alternative 5** from **Current Action 14**.

Proposed Action 15:

- This action was intended to better distinguish the different requirements described in **Current Action 14** by organizing the alternatives under sub-actions by the general topic that is being addressed.
- **Sub-Action 15A** addresses requirements for protected species handling and release training.
- **Sub-Action 15B** addresses rigging and deployment requirements.
- **Sub-Action 15C** addresses hook type and size requirements.
- **Sub-Action 15D** addresses bait requirements.

- The general content is the same as Current Action 14, with the exception of removing the alternative that would establish a permit endorsement to fish pelagic longline gear in the dolphin wahoo fishery and placing it as a separate action in **Proposed Action 14**.

SSC/Advisory Panel Recommendations:

- During the August 22, 2019 Dolphin Wahoo AP webinar, there was discussion on pelagic longline landings of dolphin. Concerns were raised over the targeting of fish that may be spawning off of the Carolinas, PLL trips that had particularly high landings of dolphin (30,000 pounds was mentioned), and the relatively small size of fish that were observed being landed in some circumstances.

To address some of these concerns, the AP offered a motion to support Action 15, Alternative 2 in Amendment 10 (currently Action 14), noting that increasing the hook size when using PLL gear for dolphin would help address some of the AP's size-related concerns by discouraging landing smaller sized fish in the PLL fishery as well as bringing parity in gear and training requirements amongst vessels fishing PLL gear in the HMS and Dolphin Wahoo fisheries.

IPT Recommendations/Comments:

Current Action 14:

- The relatively large hook sizes specified in **Sub-alternative 2c** and **Sub-alternative 4b, 4c, and 4d** may not be conducive to targeting dolphin at times. Feedback on this topic could be solicited during public hearings if this action continues to move forward.
- The HMS BiOp that the measures in **Alternative 2, Alternative 3** and portions of **Alternative 4** are based upon were addressing a jeopardy designation, which may not be the case for the Dolphin Wahoo fishery. The new BiOp for Dolphin Wahoo may have new or different requirements, and the current sub-alternatives may be too prescriptive or not properly calibrated. Also, the Council may not get "credit" for actions taken before the BiOp is issued.
- **Sub-alternative 2f** is based on a rule related to reducing takes of pilot whales. This rule is likely to change with a new proposed rule publishing soon. As such, this alternative may not reflect revised HMS PLL regulations if implemented in its current state.
- HMS has a number of required workshops for training and what is in the HMS regulations may be a good start for changing the PLL regulations for Dolphin Wahoo but may need to see how the updated Dolphin Wahoo BiOp differs from HMS BiOp. Depending on the timing of the updated Dolphin Wahoo BiOp and Amendment 10, the regulations for the PLL Dolphin Wahoo fishery may need to be amended multiple times if they do not occur simultaneously.

Proposed Action 14:

- The IPT recommended that the endorsement alternative be removed from **Current Action 14** and included as its own action.
- It was noted that there may be several additional decision points that the Committee will need to specify if a permit endorsement is established including eligibility, open vs limited

access, transfer criteria, and renewal criteria. Once guidance is provided by the Committee, additional actions would be developed addressed these topics.

- Some IPT members recommended removing reference to “pelagic” from longline while others recommended maintaining it. The IPT requests guidance from Committee whether **Proposed Action 14** and **Proposed Action 15** should include all longline gear or focus solely on pelagic longline gear.

Proposed Action 15:

- The relatively large hook sizes specified in **Alternative 2C** and **Alternative 5C**, and **Alternative 6C** may not be conducive to targeting dolphin at times. Feedback on this topic could be solicited during public hearings if this action continues to move forward.
- The HMS BiOp that the many of the measures are based upon were implemented to address a jeopardy designation, which may not be the case for the Dolphin Wahoo fishery. The new BiOp for Dolphin Wahoo may have new or different requirements, and some of the current alternatives may be too prescriptive or not properly calibrated. Also, the Council may not get “credit” for actions taken before the BiOp is issued.
- HMS has a number of required workshops for training and what is in the HMS regulations may be a good start for changing the PLL regulations for dolphin and wahoo, but the Committee may need to see how the updated Dolphin Wahoo BiOp differs from HMS BiOp. Depending on the timing of the updated Dolphin Wahoo BiOp and Amendment 10, the regulations for the PLL Dolphin Wahoo fishery may need to be amended multiple times if they do not occur simultaneously.
- **Alternative 3B** is based on a rule related to reducing takes of pilot whales. This rule is likely to change with a new proposed rule publishing soon. As such, this alternative may not reflect revised HMS PLL regulations if implemented in its current state.

Overall:

- It was noted that these actions are complex and involve many topics. If it is the Committee’s preference, the actions would be well suited to be included as a separate amendment that would focus on the use of pelagic longline in the dolphin wahoo fishery.

Committee Action:

- APPROVE THE IPT’S SUGGESTED EDITS TO ACTION 14 IN AMENDMENT 10 (HIGHLIGHTED IN YELLOW).
- APPROVE THE IPT’S PROPOSED ACTION 14 AND THE PROPOSED RANGE OF ALTERNATIVES FOR CONSIDERATION IN AMENDMENT 10 (HIGHLIGHTED IN GRAY).
- APPROVE THE IPT’S PROPOSED ACTION 15 IN AMENDMENT 10 (HIGHLIGHTED IN GRAY).
- DO NOT APPROVE THE IPT’S SUGGESTED EDITS TO ACTION 14 IN AMENDMENT 10 (COMMITTEE TO SUGGEST MODIFICATIONS AND APPROVE).

Action 15. 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 SEPTEMBER 2020.

APPENDIX

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 Headboat 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) 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 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 1 provides the distribution of the dolphin harvested per person for Atlantic dolphin, Figure 2 provides the distribution of the dolphin harvested per person for east Florida, and Figure 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 4 provides the distribution of the dolphin harvested per vessel for Atlantic dolphin, Figure 5 provides the distribution of the dolphin harvested per vessel for east Florida, Figure 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.

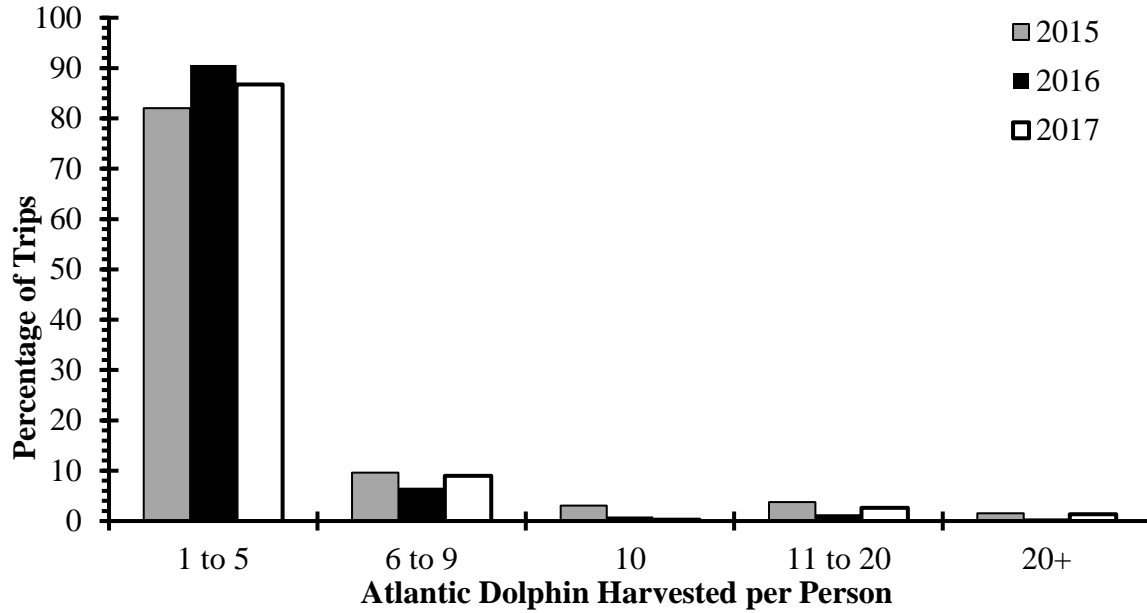


Figure A-1. Distribution of Atlantic dolphin harvested per angler by year for 2015, 2016, and 2017. The data comes from MRIP (2,205,414 angler trips) and Headboat (2,837 trips) recreational surveys. These results are from Maine to Florida and include Monroe County, Florida.

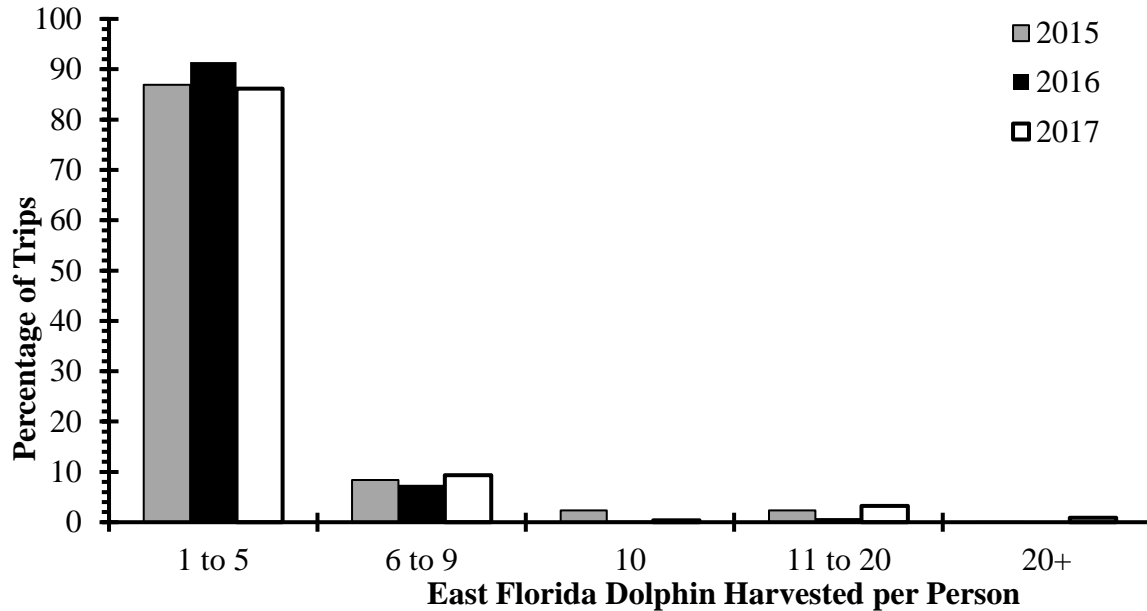


Figure A-2. Distribution of east Florida dolphin harvested per angler by year for 2015, 2016, and 2017. The data comes from MRIP (1,416,795 angler trips) and Headboat (2,303 trips) recreational surveys. These results are from east Florida and include Monroe County.

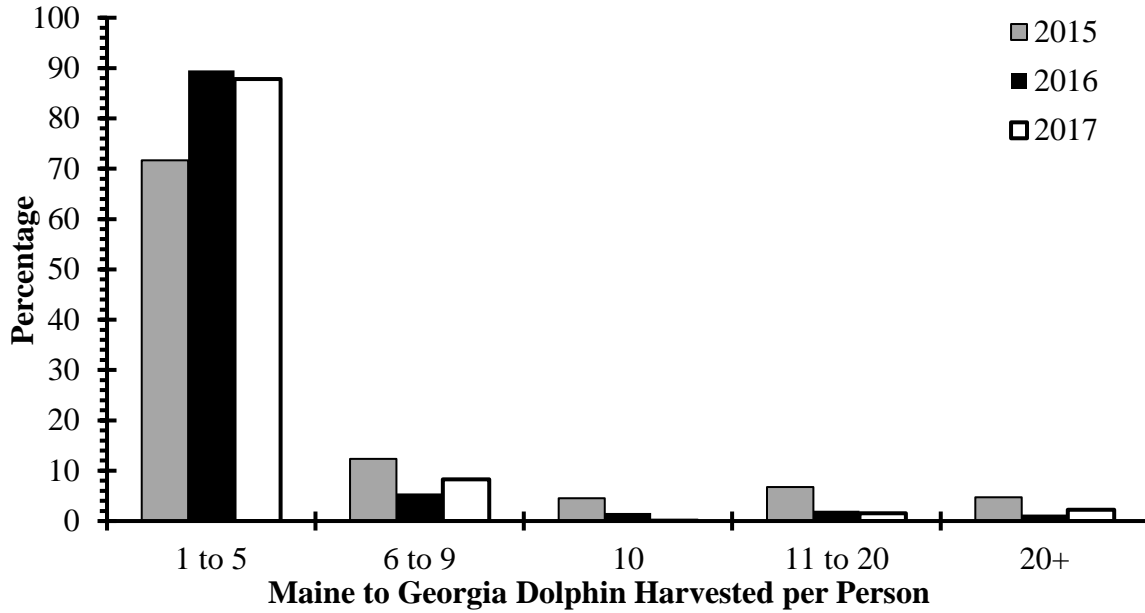


Figure A-3. Distribution of Maine to Georgia dolphin harvested per angler by year for 2015, 2016, and 2017. The data comes from MRIP (788,619 angler trips) and Headboat (534 trips) recreational surveys.

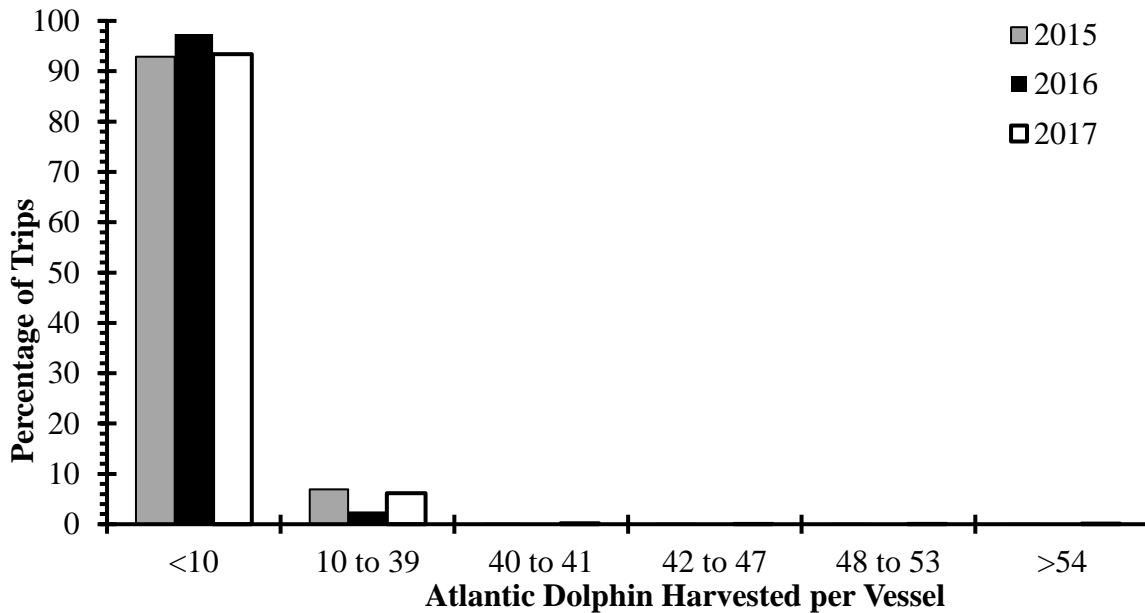


Figure A-4. Distribution of Atlantic dolphin harvested per vessel per year for 2015, 2016, and 2017. The data comes from MRIP (1,884,919 vessel trips) and Headboat (2,837 trips) recreational surveys. The results are from Maine to Florida and include Monroe County, Florida.

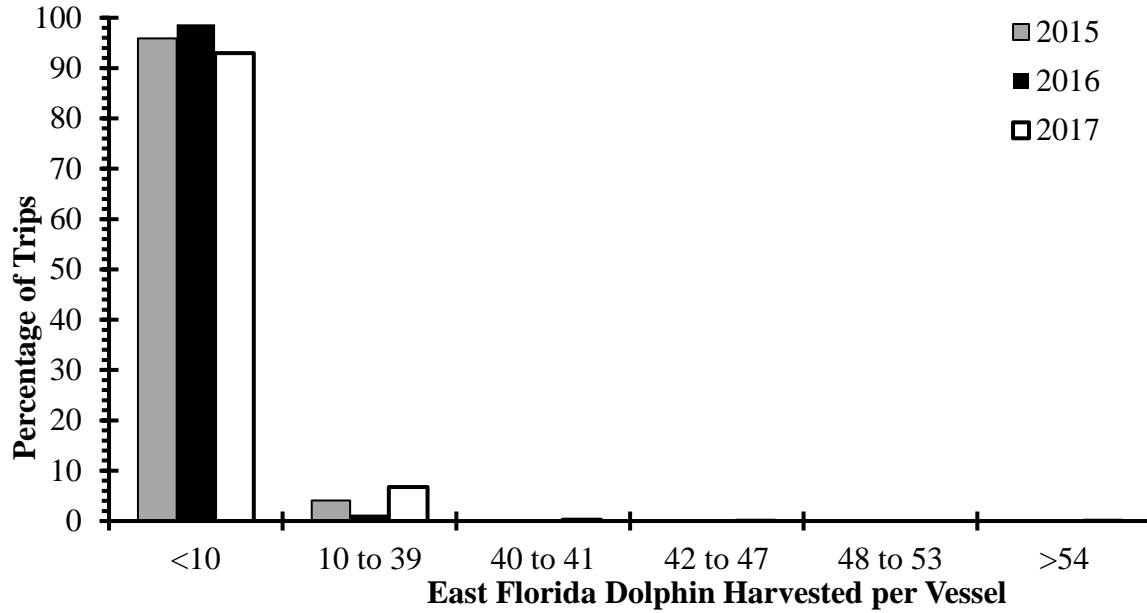


Figure A-5. Distribution of east Florida dolphin harvested per vessel per year for 2015, 2016, and 2017. The data comes from MRIP (1,164,106 vessel trips) and Headboat (2,303 trips) recreational surveys. The results are from east Florida and include Monroe County, Florida.

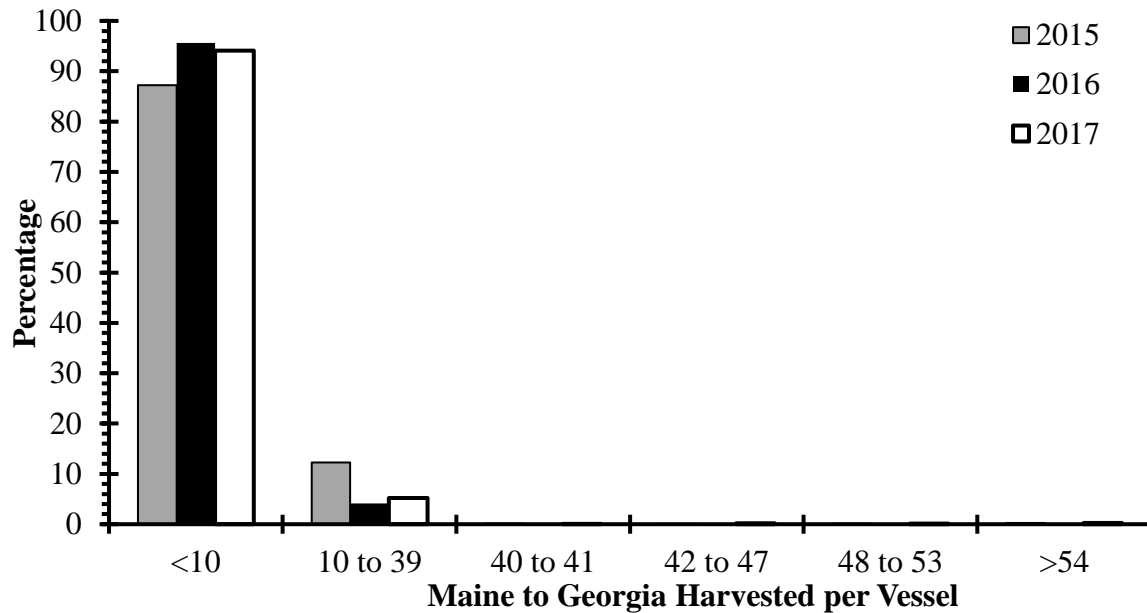


Figure A-6. Distribution of Maine to Georgia dolphin harvested per vessel per year for 2015, 2016, and 2017. The data comes from MRIP (720,813 vessel trips) and Headboat (534 trips) recreational surveys.