

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

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

Background

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

Of note since the 2015 in-season commercial closure for dolphin is Dolphin Wahoo Amendment 8 that went into effect on February 22, 2016 and increased the commercial sector allocation for dolphin from 7.54% to 10% of the total ACL, which added approximately 377,000 lbs ww to the commercial ACL and set the commercial ACL close to the original “soft” cap of 1.5 million lbs ww that was established in the original Dolphin Wahoo Fishery Management Plan (FMP; SAFMC 2003). 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 separately. Amendment 10 previously included actions to revise the definition of optimum yield for dolphin, allow adaptive management of sector ACLs, allow possession of dolphin and wahoo when non-authorized gears in the dolphin wahoo fishery are on board a vessel, and remove the operator card requirement for vessel operators or crew members. Development of the amendment was suspended pending availability of revised recreational data from the Marine Recreational Information Program (MRIP) using the Fishery Effort Survey (FES) method instead of the Coastal Household Telephone Survey (CHTS) method, per guidance provided during the March 2017 Council meeting. With revised recreational data available, the Council directed staff at the December 2018 meeting to start work again on Amendment 10 with the inclusion of additional items that would allow bag limit sales of dolphin for dually permitted for-hire and commercial permit holders; modify gear, bait, and training requirements in the commercial longline fishery for dolphin and wahoo to align with Highly Migratory Species requirements; reduce the recreational vessel limit for dolphin; revise ACLs to accommodate new recreational data; and revise sector allocations. In March 2019, the Council reviewed the actions in the amendment and added a potential item to explore, the addition of buoy gear in the dolphin wahoo fishery. At the June 2019 meeting, the Council reviewed the amendment, removed an action that would allow bag limit sales of dolphin, and added 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 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 originated in 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. These ABCs will remain in place until modified once the Council adopts them.

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. **Actions 5** through **8** would change recreational accountability measures. The remaining actions (**Actions 9** through **13**) would implement various management revisions for the Dolphin Wahoo fishery and are largely independent of one another.

Actions in this amendment

Actions that accommodate revised recreational data and catch level recommendations

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

Actions that change recreational accountability measures

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

Actions that implement various management revisions in the Dolphin Wahoo fishery

- **Action 9.** Allow properly permitted commercial fishing vessels with trap, pot, or buoy gear on board that are not authorized for use in the dolphin wahoo fishery to possess commercial quantities of dolphin and wahoo
- **Action 10.** Remove the requirement of vessel operators or crew to hold an Operator Card in the Dolphin Wahoo Fishery
- **Action 11.** Reduce the recreational vessel limit for dolphin
- **Action 12.** Reduce the recreational bag limit and establish a recreational vessel limit for wahoo
- **Action 13.** 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 public hearing comments.
- Review and approve edits to the purpose and need statements.
- Review actions and alternatives and make modifications as appropriate.
- Consider timing of the amendment.

Potential amendment timing

	Process Step	Date
✓	Council directs staff to work on amendment	March 2016
✓	Scoping	August 2016
✓	Develop amendment actions and alternatives	Sept. 2016-Dec. 2020
✓	Public hearings	January 2021
	Council reviews public hearing comments and revised analyses	March 2021
	Council reviews amendment and approves for formal review	June 2021
	Implementation	Sometime in 2022

Purpose and Need Statement

The *purpose* of Dolphin Wahoo Amendment 10 is to revise the catch levels [acceptable biological catch (ABC) and annual catch limits (ACL)], sector allocations, accountability measures, and management measures for dolphin and wahoo. Management measures address authorized gear, ~~and~~ the operator card requirement, ~~and recreational bag/vessel limits~~ in the dolphin and wahoo fisheries, as well as ~~recreational vessel limits and~~ allowing fillets at sea onboard for-hire vessels in the dolphin fishery.

The *need* for Dolphin Wahoo Amendment 10 is to base conservation and management measures on the best scientific information available and increase net benefits to the Nation, consistent with the Magnuson-Stevens Fishery Conservation and Management Act and its National Standards.

Committee Action:

- APPROVE THE IPT'S SUGGESTED EDITS TO THE PURPOSE AND NEED STATEMENTS IN AMENDMENT 10 (HIGHLIGHTED IN YELLOW).
- PROVIDE ADDITIONAL EDITS AND APPROVE THE PURPOSE AND NEED STATEMENTS IN AMENDMENT 10 AS REVISED.

Proposed Actions and Alternatives

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

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

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

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

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

Discussion:

- The ACL for dolphin can be set at or below the ABC on the ABC, which is set based on catch level recommendations from the Council's SSC.
- In April 2020, the Council's SSC recommended a new acceptable biological catch level for dolphin using the third highest landings value from 1994-2007. These landings include Monroe County, Florida, and are largely based on recreational data from the MRIP newer FES method, which is considered more reliable and robust compared to the previously used CHTS method. Thus, this new ABC is considered best scientific information available (BSIA).
- The revised ABC for dolphin is 24,570,764 lbs ww which incorporates FES estimates of recreational landings (**Figure 1**). The existing ABC for dolphin is 15,344,846 lbs ww and incorporates CHTS estimates of recreational landings.
- The ABC is currently set equal to the ACL as specified in Dolphin Wahoo Amendment 5, which accommodated a previous revision of MRIP data.
- Dolphin landings are largely driven by the recreational sector. The percent standard errors (PSEs) for recreational dolphin landings (**Table 1**) tend to be relatively low each year and are among the lowest of the species that the Council manages. This may be an important consideration in whether a buffer is desired between the ABC and ACL to account for uncertainty.
- **Alternative 1 (No Action)** maintains the ACL equal to the existing ABC which does not incorporate recreational landings from Monroe County, FL and is tracked using CHTS estimates for recreational data. **Alternative 1 (No Action)** is not a viable alternative because it is not based on BSIA.
- **Preferred Alternative 2** would set the ACL equal to the updated ABC. **Alternative 3** would implement a 5% buffer between the ACL and ABC which equates to approximately 1.23 million pounds. **Alternative 4** would implement a 10% buffer between the ACL and ABC which equates to approximately 2.46 million pounds. All three of these alternatives adopt BSIA.
- The potential revised dolphin ACLs are all above the observed landings in recent years except for 2015 (**Figure 1**). The new ACLs are likely not constraining on total harvest and allow for a buffer between average landings and the ACL (**Table 2**) but could be potentially constraining in years of exceptionally high landings (**Table 3**).

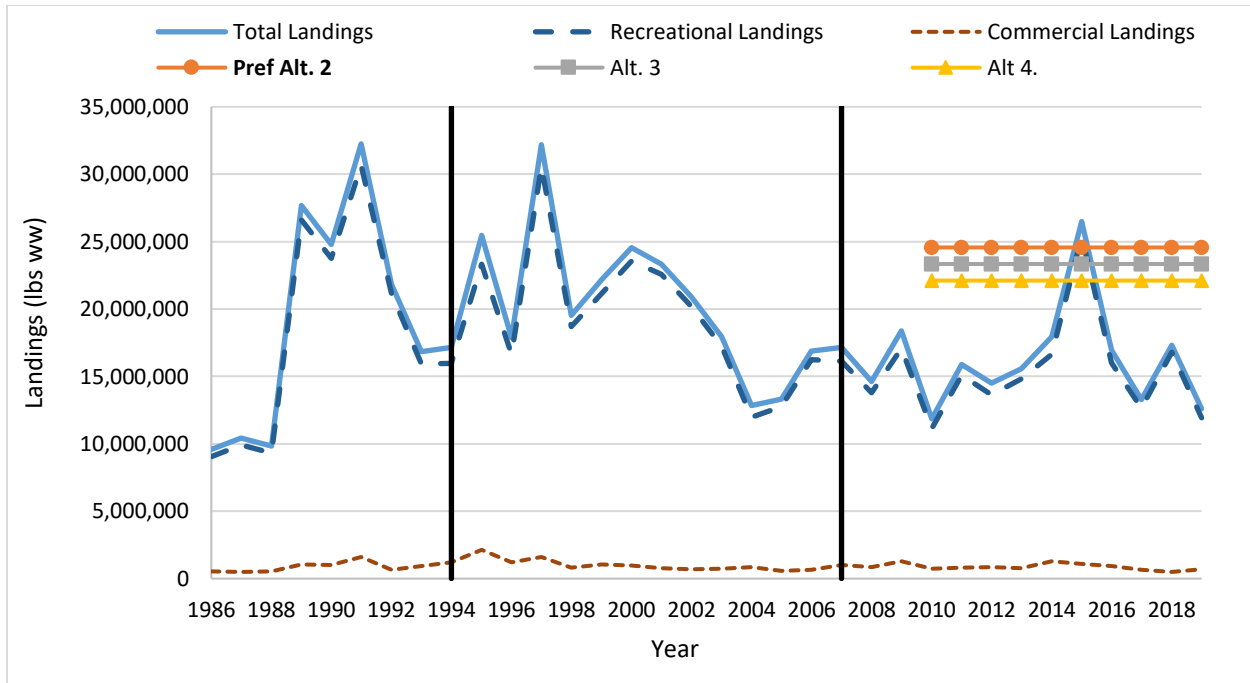


Figure 1. Atlantic dolphin landings (pounds whole weight) from 1986-2019 in comparison to **Alternatives 2 (Preferred)** through **4 in Action 1**. The solid vertical lines indicate baseline years (1994 to 2007) selected by the SSC for setting the dolphin ABC.

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

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

Table 2. Percent difference between the ACLs in **Action 1** compared to 5-year average landings from 2015-2019.

Alternative	Dolphin ACL (lbs ww)	Percent difference between the ACL and average annual landings from 2015-2019*
Alternative 1 (No Action)	15,344,846	+59%
Preferred Alternative 2	24,570,764	+47%
Alternative 3	23,342,226	+39%
Alternative 4	22,113,688	+31%

***Alternative 1 (No Action)** is tracked in part using CHTS estimates for charter and private recreational landings and does not include recreational landings from Monroe County, Florida and thus is not applicable to comparison to the other alternatives. **Alternatives 2 (Preferred)** through **4** would be

tracked in part using FES estimates for charter and private recreational landings and would include recreational landings from Monroe County, Florida.

Table 3. Projection of total ACL being reached under all the alternatives in **Action 1** when compared with the average landings (lbs ww) from 2015-2019 (5-year average) and 2017-2019 (3-year average), and maximum landings for a single year from 2015-2019.

Alternative	Dolphin ACL (lbs ww)	Total ACL reached based on average landings from 2015-2019	Total ACL reached based on average landings from 2017-2019	Total ACL reached based on maximum landings from 2015-2019
Alternative 1 (No Action)*	15,344,846	Not Applicable	Not Applicable	Not Applicable
Preferred Alternative 2	24,570,764	No	No	Yes (16-Oct)
Alternative 3	23,342,226	No	No	Yes (30-Sep)
Alternative 4	22,113,688	No	No	Yes (14-Sep)

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

Advisory Panel Recommendations:

The Dolphin Wahoo AP discussed this action and approved the following motion during their October 28, 2020 meeting:

Comments:

- Some AP members expressed concern over population trends for dolphin noting that abundance is important for the recreational fishery. Dolphin tend to be relatively easy to catch when present, thus making them more susceptible to depletion and a more cautious approach is appropriate to management.

MOTION: ENDORSE ALTERNATIVE 2 AS THE PREFERRED ALTERNATIVE FOR ACTIONS 1 AND 2.
APPROVED BY AP

Summary of Public Hearing Comments:

- Some comments expressed general support for the Council’s preferred alternative (**Preferred Alternative 2**).
- Consider a five percent buffer between the ABC and ACL if there is a concern over dolphin abundance (**Alternative 3**).
- Support for **Alternative 4** to address uncertainty over dolphin landings, particularly in regard to international commercial fisheries. A precautionary approach is warranted.

Committee Action:

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

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

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

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

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

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

Discussion:

- The ACL for wahoo can be set at or below the ABC the ABC, which is set based on catch level recommendations from the Council's SSC.
- In April 2020, the Council's SSC recommended a new acceptable biological catch level for wahoo using the third highest landings value from 1994-2007. These landings include Monroe County, Florida, and are largely based on recreational data from the MRIP newer FES method, which is considered more reliable and robust compared to the previously used CHTS method. Thus, this new ABC is considered BSIA.
- The revised ABC for wahoo is 2,885,303 lbs ww which incorporates FES estimates of recreational landings (**Figure 2**). The existing ABC for wahoo is 1,794,960 lbs ww and incorporates CHTS estimates of recreational landings.
- The ABC is currently set equal to the ACL as specified in Dolphin Wahoo Amendment 5, which accommodated a previous revision of MRIP data.
- Wahoo landings are largely driven by the recreational sector. While higher than those for dolphin, the percent standard errors (PSEs) for recreational wahoo landings (**Table 4**) tend to be relatively low each year and are among the lowest for species that the Council manages. This may be an important consideration in whether a buffer is desired between the ABC and ACL to account for uncertainty.
- **Alternative 1 (No Action)** maintains the ACL equal to the existing ABC which does not incorporate recreational landings from Monroe County, FL and is tracked using CHTS estimates for recreational data. **Alternative 1 (No Action)** is not a viable alternative because it is not based on the BSIA.
- **Preferred Alternative 2** would set the ACL equal to the updated ABC **Alternative 3** would implement a 5% buffer between the ACL and ABC which equates to approximately 144,000 pounds. **Alternative 4** would implement a 10% buffer between the ACL and ABC which equates to approximately 289,000 pounds. All three of these alternatives adopt BSIA.
- The potential revised wahoo ACLs are below some of the observed landings in recent years (**Figure 2**). The new ACL is not constraining on total harvest based on the most recent three years of landings but could be potentially constraining in years of exceptionally high landings or if using a five-year average landings baseline (**Tables 5 and 6**).

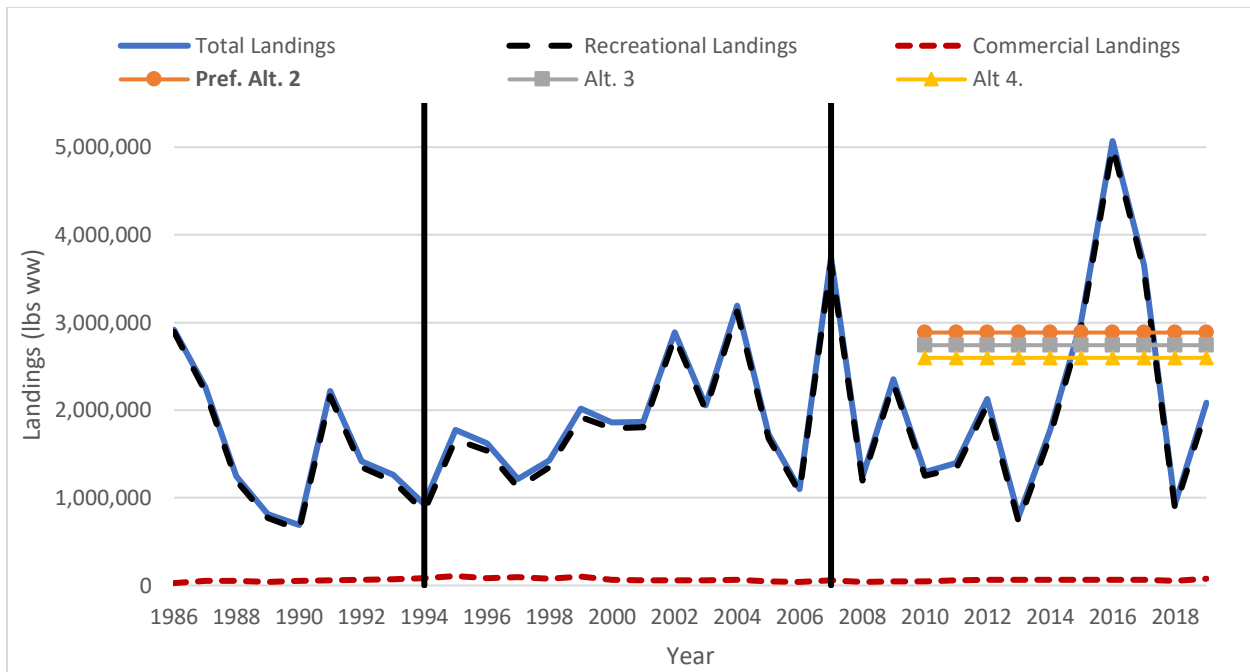


Figure 2. Atlantic wahoo landings (pounds whole weight) from 1986-2019 in comparison to **Alternatives 2 (Preferred)** through **4** in **Action 2**. The solid vertical lines indicate baseline years (1994 to 2007) selected by the SSC for setting the wahoo ABC.

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

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

Table 5. Percent difference between the ACLs in **Action 2** compared to 5-year average landings from 2015-2019.

Alternative	Wahoo ACL (lbs ww)	Percent difference between the ACL and average annual landings from 2015-2019*
Alternative 1 (No Action)*	1,794,960	43%
Preferred Alternative 2	2,885,303	-4%
Alternative 3	2,741,038	-12%
Alternative 4	2,596,773	-20%

***Alternative 1 (No Action)** is tracked in part using CHTS estimates for charter and private recreational landings and does not include recreational landings from Monroe County, Florida. **Alternatives 2**

(Preferred) through **4** would be tracked in part using FES estimates for charter and private recreational landings and would include recreational landings from Monroe County, Florida.

Table 6. Projection of total ACL being reached under all the alternatives in **Action 2** when compared with the average landings (lbs ww) from 2015-2019 (5-year average) and 2017-2019 (3-year average), and maximum landings for a single year from 2015-2019.

Alternative	Dolphin ACL (lbs ww)	Total ACL reached based on average landings from 2015-2019	Total ACL reached based on average landings from 2017-2019	Total ACL reached based on maximum landings from 2015-2019
Alternative 1 (No Action)*	1,794,960	Not Applicable	Not Applicable	Not Applicable
Preferred Alternative 2	2,885,303	Yes (24-Dec)	No	Yes (23-Sep)
Alternative 3	2,741,038	Yes (8-Dec)	No	Yes (9-Sep)
Alternative 4	2,596,773	Yes (22-Nov)	No	Yes (29-Aug)

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

Advisory Panel Recommendations:

The Dolphin Wahoo AP discussed this action and approved the following motion during their October 28, 2020 meeting:

Comments:

- Wahoo tend to be more difficult to target and thus may not be as susceptible to traditional fishing pressure. A less cautious approach to management may be appropriate but AP members stated that there is concern over increased fishing pressure, particularly from divers using spearfishing gear. It was noted that some divers seem to be targeting spawning aggregations and that divers were accounting for a notable number of wahoo harvested directly and through delayed mortality due to wahoo being speared but escaping when the spear pulls out of the fish.

MOTION: ENDORSE ALTERNATIVE 2 AS THE PREFERRED ALTERNATIVE FOR ACTIONS 1 AND 2.
APPROVED BY AP

Summary of Public Hearing Comments:

- Some comments expressed general support for the Council’s preferred alternative (**Preferred Alternative 2**).

Committee Action:

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

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

Note: The revised total annual catch limit in Alternatives 1 (No Action) through 4 reflects Preferred Alternative 2 in Action 1 in Amendment 10 to the Fishery Management Plan for Dolphin and Wahoo of the Atlantic. The revised total annual catch limit includes recreational landings from Monroe County, Florida, and incorporates recreational data as per the Marine Recreational Information Program using the Fishery Effort Survey method, as well as updates to commercial and for-hire landings.

Alternative 1 (No Action). Retain the current recreational sector and commercial sector allocations as 90.00% and 10.00%, respectively, of the revised total annual catch limit for dolphin.

Alternative 2. Allocate 93.75% of the revised total annual catch limit for dolphin to the recreational sector. Allocate 6.25% of the revised total annual catch limit for dolphin to the commercial sector. This is based on approximately maintaining the current commercial annual catch limit and allocating the remaining revised total annual catch limit to the recreational sector.

Preferred Alternative 3. Allocate 93.00% of the revised total annual catch limit for dolphin to the recreational sector. Allocate 7.00% of the revised total annual catch limit for dolphin to the commercial sector. This is based on the Council's intent to explore alternatives for sector allocations that would not result in a decrease in the current pounds of dolphin available to either sector.

Alternative 4. Allocate 92.00% of the revised total annual catch limit for dolphin to the recreational sector. Allocate 8.00% of the revised total annual catch limit for dolphin to the commercial sector. This is based on the Council's intent to explore alternatives for sector allocations that would not result in a decrease in the current pounds of dolphin available to either sector.

Discussion:

- **Alternative 1 (No Action)** maintains the current sector allocations implemented via Dolphin Wahoo Amendment 8 (effective February 2016), which was the most recent amendment where sector allocations for dolphin were modified.
- **Alternative 2** approximately maintains the current commercial sector ACL (1,534,485 lbs ww) on a pound-basis, while allocating the remainder of the total ACL to the recreational sector.
- **Preferred Alternative 3** and **Alternative 4** revise sector allocations based on the Council's guidance and intent to explore alternatives for sector allocations that would not result in a decrease in the current pounds of dolphin available to either sector.
- All alternatives would increase the recreational ACL on a pound basis, but comparison to the current recreational ACL may not be relevant due to the relatively large shift from CHTS to FES estimates and how landings will be tracked going forward in time.
- All alternatives would increase the commercial ACL on a pound basis (**Tables 7 and 8**).

- While none of the alternatives are projected to be constraining on either sector (**Table 9; Figures 3 and 4**) in most years, it is still possible that landings could exceed some of the alternatives for the recreational sector in years of exceptionally high landings.

Table 7. Sector allocations and ACLs for Atlantic dolphin in **Action 3** based on the revised total ACL of 24,570,764 lbs ww from Preferred Alternative 2 in Action 1.

Alternative	Recreational allocation of the total ACL	Recreational sector ACL (lbs ww)	Commercial allocation of the total ACL	Commercial sector ACL (lbs ww)
Alternative 1 (No action)	90.00%	22,113,688	10.00%	2,457,076
Alternative 2	93.75%	23,035,091	6.25%	1,535,673
Preferred Alternative 3	93.00%	22,850,811	7.00%	1,719,953
Alternative 4	92.00%	22,605,103	8.00%	1,965,661

Table 8. Commercial ACLs for dolphin in **Action 3** in comparison to the current commercial ACL.

Alternative	Commercial ACL (lbs ww)	Difference from current commercial ACL (lbs ww) *
Alternative 1 (No Action)	2,457,076	+922,591
Alternative 2	1,535,673	+1,188
Preferred Alternative 3	1,719,953	+185,468
Alternative 4	1,965,661	+431,176

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

Table 9. Predicted date when the recreational and commercial sector ACLs for dolphin would be reached or exceeded under the maximum landings for a single year from 2015-2019. **PLEASE NOTE:** The recreational and commercial sector ACLs for dolphin would not be reached or exceeded under the average landings from 2015-2019 (5-year average) or average landings from 2017-2019 (3-year average).

Alternative	Recreational Sector ACL (lbs ww)	Recreational ACL reached?	Commercial Sector ACL (lbs ww)	Commercial ACL reached?
Alternative 1 (No Action)	22,113,688	Yes (29-Sep)	2,457,076	No
Alternative 2	23,035,091	Yes (11-Oct)	1,535,673	No
Preferred Alternative 3	22,850,811	Yes (8-Oct)	1,719,953	No
Alternative 4	22,605,103	Yes (5-Oct)	1,965,661	No

Note: Maximum annual landings during 2015-2019 were 25,375,981 lbs ww for the recreational sector and 1,101,476 lbs ww for the commercial sector.

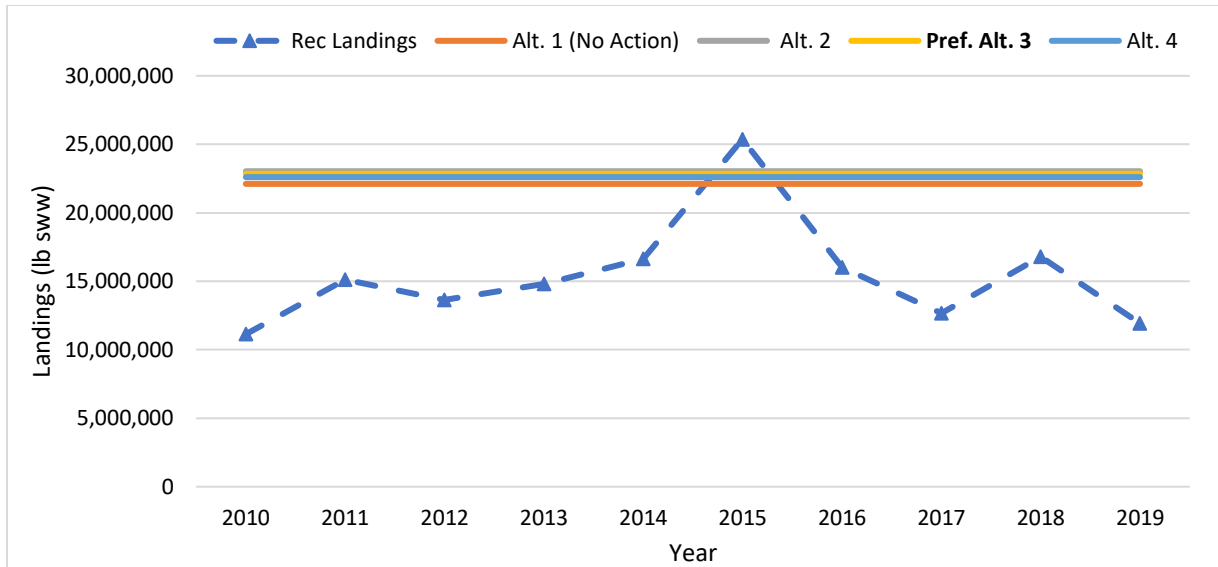


Figure 3. Recreational dolphin landings in comparison to allocation alternatives in **Action 3**, 2010-2019.

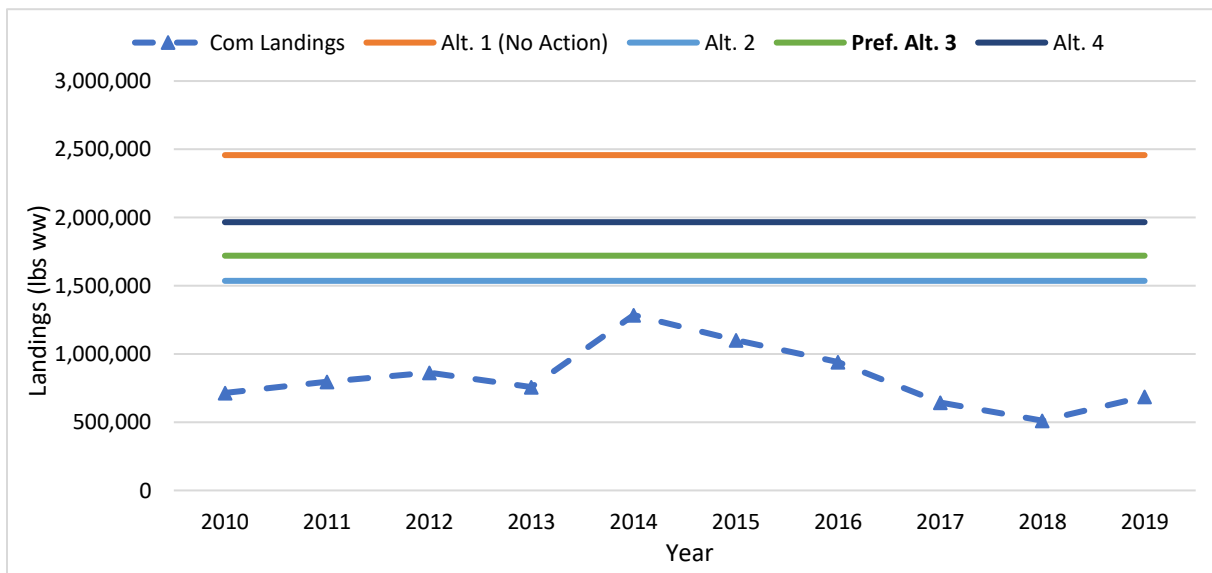


Figure 4. Commercial Atlantic dolphin landings in comparison to allocation alternatives in **Action 3**, 2010-2019.

Advisory Panel Recommendations:

The Dolphin Wahoo AP discussed this action and approved the following motion during their October 28, 2020 meeting:

Recommendations:

- In **Action 3**, the AP expressed support for **Alternative 2**, noting that this alternative would not encourage increased harvest of dolphin while also maintaining adequate harvest levels for both sectors.

MOTION: CHOOSE ALTERNATIVE 2 AS PREFERRED IN ACTION 3.

APPROVED BY AP

Summary of Public Hearing Comments:

- Some comments expressed general support for the Council's preferred alternative (**Preferred Alternative 3**).
- Support for maintaining commercial ACLs on pound basis (**Alternative 2**).
- Support for **Alternative 4** since U.S. commercial fishermen can offer a premium product for Dolphin compared to those that are imported and a reduction of 3% in allocation is not necessary at this time.

Committee Action:

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

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

Note: The revised total annual catch limit in Alternatives 1 (No Action) through 4 reflects Preferred Alternative 2 in Action 2 in Amendment 10 to the Fishery Management Plan for Dolphin and Wahoo of the Atlantic. The revised total annual catch limit includes recreational landings from Monroe County, Florida, and incorporates recreational data as per the Marine Recreational Information Program using the Fishery Effort Survey method, as well as updates to commercial and for-hire landings.

Alternative 1 (No Action). Retain the current recreational sector and commercial sector allocations as 96.07% and 3.93%, respectively, of the revised total annual catch limit for wahoo.

Alternative 2. Allocate 96.35% of the revised total annual catch limit for wahoo to the recreational sector. Allocate 3.65% of the revised total annual catch limit for wahoo to the commercial sector. This is based on the total catch between 1994 and 2007.

Alternative 3. Allocate 97.55% of the revised total annual catch limit for wahoo to the recreational sector. Allocate 2.45% of the revised total annual catch limit for wahoo to the commercial sector. This is based on approximately maintaining the current commercial annual catch limit and allocating the remaining revised total annual catch limit to the recreational sector.

Preferred Alternative 4. Allocate 97.00% of the revised total annual catch limit for wahoo to the recreational sector. Allocate 3.00% of the revised total annual catch limit for wahoo to the commercial sector. This is based on the Council's intent to explore alternatives for sector allocations that would not result in a decrease in the current pounds of wahoo available to either sector.

Discussion:

- **Alternative 1 (No Action)** maintains the current sector allocations implemented via Dolphin Wahoo Amendment 5 (effective July 2014), which was the most recent amendment where sector allocations for wahoo were modified.

- **Alternative 2** revises sector allocations with updated landings data (inclusive of Monroe County, FL recreational landings as well as FES estimates) for the same time series for catch data that the SSC examined when updating the ABC for wahoo which was 1994 through 2007.
- **Alternative 3** approximately maintains the current commercial sector ACL (70,542 lbs ww) on a pound-basis, while allocating the remainder of the total ACL to the recreational sector.
- **Preferred Alternative 4** revises sector allocations based on the Council’s guidance at the June 2020 meeting and intent to explore alternatives for sector allocations that would not result in a decrease in the current pounds of wahoo available to either sector.
- All alternatives would lead to an increase in the ACL for the recreational sector on a pound basis, but comparison to the current recreational ACL may not be relevant due to the relatively large shift from CHTS to FES estimates.
- All alternatives would lead to an increase in the ACL for the commercial sector on a pound basis (**Tables 10 and 11**).
- The potential revised recreational ACLs are below some of the observed landings in recent years (**Figure 5**). Landings have been above the potential new sector ACLs in 3 of the past 5 years. The new ACL would not be constraining on recreational harvest in some years but will be constraining in years of exceptionally high landings (**Table 12**).
- While none of the alternatives are projected to be constraining on the commercial sector, it is still possible that landings could exceed some of the alternatives in years of exceptionally high landings (**Figure 6, Table 12**).

Table 10. Sector allocations and ACLs for wahoo in **Action 4** based on the revised total ACL of 2,885,303 lbs ww from Preferred Alternative 2 in Action 2.

Alternative	Percent Recreational allocation	Recreational sector ACL (lbs ww)	Percent Commercial allocation	Commercial sector ACL (lbs ww)
Alternative 1 (No action)	96.07%	2,771,911	3.93%	113,392
Alternative 2	96.35%	2,779,989	3.65%	105,314
Alternative 3	97.55%	2,814,613	2.45%	70,690
Preferred Alternative 4	97.00%	2,798,744	3.00%	86,559

Table 11. Commercial ACLs for wahoo in **Action 4** in comparison to the current commercial ACL.

Alternative	Commercial ACL (lbs ww)	Difference from current commercial ACL (lbs ww) *
Alternative 1 (No Action)	113,392	+42,850
Alternative 2	105,314	+34,772
Alternative 3	70,690	+148
Preferred Alternative 4	86,559	+16,017

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

Table 12. Predicted date when the recreational and commercial sector ACLs for wahoo would be reached or exceeded under three scenarios: 1) average from 2015-2019 (5-year average), 2) average from 2017-2019 (3-year average), and 3) the maximum landings for a single year from 2015-2019.

Alternative	Wahoo ACL (lbs ww)	ACL reached? Average 2015-2019 landings	ACL reached? Average 2017-2019 landings	ACL reached? Maximum landings from 2015-2019
Commercial Sector				
Alternative 1 (No Action)	113,392	No	No	No
Alternative 2	105,314	No	No	No
Alternative 3	70,690	No	No	No
Preferred Alternative 4	86,559	No	No	No
Recreational Sector				
Alternative 1 (No Action)	2,771,911	Yes (19-Dec)	No	Yes (17-Sep)
Alternative 2	2,779,989	Yes (20-Dec)	No	Yes (18-Sep)
Alternative 3	2,814,613	Yes (24-Dec)	No	Yes (21-Sep)
Preferred Alternative 4	2,798,744	Yes (22-Dec)	No	Yes (19-Sep)

Note: Maximum annual landings during 2015-2019 were 5,003,444 lbs ww for the recreational sector and 68,413 lbs ww for the commercial sector.

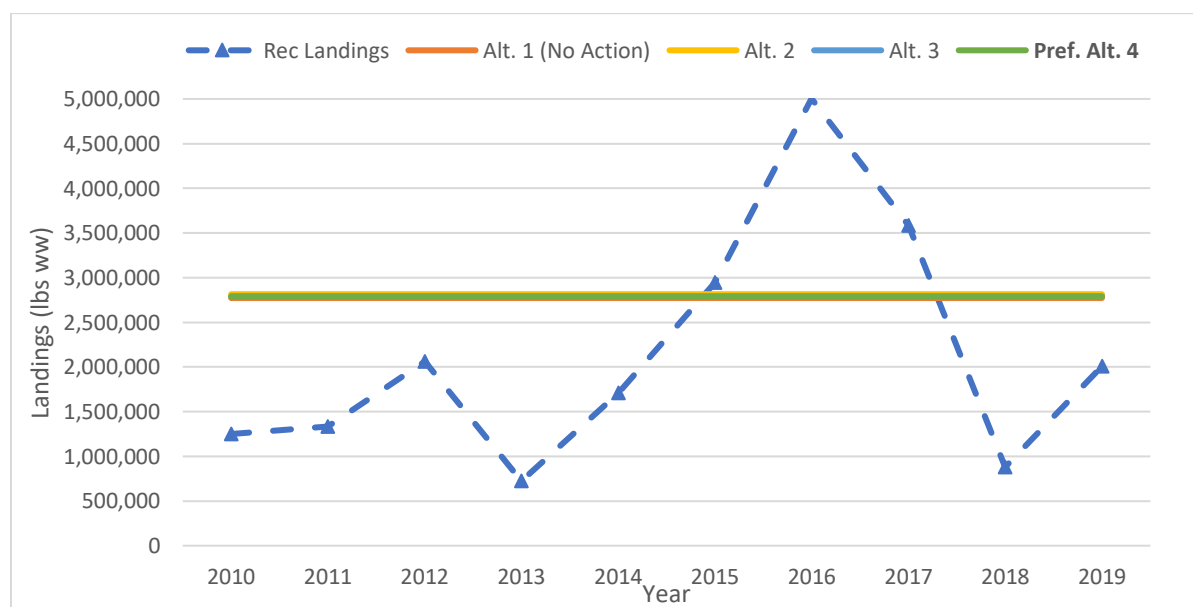


Figure 5. Recreational wahoo landings in comparison to allocation alternatives in **Action 4**, 2010-2019.

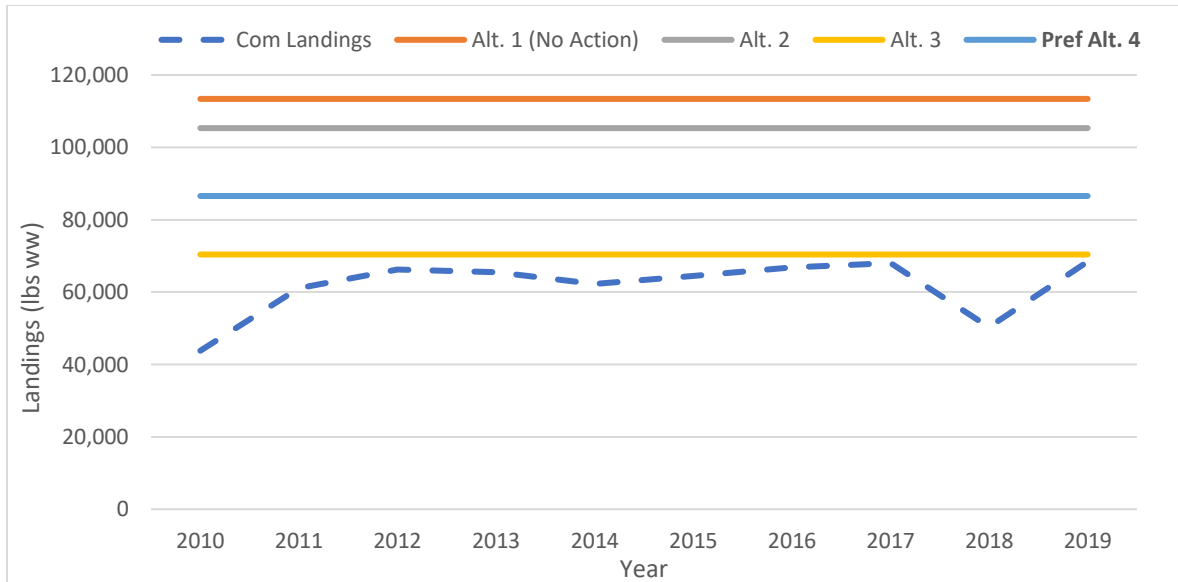


Figure 6. Commercial wahoo landings in comparison to allocation alternatives in **Action 4**, 2010-2019.

Advisory Panel Recommendations:

The Dolphin Wahoo AP discussed this action and approved the following motion during their October 28, 2020 meeting:

Recommendations:

- In **Action 4**, the AP expressed support for **Alternative 3**, noting that this alternative would not encourage increased harvest of wahoo while maintaining adequate harvest levels for both sectors.

MOTION: CHOOSE ALTERNATIVE 3 AS PREFERRED IN ACTION 4.
APPROVED BY AP

Summary of Public Hearing Comments:

- Some comments expressed general support for the Council’s preferred alternative (**Preferred Alternative 4**).
- Support for maintaining commercial ACLs on pound basis (**Alternative 3**).

Committee Action:

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

Action 5. Revise the trigger for the post-season recreational accountability measures for dolphin

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

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

IPT PROPOSED Alternative 2. Implement post season accountability measures in the following fishing year if the recreational annual catch limits are constant and the 3-year mean (*Sub-alternative 2a or 2b*) of landings exceeds the recreational sector annual catch limit. When the recreational sector annual catch limit is changed, use a single year of landings, beginning with the most recent available year of landings, then a two-year average of landings from that single year and the subsequent year, then a three-year average of landings from those two years and the subsequent year, and thereafter a progressive running three-year average to trigger the recreational accountability measure.

Sub-alternative 2a. Use the arithmetic mean to calculate average landings.¹

Sub-alternative 2b. Use the geometric mean to calculate average landings.²

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

Alternative 4. Implement post season accountability measures in the following fishing year if recreational landings exceed the recreational sector annual catch limit in two of the previous three fishing years or exceeds the total acceptable biological catch in any one year.

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

¹ The arithmetic mean is calculated by adding the values of a set of numbers and then dividing the sum by the number of values in the set.

² The geometric mean is calculated by multiplying the values of a set of numbers and then taking the n^{th} root of the product, where n is equal to the number of values in the set.

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

Discussion:

- A summary of trigger alternatives under this action is in **Table 13**.
- **Action 5** was included as part of the Council’s guidance to split the recreational AM action for dolphin into two actions, with one focusing on the trigger for the AM and the other focusing on the AM itself. Furthermore, the Council specified that it did not want to consider in season AMs for the recreational sector.
- **Alternative 1 (No Action)** is not a viable alternative because the current recreational AM would likely never be triggered as there is no stock assessment for dolphin and there would likely be no way to readily change its overfished status. The current recreational AM is inadequate because it depends on an overfished status which needs to be addressed.
- **Alternative 2** would trigger the recreational AM if the 3-year geometric mean of recreational dolphin landings exceed the sector ACL. The geometric mean is calculated by multiplying the values of a set of numbers and then taking the n^{th} root of the product, where n is equal to the number of values in the set.
 - The geometric mean is an averaging technique used to estimate the likely average when data are skewed on the high side of the mean. Because the geometric mean is designed to reduce the influence of high values, it reduces a spike more than the average and is lower than the average in all situations (**Figure 7**). This results in the geometric mean having the highest risk of overfishing among the alternatives if the spike in the data is a true observation but lowest risk of implementing accountability measures if the spike in the data is due to random error.
- **IPT PROPOSED Alternative 2** addresses the Committee’s direction to staff from the December 2020 meeting to “revisit geometric vs arithmetic mean and provide examples.”
- **Alternative 3** would trigger the recreational AM if the summed recreational landings over 3 years exceeds the summed sector ACL over the same 3 years.
- **Alternative 4** would trigger the recreational AM if recreational landings exceed the sector ACL two times in a three-year timespan or the total ACL is exceeded.
- **Preferred Alternative 5** would trigger the recreational AM if the total ACL is exceeded.
- **Alternative 6** would trigger the recreational AM if the recreational ACL is exceeded.
- When examining triggers for AMs, the Council should consider balancing their risk tolerance in regard to potentially allowing overfishing but helping to prevent temporary restrictive management measures going into place unnecessarily with data that are potentially skewed.
- Multi-year approaches tend to have a higher risk of allowing potential overfishing but help mitigate anomalies in the recreational data, with the use of a geometric mean (**Alternative 2** and **IPT PROPOSED Sub-alternative 2b**) having the highest risk of allowing overfishing that the Council is considering in DW 10 but also allowing the greatest likelihood of mitigating outliers and addressing issues with distribution of the data. Summing over multiple years (**Alternative 3**) or using an arithmetic mean (**IPT PROPOSED Sub-alternative 2a**) is likely a less risky approach in regard to overfishing but riskier in implementing AMs unnecessarily.

- Single year approaches (**Alternatives 4, 5 (Preferred), and 6**) could be more likely to reduce the risk of overfishing but do not address anomalies in the recreational data and assume a normal distribution, which as exhibited in the landings data examined is not always the case.
- Based on analysis of recreational dolphin landings from 2010 through 2019, the AM would have only been triggered in a single year for **Alternative 4, Preferred Alternative 5, and Alternative 6**. The AM would have not been triggered under **Alternative 1 (No Action), Alternative 2, IPT PROPOSED Sub-Alternative 2a, IPT PROPOSED Sub-Alternative 2b, and Alternative 3**, assuming a steady ACL was in place the entire time (**Table 14**).

Table 13. Summary of triggers for post-season recreational accountability measures in **Action 5**.

Alternative	Trigger(s) for the post-season recreational AM
Alternative 1 (No Action)	The total and sector ACL is exceeded and dolphin deemed overfished.
Alternative 2	The 3-year geometric mean of recreational landings exceeds the sector ACL.
Alternative 3	The 3-year summed total of recreational landings exceeds the 3-year summed total of the sector ACL.
Alternative 4	Recreational landings exceed the sector ACL two times in a 3-year period or the total ABC is exceeded in any single year.
Preferred Alternative 5	Recreational and commercial landings exceed the total ACL.
Alternative 6	Recreational landings exceed the sector ACL.

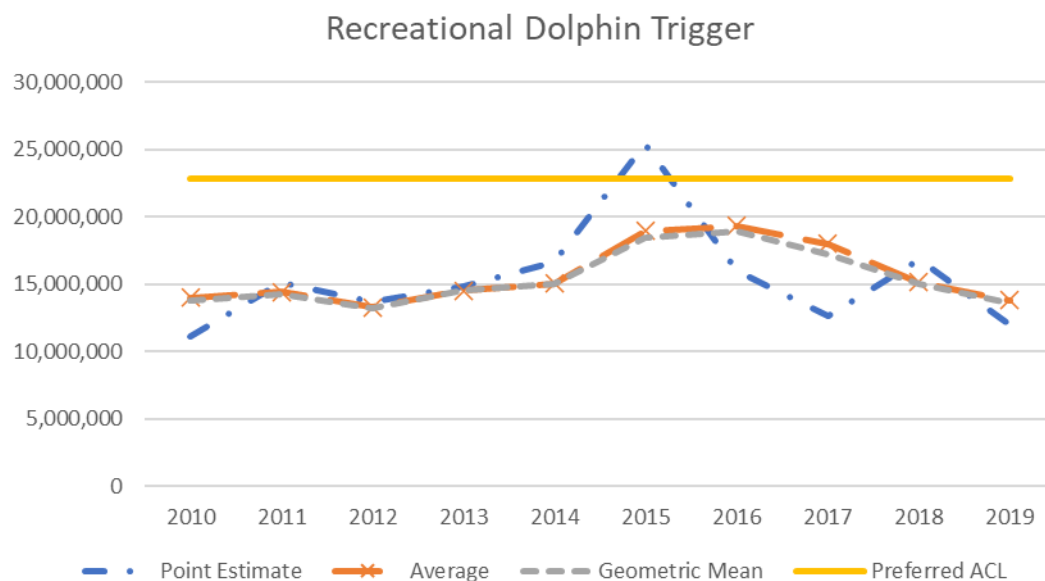


Figure 7. The recreational dolphin annual accountability measure trigger values for a point estimate, three-year average (defined as arithmetic mean), three-year geometric mean, and the Preferred Alternative 3 in Action 3.

Table 14. Projection of whether the triggers for post-season recreational accountability measures in **Action 5** would be met based on analysis of recreational dolphin landings from 2010-2019.

Alternative	Post-season recreational AM triggered?
Alternative 1 (No Action)	No
Alternative 2 and IPT Sub-alt. 2b	No
IPT Sub-alt. 2a	No
Alternative 3	No
Alternative 4	Yes (2015)
Preferred Alternative 5	Yes (2015)
Alternative 6	Yes (2015)

Advisory Panel Recommendations:

The Dolphin Wahoo AP discussed this action and provided the following recommendation during their October 28, 2020 meeting:

- Regarding **Action 5**, the AP did not choose a single alternative but noted that multi-year triggers that take into account variability in landings are preferred.

Summary of Public Hearing Comments:

- Some comments expressed general support for the Council’s preferred alternative (**Preferred Alternative 5**).

IPT Recommendations/Comments:

- Since the current recreational AM is inadequate because it depends on an overfished status, this issue will need to be addressed. **Alternatives 2** through **6** address this issue.
- Combining three years of data could help overcome some of the issues with MRIP stemming from the timing of data and issues with data anomalies (**Alternatives 2** and **3**).
- The multi-year alternatives in **Action 5** are likely not compatible with Alternative 5 in Action 6 (post-season AMs for dolphin), as it may not lead formulation of an adequate AM since overruns of the sector ACL could go on for several years with no corrective action.
- While potentially unlikely, using multi-year triggers in **Alternatives 2** and **3** could lead to multi-year AMs being in place if the recreational sector greatly exceeds the sector ACL in a single year due to no in-season AM being in place, such as a harvest closure or measures to slow down recreational harvest.
- **Alternative 2** is problematic as it is currently written, as it potentially allows up to three years of potential over run of the recreational ACL after a new ACL is put in place.
 - To address this, the IPT has provided revised language for the alternative in the **IPT PROPOSED Alternative 2**. This alternative addresses the trigger for the accountability measure two years after a new ACL is implemented.
 - Additionally, **IPT PROPOSED Alternative 2** addresses the Committee’s direction to staff from the December 2020 meeting to “revisit geometric vs arithmetic mean and provide examples.” If it is not the Committee’s intent to consider the arithmetic mean in this alternative, this can be specified and the alternative can be easily edited to remove the sub-alternative and simply state “geometric mean.”

Committee Action:

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

Action 6. Revise the post-season recreational accountability measures for dolphin

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

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

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

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

Preferred Alternative 5. In the following fishing year monitor landings and if landings are projected to meet the sector ACL, reduce the bag limit and/or the vessel limit (*Sub-alternatives 5a and/or 5b*) first and if needed reduce the length of the recreational fishing season by the amount necessary to prevent the annual catch limit from being exceeded. However, the vessel limit, bag limit, and/or recreational fishing season will not be reduced if the Regional Administrator determines, using the best available science, that it is not necessary.

Sub-alternative 5a. Reduce the bag limit by the amount necessary but not below X fish per person per day (*Council to fill in the number*).

Sub-alternative 5b. Reduce the vessel limit by the amount necessary but not below X fish per vessel per day (*Council to fill in the number*).

IPT PROPOSED Alternative 5. In the following fishing year monitor landings, and if by September 1 of each year landings are projected to meet the sector ACL that fishing year, reduce the bag limit to prevent the annual catch limit from being exceeded (*Sub-alternatives 5a through 5e*). If reductions in the bag limit are projected to be insufficient to constrain harvest to the ACL, then also reduce the vessel limit to prevent the annual catch limit from being exceeded (*Sub-alternatives 5f through 5i*). If reductions in the bag limit and vessel limit are not implemented or are projected to be insufficient to constrain harvest to the ACL, then also reduce the length of the recreational fishing season to prevent the annual catch limit from being exceeded.³ However, the vessel limit, bag limit, and/or recreational fishing season will not be reduced if the Regional Administrator determines, using the best available science, that it is not necessary.

Bag Limit Sub-Alternatives:

Sub-alternative 5a. Reduce the bag limit by the amount necessary but not below 2 fish per person per day.

Sub-alternative 5b. Reduce the bag limit by the amount necessary but not below 3 fish per person per day.

Sub-alternative 5c. Reduce the bag limit by the amount necessary but not below 4 fish per person per day.

Sub-alternative 5d. Reduce the bag limit by the amount necessary but not below 5 fish per vessel per day.

Sub-alternative 5e. Do not reduce the bag limit.

Vessel Limit Sub-Alternatives:

Sub-alternative 5f. Reduce the vessel limit by the amount necessary but not below 10 fish per vessel per day.

Sub-alternative 5g. Reduce the vessel limit by the amount necessary but not below 20 fish per vessel per day.

Sub-alternative 5h. Reduce the vessel limit by the amount necessary but not below 30 fish per vessel per day.

Sub-alternative 5i. Do not reduce the vessel limit.

Discussion:

- A summary of the post-season AMs under this action is presented in **Table 15**.
- **Alternative 1 (No Action)** would reduce the sector ACL by the ACL overage (i.e., a “payback provision”) and reduce the fishing season accordingly to ensure that the reduced sector ACL is not exceeded.
- **Alternative 2** would reduce the length of the following recreational fishing season by the amount necessary to prevent the sector ACL from being exceeded.
- **Alternative 3** would reduce the bag limit the following fishing season by the amount necessary to prevent the ACL from being exceeded.
- **Alternative 4** would reduce the vessel limit the following fishing season by the amount necessary to prevent the ACL from being exceeded.

³ The intent of this alternative is that NMFS would implement the reduction in bag limit, vessel limit, and/or season length through a single in-season action, but implementation via separate regulations would not be precluded.

- Under **Preferred Alternative 5**, if landings are projected to meet the sector ACL, a reduction in the bag limit and/or vessel limit would occur first and, if still needed, the length of the recreational fishing season would be reduced by the amount necessary to prevent the annual catch limit from being exceeded.
- **IPT PROPOSED Alternative 5** includes elements of **Preferred Alternative 5** but provides additional structure by specifying that a potential bag limit reduction would be considered first, followed by a potential vessel limit reduction, and then an in-season closure. Additionally, the provision that no bag or vessel limit reductions would be implemented after September 1 allows for additional structure and guidance to NMFS on the proper timing of the AM that should be implemented. All of these provisions are included with the intent of enabling the use of rule package than can be implemented with a waiver of public notice and comment since it is specified to the public ahead of time what reductions will take place and when.
 - **Sub-alternatives 5a through 5i** were developed based on the Committee’s guidance at the December 2021 meeting to:
 - Examine a vessel limit of 10, 20, and 30 fish.
 - Examine a bag limit of 2, 3, 4, and 5 fish.
 - Examine combinations of bag limit and vessel limits whichever is less (emphasis on most restrictive measure).
 - Please note that the order of consideration for a bag limit reduction followed by a vessel limit reduction could potentially be reversed.

Table 15. Summary of post-season recreational accountability measures in **Action 6**.

Alternative	Post-season recreational AM
Alternative 1 (No Action)	Reduce the sector ACL by the ACL overage and reduce the fishing season accordingly to ensure that the reduced sector ACL is not exceeded.
Alternative 2	Reduce the fishing season to prevent the sector ACL from being exceeded.
Alternative 3	Reduce the bag limit to prevent the sector ACL from being exceeded.
Alternative 4	Reduce the vessel limit to prevent sector ACL from being exceeded.
Preferred Alternative 5	Monitor landings and if projected to reach sector ACL, potentially implement an in-season bag limit reduction, in-season vessel limit reduction, and if still necessary reduce the fishing season in-season to prevent the sector ACL from being exceeded.
IPT PROPOSED Alternative 5	Monitor landings and if projected to reach sector ACL, potentially implement an in-season bag limit reduction, in-season vessel limit reduction, and if still necessary reduce the fishing season in-season to prevent the sector ACL from being exceeded. If landings are projected to reach the sector ACL after September 1 of each a reduced fishing season would be implemented.

Advisory Panel Recommendations:

The Dolphin Wahoo AP discussed this action and provided the following recommendation during their October 28, 2020 meeting:

- In **Action 6**, a vessel limit reduction would be slightly preferable compared to the other alternatives being considered, especially compared to a closed season. If vessel limits are reduced, try to maintain limits that are viable for the for-hire component of the fishery.

The Law Enforcement AP discussed this action and provided the following recommendation during their February 1, 2020 meeting:

- In-season adjustments are generally less desirable than regulation changes that are set towards the beginning of a fishing season from an enforcement standpoint.
- In-season measures are enforceable, but there is a lag time to educate fishermen. Communication is important to get notice of a regulatory change to stakeholders in a timely manner, including law enforcement personnel.

Summary of Public Hearing Comments:

- Support for Council’s **Preferred Alternative 5** with a reduced vessel limit.

IPT Recommendations/Comments:

- Analysis of potential bag and vessel limit reductions is pending but is expected to be available for the Committee’s review prior to the March 2021 meeting.
- **Alternative 2** seems to delay a closure to the following year instead of an in-season closure. This may be contradictory to the Council’s stated intent to avoid harvest closures (in-season or otherwise) if possible for the recreational sector.
- Unless specified otherwise, potential reductions in **Alternatives 3 and 4** would presumably fall between one fish less than the current limit and one fish overall.
- The potential effectiveness of retention limit reductions in **Alternatives 3, 4, and 5 (Preferred)** would be highly dependent on the preferred alternative that is chosen in Action 11 (reduce the recreational vessel limit for dolphin).
- **Preferred Alternative 5** is not structured in a way that allows for implementation via closed framework, which provides for a waiver of public notice and comment. The AMs need to be structured in a way that adequately allows the public to know ahead of time what reductions will take place when the AM is triggered. **IPT PROPOSED Alternative 5** provides the necessary structure that allows for implementation via closed framework in a single action.
- **Preferred Alternative 5** and **IPT PROPOSED Alternative 5** are not likely compatible with multi-year alternatives in Action 5 (Alternatives 2, 3, and 4), as they are likely not adequate AMs since overruns of the sector ACL could go on for several years with no corrective action.
 - Also, the typical time lag between the end of a MRIP wave and when the landings data by weight is reported to SERO is approximately 60 days. Given the “pulse” nature of the dolphin fishery, this may lead to inadequate lead time to impose an in-season bag limit and/or vessel limit reduction before an in-season closure is necessary (**Figure 8**).

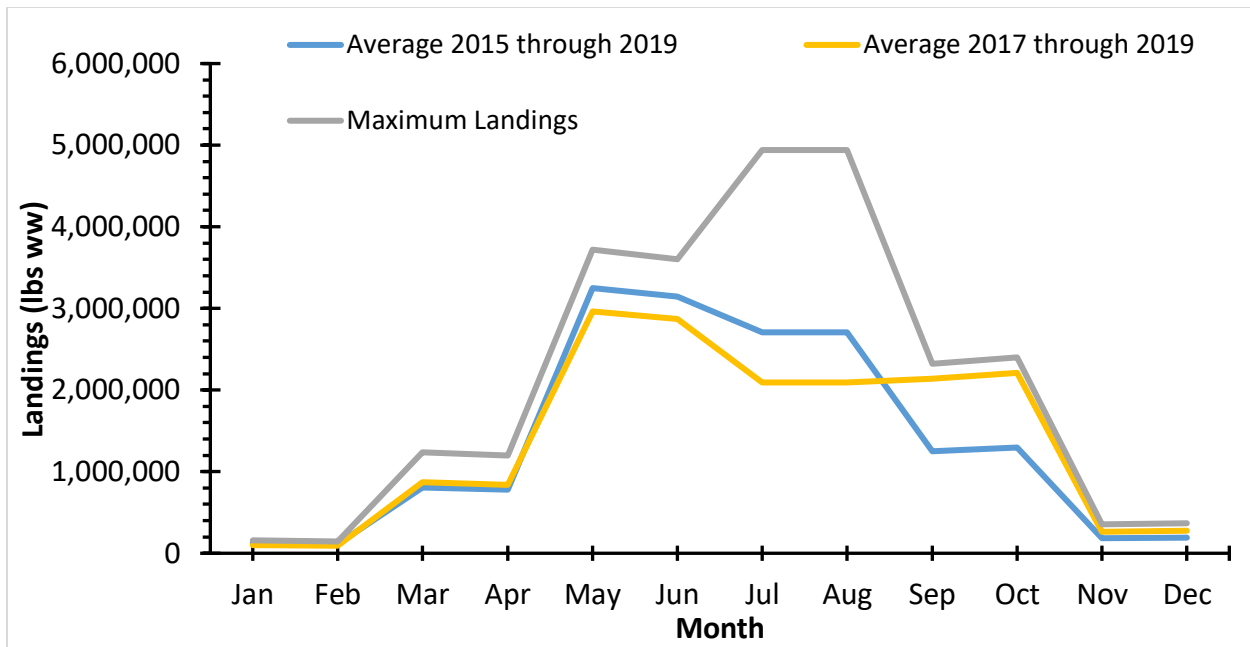


Figure 8. Dolphin recreational landings by month for the three landings scenarios of 1) average of 2015 through 2019, 2) average of 2017 through 2019, and 3) the maximum landings for a single year from 2015 through 2019.

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. Revise the trigger for the post-season recreational accountability measures for wahoo

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

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

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

(*Sub-alternative 2a or 2b*) of landings exceeds the recreational sector annual catch limit. When the recreational sector annual catch limit is changed, use a single year of landings, beginning with the most recent available year of landings, then a two-year average of landings from that single year and the subsequent year, then a three-year average of landings from those two years and the subsequent year, and thereafter a progressive running three-year average to trigger the recreational accountability measure.

Sub-alternative 2a. Use the arithmetic mean to calculate average landings.⁴

Sub-alternative 2b. Use the geometric mean to calculate average landings.⁵

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

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

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

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

Discussion:

- **Table 16** presents a summary of the post season AM triggers under this action.
- **Action 7** was included as part of the Council's guidance to split the recreational AM action for wahoo into two actions, with one focusing on the trigger for the AM and the other focusing on the AM itself. Furthermore, the Council specified that it did not want to consider in season AMs for the recreational sector.
- **Alternative 1 (No Action)** is not a viable alternative because the current recreational AM would likely never be triggered as there is no stock assessment for wahoo and there would likely be no way to readily change its overfished status. The current recreational AM is inadequate because it depends on an overfished status which needs to be addressed.
- **Preferred Alternative 2** would trigger the recreational AM if the 3-year geometric mean of recreational wahoo landings exceed the sector ACL. The geometric mean is calculated by multiplying the values of a set of numbers and then taking the n^{th} root of the product, where n is equal to the number of values in the set.
 - The geometric mean is an averaging technique used to estimate the likely average when data are skewed on the high side of the mean. Because the geometric mean is designed to reduce the influence of high values, it reduces a spike more than the average and is

⁴ The arithmetic mean is calculated by adding the values of a set of numbers and then dividing the sum by the number of values in the set.

⁵ The geometric mean is calculated by multiplying the values of a set of numbers and then taking the n^{th} root of the product, where n is equal to the number of values in the set.

lower than the average in all situations (**Figure 9**). This results in the geometric mean having the highest risk of overfishing among the alternatives if the spike in the data is a true observation but lowest risk of implementing accountability measures if the spike in the data is due to random error.

- **IPT PROPOSED Alternative 2** addresses the Committee’s direction to staff from the December 2020 meeting to “revisit geometric vs arithmetic mean and provide examples.”
- **Alternative 3** would trigger the recreational AM if the summed recreational landings over 3 years exceeds the summed sector ACL over the same 3 years.
- **Alternative 4** would trigger the recreational AM if recreational landings exceed the sector ACL two times in a three-year timespan or the total ACL is exceeded.
- **Alternative 5** would trigger the recreational AM if the total ACL is exceeded.
- **Alternative 6** would trigger the recreational AM if the recreational ACL is exceeded.
- When examining triggers for AMs, the Council should consider balancing their risk tolerance in regard to potentially allowing overfishing but helping to prevent temporary restrictive management measures going into place unnecessarily with data that are potentially skewed.
- Multi-year approaches tend to have a higher risk of allowing potential overfishing but help mitigate anomalies in the recreational data, with the use of a geometric mean (**Preferred Alternative 2** and **IPT Sub-alternative 2b**) having the highest risk of allowing overfishing that the Council is considering in DW 10 but also allowing the greatest likelihood of mitigating outliers and addressing issues with distribution of the data. Summing over multiple years (**Alternative 3**) or using an arithmetic mean (**IPT Sub-alternative 2a**) is likely a less risky approach in regard to overfishing but riskier in implementing AMs unnecessarily.
- Single year approaches (**Alternatives 4, 5, and 6**) could be more likely to reduce the risk of overfishing but do not address anomalies in the recreational data and assume a normal distribution, which as exhibited in the landings data examined is not always the case.
- Based on analysis of recreational wahoo landings from 2010 through 2019, the AM would have been triggered in three years under **IPT Proposed Sub-Alternative 2a, Alternative 3, Alternative 4, Alternative 5, and Alternative 6**. The AM would have been triggered in two years under **Preferred Alternative 2** and **IPT Proposed Sub-Alternative 2b**, and would not been triggered under **Alternative 1 (No Action)** assuming a steady ACL was in place the entire time (**Table 17**).

Table 16. Summary of triggers for post-season recreational accountability measures in **Action 7**.

Alternative	Triggers for the post-season recreational AM
Alternative 1 (No Action)	The total and sector ACL is exceeded and wahoo is deemed overfished.
Preferred Alternative 2	The 3-year geometric mean of recreational landings exceeds the sector ACL.
Alternative 3	The 3-year summed total of recreational landings exceeds the 3-year summed total of the sector ACL.
Alternative 4	Recreational landings exceed the sector ACL two times in a 3-year period or the total ACL is exceeded in any single year.
Alternative 5	Recreational and commercial landings exceed the total ACL.
Alternative 6	Recreational landings exceed the sector ACL.

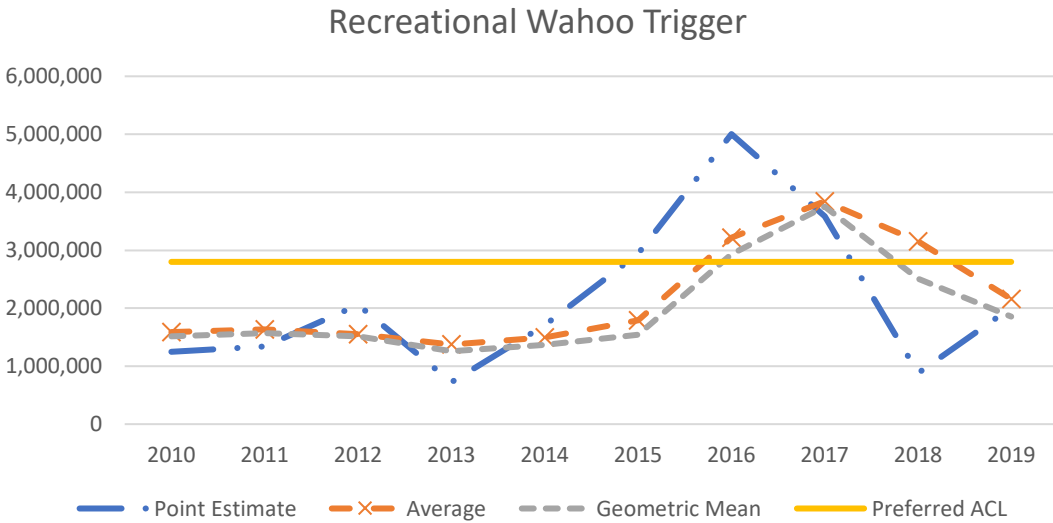


Figure 9. The recreational wahoo annual accountability measure trigger values for a point estimate, three-year average (defined as arithmetic mean), three-year geometric mean, and the Preferred Alternative 4 in Action 4.

Table 17. Projection of whether post-season recreational accountability measures in **Action 7** based on analysis of recreational wahoo landings from 2010-2019 (inclusive of FES estimates).

Alternative	Post-season recreational AM triggered?
Alternative 1 (No Action)	No
Preferred Alternative 2 and IPT Prop. Sub-alt. 2b	Yes (2017, 2018)
IPT Prop. Sub-alt. 2a	Yes (2017, 2018, 2019)
Alternative 3	Yes (2016, 2017, 2018)
Alternative 4	Yes (2015, 2016, 2017)
Alternative 5	Yes (2015, 2016, 2017)
Alternative 6	Yes (2015, 2016, 2017)

Advisory Panel Recommendations:

The Dolphin Wahoo AP discussed this action and provided the following recommendation during their October 28, 2020 meeting:

- Regarding **Action 7**, the AP did not choose a single alternative but noted that multi-year triggers that take into account variability in landings are preferred.

Summary of Public Hearing Comments:

- Some comments expressed general support for the Council’s preferred alternative (**Preferred Alternative 2**).

IPT Recommendations/Comments:

- Since the current recreational AM is inadequate because it depends on an overfished status, this issue will need to be addressed. **Alternatives 2** through **6** address this issue.

- Combining three years of data could help overcome some of the issues with MRIP stemming from the timing of data and issues with data anomalies (**Preferred Alternative 2** and **Alternative 3**).
- While potentially unlikely, using multi-year triggers in **Preferred Alternative 2** and **Alternative 3** could lead to multi-year AMs being in place if the recreational sector great exceeds the sector ACL in a single year due to no in-season AM being in place such as a harvest closure or measures to slow down recreational harvest.
- **Preferred Alternative 2** is problematic as it is currently written, as it potentially allows up to three years of potential over run of the recreational ACL after a new ACL is put in place.
 - To address this, the IPT has provided revised language for the alternative in the **IPT PROPOSED Alternative 2**. This alternative addresses the trigger for the accountability measure two years after a new ACL is implemented.
 - Additionally, **IPT PROPOSED Alternative 2** addresses the Committee’s direction to staff from the December 2020 meeting to “revisit geometric vs arithmetic mean and provide examples.” If it is not the Committee’s intent to consider the arithmetic mean in this alternative, this can be specified and the alternative can be easily edits to remove the sub-alternative and simply state “geometric mean.”

Summary of Public Hearing Comments:

- Some comments expressed general support for the Council’s preferred alternative (**Preferred Alternative 2**).

Committee Action:

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

Action 8. Revise the post-season recreational accountability measures for wahoo

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.

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

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

Alternative 4. Implement a vessel limit in the following recreational fishing season that would prevent the annual catch limit from being exceeded in the following year. However, the vessel limit will not be implemented if the Regional Administrator determines, using the best available science, that it is not necessary.

Discussion:

- A summary of the post-season AMs under this action is in **Table 18**.
- Under **Alternative 1 (No Action)**, the recreational sector AM does not include in-season closure if the sector ACL is met or projected to be met. This alternative allows the recreational sector to exceed the sector ACL in a given year and landings would be monitored for persistence in increased landings. If the recreational ACL continues to be exceeded, then the sector ACL would be reduced by the overage amount (i.e., a payback provision) and the recreational season would be reduced, but only if wahoo is overfished and the total ACL is exceeded. Additionally, the recreational ACL and season would not be reduced if the RA determines this action is not necessary.
- In accordance with guidance from the Council, all of the alternatives preserve language along the lines of “if the regional administrator determines, using the best available science, that it is not necessary.”
- **Preferred Alternative 2** would reduce the length of the following recreational fishing season by the amount necessary to prevent the sector ACL from being exceeded.
- **Alternative 3** would reduce the bag limit the following fishing season by the amount necessary to prevent the ACL from being exceeded.
- **Alternative 4** implement a vessel limit the following fishing season by the amount necessary to prevent the ACL from being exceeded.

Table 18. Summary of post-season recreational accountability measures in **Action 8**.

Alternative	Post-season recreational AM
Alternative 1 (No Action)	Reduce the sector ACL by the ACL overage.
Preferred Alternative 2	Reduce the fishing season to prevent the sector ACL from being exceeded.
Alternative 3	Reduce the bag limit to prevent the sector ACL from being exceeded.
Alternative 4	Implement a vessel limit to prevent the sector ACL from being exceeded.

Advisory Panel Recommendations:

The Dolphin Wahoo AP discussed this action and provided the following recommendation during their October 28, 2020 meeting:

- In **Action 8** (specifying recreational AMs), a vessel limit reduction would be slightly preferable compared to the other alternatives being considered, especially compared to a

closed season. If vessel limits are reduced, try to maintain limits that are viable for the for-hire component of the fishery.

- It was noted that 8 fish per vessel is recommended as a minimum limit for wahoo in an AM.

The Law Enforcement AP discussed this action and provided the following recommendation during their February 1, 2020 meeting:

- In-season adjustments are generally less desirable than regulation changes that are set towards the beginning of a fishing season from an enforcement standpoint.
- In-season measures are enforceable, but there is a lag time to educate fishermen. Communication is important to get notice of a regulatory change to stakeholders in a timely manner, including law enforcement personnel.

Summary of Public Hearing Comments:

- For the Wahoo recreational AM, consider a reduced vessel limit rather than a harvest closure (**Action 8, Alternative 4**).
- Also comments in favor of **Alternative 1 (No Action)** and **Preferred Alternative 2**.

IPT Recommendations/Comments:

- **Preferred Alternative 2** seems to delay a closure to the following year instead of an in-season closure. This may be contradictory to the Council's stated intent to avoid harvest closures (in-season or otherwise).
- As currently specified, reductions in **Alternative 4** would presumably be as low as one fish per vessel.

Committee Action:

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

Action 9. Allow properly permitted commercial fishing vessels with trap, pot, or buoy gear on board that are not authorized for use in the dolphin wahoo fishery to possess commercial quantities of dolphin and wahoo

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

Preferred Alternative 2. A vessel in the Atlantic Exclusive Economic Zone that possesses both an Atlantic Dolphin/Wahoo Commercial Permit and valid federal commercial permits required to fish trap, pot, or buoy gear or is in compliance with permit requirements specified for the spiny lobster fishery in 50 C.F.R. §622.400 is authorized to retain dolphin caught by rod and reel while in possession of such gears. A vessel in the Atlantic Exclusive Economic Zone that has on board other gear types that are not authorized in the fishery for dolphin may not possess a dolphin. Dolphin retained by such a vessel shall not exceed:

Sub-alternative 2a. 250 pounds gutted weight

Preferred Sub-alternative 2b. 500 pounds gutted weight

Sub-alternative 2c. 750 pounds gutted weight

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

Preferred Alternative 3. A vessel in the Atlantic Exclusive Economic Zone that possesses both an Atlantic Dolphin/Wahoo Commercial Permit and valid federal commercial permits required to fish trap, pot, or buoy gear or is in compliance with permit requirements specified for the spiny lobster fishery in 50 C.F.R. §622.400 is authorized to retain wahoo caught by rod and reel while in possession of such gear types. A vessel in the Atlantic Exclusive Economic Zone that has on board other gear types that are not authorized in the fisheries for wahoo may not possess a wahoo. The wahoo commercial trip limit will be 500 pounds.

Discussion:

- The Atlantic Offshore Lobstermen’s Association initially requested that the South Atlantic Council modify regulations to allow the historical practice of harvesting dolphin while in the possession of lobster pots to continue.
- There currently is an incidental limit in place of 200 pounds of dolphin and wahoo, combined weight, for vessels that do not have a dolphin wahoo commercial permit but do have another federal commercial permit and catch the species north of the 39 degrees north latitude (50 CFR §622.278 Commercial Trip Limits). This incidental limit would remain in place unless otherwise specified and these vessels would not be exempt from any of the gear provisions.
- Additional edits were made to account for the Committee’s guidance from the September 2020 meeting to include spiny lobster traps in the exempted gear.
- 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 legally harvested when such gear is on board a vessel (**Alternative 1 No Action**). The intent behind **Preferred Alternative 2** is to allow the possession of dolphin on vessels with commercial permits for dolphin 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 examine “a range of 250 to 1,000 lbs gutted weight by 250 lbs increments.”
- The intent behind **Preferred Alternative 3** is to allow the possession of wahoo on vessels with commercial vessel permits for wahoo when trap, pot, or buoy gears are also on board.
- Allowing harvest of dolphin (**Preferred Alternative 2**) and wahoo (**Preferred Alternative 3**) by vessels with the necessary Atlantic Dolphin/Wahoo Commercial Permit and valid commercial permits required to harvest via fish trap, pot, or buoy gear is anticipated to result in positive effects to fishermen and communities.

- Most commercial trips landing dolphin or wahoo non-longline gear often record less than 500 lbs of either species on a trip (**Figures 10 and 11**).
- Commercial trips that previously had landed dolphin or wahoo with pot, trap, or buoy gear onboard typically recorded relatively low landings of either species (**Tables 19 and 20**)

Table 19. Landings and revenue statistics for vessels harvesting Atlantic dolphin with buoy gear, pots, or traps on board across all years, 2015-2019 (2019\$).

Number of Vessels	Statistic	Dolphin Landings (ww)	Dolphin Revenue
38	Total	2,978	\$8,691
	Mean	78	\$229

Table 20. Landings and revenue statistics for vessels harvesting Atlantic wahoo with buoy gear, pots, or traps on board across all years, 2015-2019 (2019\$).

Number of Vessels	Statistic	Wahoo Landings (ww)	Wahoo Revenue
3	Total	176	\$853
	Mean	59	\$284

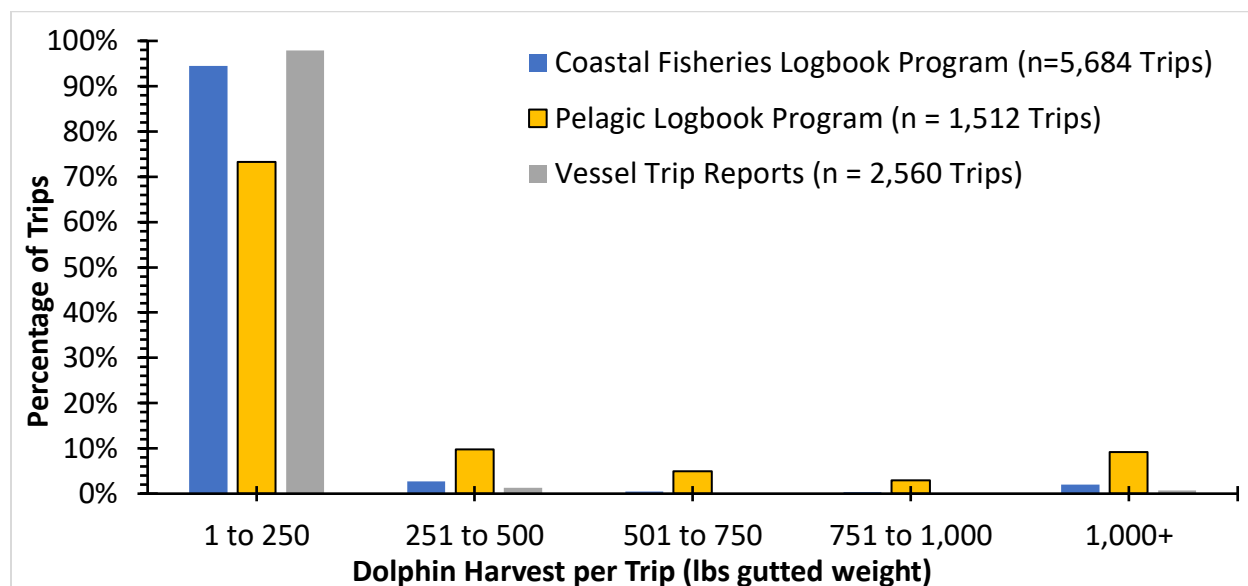


Figure 10. Distribution of Atlantic trips that commercially harvested dolphin from 2015 through 2019.

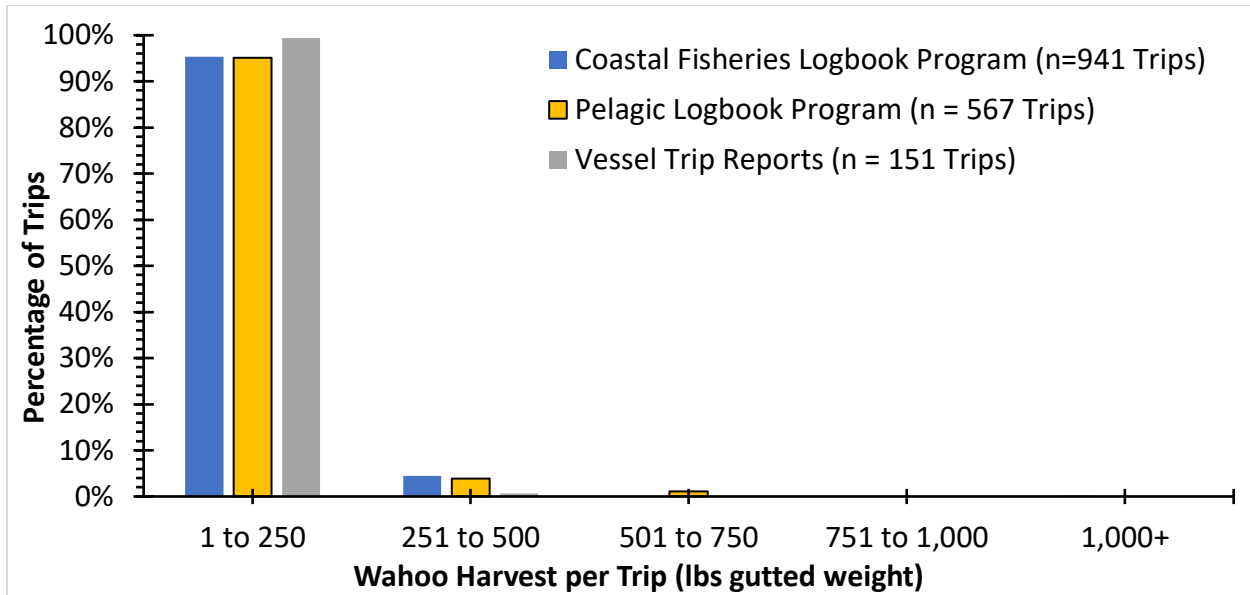


Figure 11. Distribution of Atlantic trips that commercially harvested wahoo from 2015 through 2019.

Advisory Panel Recommendations:

The Dolphin Wahoo AP discussed this action and passed the following motion during their October 28, 2020 meeting:

Recommendation:

- In **Action 9** (possession of dolphin and wahoo when specified unauthorized gears are onboard), consider trip limits of no more than 500 pounds for dolphin. Limits above that tend to go beyond total landings of dolphin on typical rod and reel commercial trips.

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

APPROVED BY AP

Summary of Public Hearing Comments:

- Support for allowing 500-pound dolphin trip limit (**Preferred Sub-alternative 2b**) and also including wahoo (**Preferred Alternative 3**).
- Could promote competition and conflict in Mid-Atlantic and New England regions between recreational and commercial vessels fishing pot buoys for dolphin in same area. These buoys operate as fish aggregating devices (FADs). Support for a 250-pond dolphin trip limit (**Sub-alternative 2a**) to mitigate these concerns.

IPT Recommendations/Comments:

- Higher trip limits such as 750 lbs ww (**Sub-alternative 2c**) and 1000 lbs ww (**Sub-alternative 2d**) could provide an incentive for the current incidental harvest of dolphin to convert to a targeted harvest with more vessels involved. This could result in a shorter

season for dolphin due to an in-season closure if the commercial sector ACL is met and result in regulatory discards.

Committee Action:

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

Action 10. Remove the requirement of vessel operators or crew to hold an Operator Card in the Dolphin Wahoo Fishery

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.

Preferred 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.

Preferred 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.

- Public testimony from dolphin and wahoo fishermen has indicated that operator cards are rarely checked by law enforcement and are burdensome to renew.
- 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.
- **Preferred 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.
- **Preferred Alternative 3** have the same outcome as **Preferred Alternative 2**, but for the commercial sector.
- **Alternative 1 (No Action)** would maintain the operator card requirement for for-hire and commercial participants in the dolphin wahoo fishery. This requirement results in direct costs to fishery participants through application fees and associated preparation costs incurred including obtaining two passport photos, postage, time to prepared and send the application materials once every three years.
- Removing the operator card requirement (**Preferred Alternatives 2 and 3**) would result in direct benefits to captain and crew members that operate for-hire and commercial vessels permitted to fish in the Dolphin Wahoo fishery through forgone costs (**Table 21**).

Table 21. Estimated cumulative economic benefits of **Action 10** (2019\$).

Alternative	Number of vessels affected	Estimated cumulative benefits
Alternative 1 (No Action)	0	\$0
Preferred Alternative 2	2,360	\$214,264
Preferred Alternative 3	2,722	\$247,130
Preferred Alternatives 2 and 3	4,070	\$369,515

Source: NMFS SERO SF Access Permits Database.

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 10 was listed as Action 8 in the amendment at the time.

The Dolphin Wahoo AP discussed this action again and provided the following recommendation during their October 28, 2020 meeting:

- In **Action 10**, the AP endorsed their previous motion to remove the operator card requirements for both the recreational and commercial sectors (Alternatives 2 and 3).

The Law Enforcement AP discussed this action and provided the following recommendation during their February 1, 2020 meeting:

- In the code of federal regulations, “operator cards” are referred to as “operator permits” so make sure that they are properly referenced in the amendment to avoid confusion when implementing regulation changes.
- Concern was raised by a member of the public over the action, noting that in instances when the operator is not the owner there may not be considerable incentive for that person to report under the new for-hire reporting requirements. The potential to revoke an operator card could provide this incentive and improve reporting compliance.
- The NOAA Office of General Counsel Enforcement Section may have concerns with removal of the operator card requirement as a potential tool.
- While the LE AP initially noted that the operator card requirement could be removed without notable loss to law enforcement capabilities since it has been largely unused for enforcement purposes, it would be an effective tool to help increase compliance with new for-hire reporting requirements particularly if expanded to include other fisheries.
- During Other Business, it was noted that the requirement could be kept for the for-hire fishery but removed for the commercial fishery.
- **Recommendation: Consider extending the operator card to other fishery management plans to help enforce for-hire reporting requirements.**

Summary of Public Hearing Comments:

- Several comments in favor of removing the operator card requirement (**Preferred Alternatives 2 and 3**).
- Maintaining operator card could encourage compliance with the new for-hire reporting requirement, particularly for captains that do not own the vessel (**Alternative 1 (No Action)** or **Preferred Alternative 3**).
- Previously burdensome to apply for and renew. Ability to apply online has streamlined the renewal process. Support for **Alternative 1 (No Action)**.

Committee Action:

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

Action 11. Reduce the recreational vessel limit for dolphin

Note: **Alternative 1 (No Action), Alternative 2 and Alternative 3** (including their respective sub-alternatives) do not apply to headboats. The current limit of 10 dolphin per paying passenger onboard a headboat will not change under this action and its 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. 30 dolphin per vessel, whichever is less, ~~except on board a headboat where the limit is 10 dolphin per paying passenger.~~

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

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

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

Sub-alternative 2e. 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. 30 dolphin per vessel, whichever is less, ~~except on board a headboat where the limit is 10 dolphin per paying passenger.~~

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

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

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

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

Alternative 4. In South Carolina, Georgia, and Florida only, the recreational daily bag limit is 10 dolphin per person, not to exceed:

Sub-alternative 4a. 30 dolphin per vessel, whichever is less.

Sub-alternative 4b. 40 dolphin per vessel, whichever is less.

Sub-alternative 4c. 42 dolphin per vessel, whichever is less.

Sub-alternative 4d. 48 dolphin per vessel, whichever is less.

Sub-alternative 4e. 54 dolphin per vessel, whichever is less.

Discussion:

- **Sub-alternatives 2b-2e, 3b-3e, and 4b-4e** are based on the Committee’s guidance from December 2018 to consider alternatives that focuses on vessel limits divisible by 6 but are not below 40 fish.
- **Sub-alternatives 2a, 3a, and 4a** were added in response from the Committee’s motions at the December 2020 meeting to “ADD A SUB-ALTERNATIVE UNDER ALTERNATIVE 2 IN ACTION 11 OF 30 FISH PER VESSEL” and “ADD A SUB-ALTERNATIVE UNDER ALTERNATIVE 3 IN ACTION 11 OF 30 FISH PER VESSEL.”
- **Alternative 4** was added in response from the Committee’s motion at the December 2020 meeting to “ADD AN ALTERNATIVE THAT IS THE SAME AS ALTERNATIVE 3 IN ACTION 11, BUT INCLUDES GEORGIA, SOUTH CAROLINA, AND FLORIDA.”
- The vessel limit exemption for headboats would be maintained under all alternatives.

- The majority of the recreational trips (more than 90% on average) typically harvest less than 10 dolphin per vessel (**Figure 12** through **Figure 13**).
- It has been noted in public comment and during the Dolphin Wahoo Participatory Workshops held in North Carolina that a 60-fish vessel limit is important for getting customers to book charter trips in the Carolinas. For-hire captains have indicated that they may not harvest the vessel limit but the opportunity to do so aids in “selling a trip” in some circumstances.
- Vessel limit reductions that would apply in the entire Atlantic (**Alternative 2**) will provide notably larger harvest reductions than those that would apply in Florida only (**Alternative 3**) or in South Carolina, Georgia, and Florida only (**Alternative 4**)(**Table 22**).
 - There is no estimated difference in harvest reductions between **Alternative 3** and **Alternative 4** in **Table 22** because all of the observed trips (MRIP) in South Carolina and Georgia from 2015 through 2019 had less than 30 dolphin on a vessel.

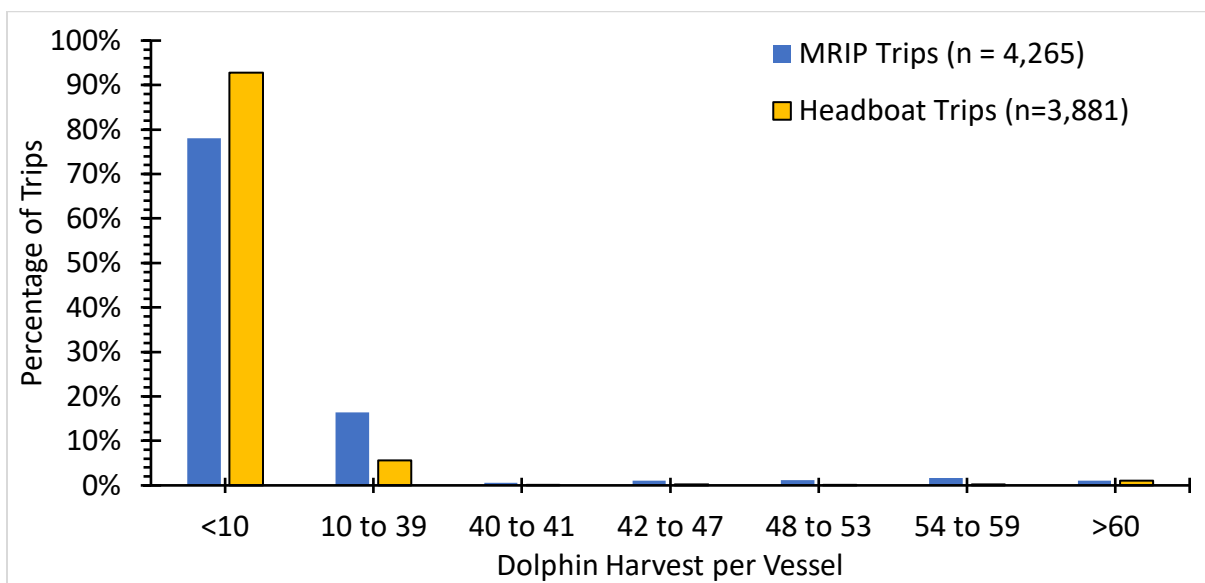


Figure 12. Recreational dolphin harvest per vessel for a range from Maine through east Florida (including Monroe County, Florida). The data is from 2015 through 2019, and data from both MRIP (private rec./charter vessels) and headboat are provided.

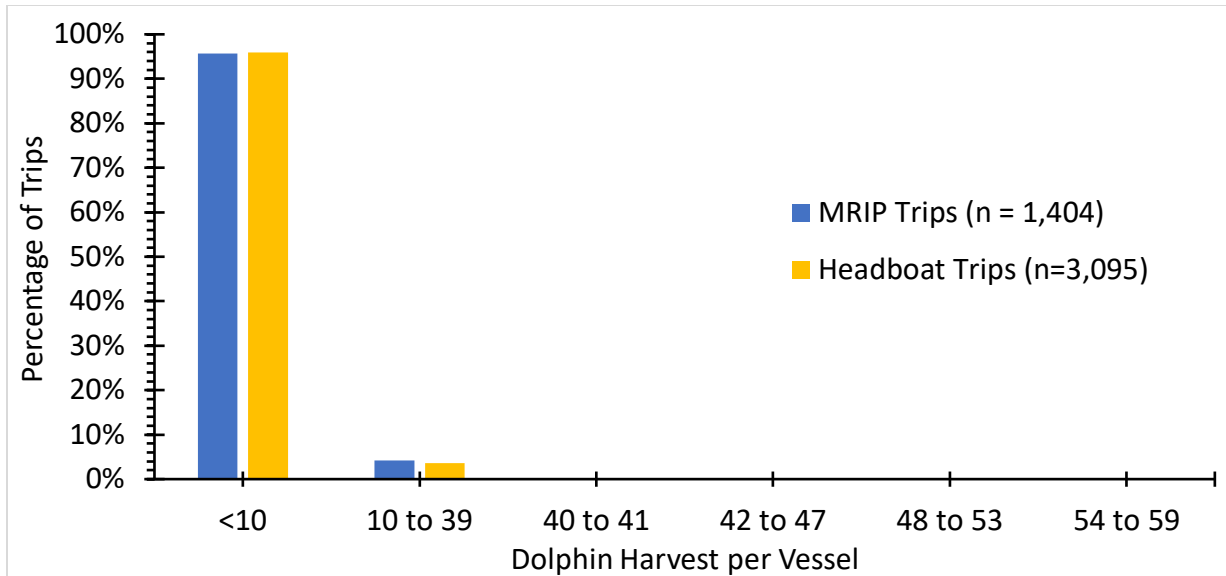


Figure 13. Recreational dolphin harvest per vessel for east Florida only (including Monroe County, Florida). The data is from 2015 through 2019, and data from both MRIP (private rec./charter vessels) and headboat are provided.

Table 22. Estimated reduction in recreational landings from a range of different vessel limits in **Action 11** for dolphin based on private and for-hire recreational dolphin landings from 2015-2019.

Alternative	Vessel Limit	Total recreational landings reduction on a percent basis (private recreational and charter)	Total estimated reduction in landings (lbs ww)
Atlantic Region			
Sub-alt 2a	30 Dolphin	12.7%	1,983,501
Sub-alt 2b	40 Dolphin	5.71%	943,816
Sub-alt 2c	42 Dolphin	4.71%	778,524
Sub-alt 2d	48 Dolphin	2.32%	383,477
Sub-alt 2e	54 Dolphin	0.69%	114,051
Florida Only			
Sub-alt 3a	30 Dolphin	0.12%	19,835
Sub-alt 3b	40 Dolphin	0.04%	6,612
Sub-alt 3c	42 Dolphin	0.03%	4,959
Sub-alt 3d	48 Dolphin	0.01%	1,653
Sub-alt 3e	54 Dolphin	0.01%	1,653
South Carolina, Georgia, and Florida Only			
Sub-alt 4a	30 Dolphin	0.12%	19,835
Sub-alt 4b	40 Dolphin	0.04%	6,612
Sub-alt 4c	42 Dolphin	0.03%	4,959
Sub-alt 4d	48 Dolphin	0.01%	1,653
Sub-alt 4e	54 Dolphin	0.01%	1,653

Advisory Panel Recommendations:

- During the April 21, 2017 Dolphin Wahoo AP meeting, 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 apply 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.
- The Dolphin Wahoo AP discussed this action and passed the following motion during their October 28, 2020 meeting:

Recommendation:

- In **Action 11** (reduce the recreational vessel limit for dolphin), there was support for **Alternative 1 (No Action)**, particularly in North Carolina or to take action just in Florida (**Alternative 3**). It was noted that the 60 fish limit is very important to the for-hire fishery in North Carolina, particularly when “slinger” dolphin are abundant.
- If limits are reduced, maintaining limits divisible by 6 is preferred.

**MOTION: SUPPORT ALTERNATIVE 3B OR 3C AS PREFERRED IN ACTION 11.
APPROVED BY AP**

The Law Enforcement AP discussed this action and provided the following recommendation during their February 1, 2020 meeting:

- The LE AP had no issue with enforceability of vessel limit changes; however, it was noted that consistency within the regulation is helpful for compliance.
- Implementing a vessel limit change through this action could mitigate some of the concerns expressed for the accountability measure actions since these measures would be in place year-round and would reduce the likelihood of the accountability measure being triggered.

Summary of Public Hearing Comments:

- Notable regional theme to many comments. With some exceptions, those in favor of changing retention limits (vessel limits, bag limits, size limits) were largely based in Florida or South Carolina. Those in favor of maintaining the current retention limits were often based in North Carolina.
- Many commenters stressed the importance of maintaining the current vessel limit for dolphin and bag limit (**Alternative 1 (No Action)**), as a reduction would greatly harm the for-hire industry in North Carolina, particularly the Outer Banks (vessels fishing out of Oregon Inlet and Hatteras Inlet) and the southern Outer Banks (vessels fishing out of Beaufort Inlet).
 - Current retention limits are important to “justifying the cost of the trip” for many for-hire as well as some private vessel anglers.

- Concern over notable economic hardship from reduced retention limits at a time when many in the for-hire industry have already faced challenges due to COVID-19.
- Reducing vessel limits could lead to more pressure on other species such as those found in the Snapper Grouper complex.
- If vessel limits are reduced, consider a regional approach rather than the entire Atlantic.
- Consider holding off on changing vessel limits until several years of data from the for-hire logbook can be used to inform management decisions.
- Several comments in support of a reduced vessel limit for dolphin (**Alternatives 2, 3, and 4**). Many expressed support for a 30 fish vessel limit (**Sub-alternatives 2a, 3a, and 4a**) and to a lesser extent a 40 fish limit (**Sub-alternatives 2b, 3b, and 4b**). Commenters in support were largely based out of Florida and South Carolina, with some exceptions.
 - Varying opinions on whether reduced vessel limits should cover the entire Atlantic or only apply to certain states.
- Limited and varying opinions on different retention limits between private and for-hire vessels. Most that did comment were in favor of a higher limit onboard for-hire vessels.

IPT Recommendations/Comments:

- There have been previous discussions over the headboat exemption for vessel limits and under what circumstance this exemption would apply. Headboat is defined in 50 CFR §622.2 as:
 - “*Headboat* means a vessel that holds a valid Certificate of Inspection (COI) issued by the USCG to carry more than six passengers for hire.”

Committee Action:

- APPROVE THE IPT’S SUGGESTED EDITS TO ACTION 11 IN AMENDMENT 10 (HIGHLIGHTED IN YELLOW).
- DO NOT APPROVE THE IPT’S SUGGESTED EDITS TO ACTION 11 IN AMENDMENT 10 (COMMITTEE TO SUGGEST MODIFICATIONS AND APPROVE).
- CONSIDER CHOOSING A PREFERRED ALTERNATIVE FOR ACTION 11 IN AMENDMENT 10.

Action 12. Reduce the recreational bag limit and establish a recreational vessel limit for wahoo

Alternative 1 (No Action). The recreational daily bag limit is 2 wahoo per person. There is no recreational vessel limit for wahoo.

Alternative 2. The recreational daily bag limit is 1 wahoo per person.

Alternative 3. The recreational vessel limit is:
Sub-alternative 3a. 2 wahoo per vessel.
Sub-alternative 3b. 3 wahoo per vessel.
Sub-alternative 3c. 4 wahoo per vessel.
Sub-alternative 3d. 5 wahoo per vessel.

- Sub-alternative 3e.** 6 wahoo per vessel.
- Sub-alternative 3f.** 7 wahoo per vessel.
- Sub-alternative 3g.** 8 wahoo per vessel.

Discussion:

- **Action 12** was added for consideration in Amendment 10 in response to the Committee’s direction to staff to “ADD AN ACTION TO REVISE BAG AND VESSEL LIMITS FOR WAHOO...INCLUDE:
 - 1 FISH PER PERSON BAG LIMIT
 - RANGE OF VESSEL LIMITS FROM 2-8 FISH”
- **Alternative 2** would reduce the recreational bag limit to 1 wahoo per person.
- **Alternative 3** would establish a recreational vessel limit of 2 through 8 wahoo per vessel (**Sub-alternatives 3a through 3g**).
- As noted in **Action 4**, wahoo landings have exceeded what will be the new recreational sector ACL in 3 of the past 5 years of available landings (2015-2019). Assuming that this trend continues into future years, management measures that help slow the rate of harvest, lengthen the fishing season, and prevent the ACL from being exceed, such as a reduction in the bag limit (**Alternative 2**) or implementing a vessel limit (**Alternative 3**), may be necessary to prevent the recreational sector from consistently exceeding the sector ACL and triggering restrictive management measures.
- Additionally, slowing the rate of harvest and ensuring sustainable harvest of the wahoo stock would provide for long-term benefits for the wahoo fishery.
- The majority of the recreational trips (more than 97% on average) typically harvest less than 9 wahoo per vessel (**Figure 14**).
- A bag limit reduction to one wahoo per person would result in an estimated 27.1% reduction in recreational harvest (**Alternative 2**) will a vessel limit between or 2 and 8 wahoo per trip would result in an estimated 30.3% to 2.3% reduction in recreational harvest (**Sub-alternatives 3a-3g**)(**Table 23**).

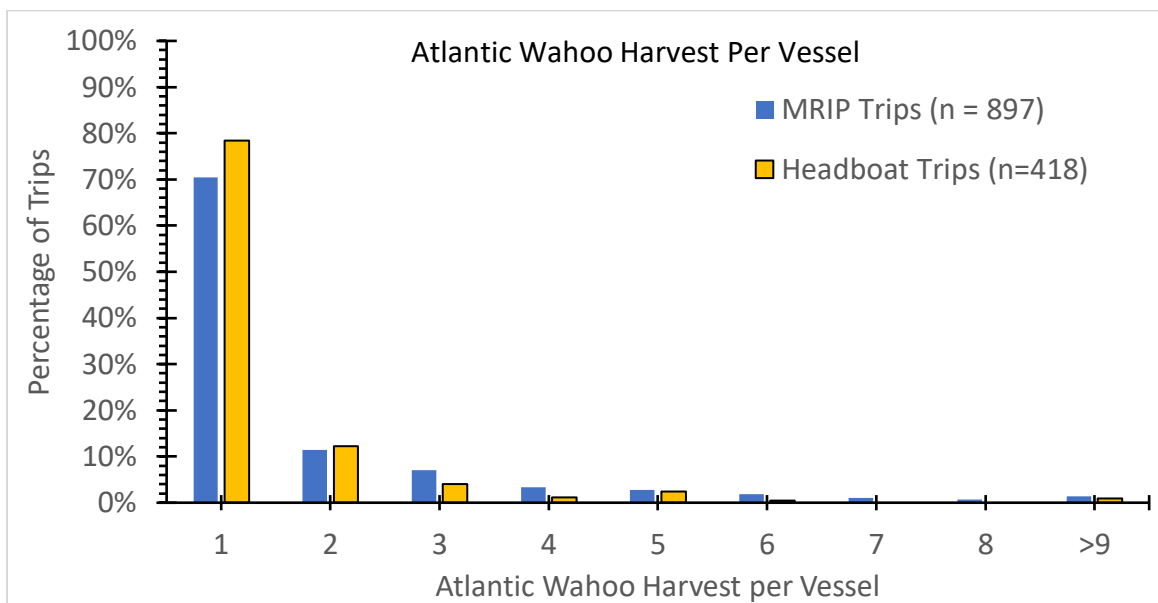


Figure 14. Recreational wahoo harvest per vessel for a range from Maine through east Florida (including Monroe County, Florida). The data are from 2015 through 2019, and data from both MRIP (private rec./charter vessels) and headboat are provided.

Table 23. Estimated reduction in recreational landings from a range of different bag and vessel limits for wahoo based on private, charter, and headboat wahoo landings from 2015-2019. Over this time period, average annual charter and private vessel landings of wahoo were 2,881,286 lbs ww and average annual headboat landings of wahoo were 3,518 lbs ww.

Alternative	Possession Limit	Reduction in landings for private and charter vessels (percent)	Reduction in landings for headboats (percent)	Total reduction in recreational landings (percent)	Total reduction in landings (lbs ww)
Wahoo per person					
Alt 2	1 wahoo per person	27.1%	3.2%	27.1%	780,941
Wahoo per vessel					
Sub-alt 3a	2 wahoo per vessel	30.3%	21.8%	30.3%	873,797
Sub-alt 3b	3 wahoo per vessel	19.6%	15.8%	19.6%	565,288
Sub-alt 3c	4 wahoo per vessel	13.1%	12.4%	13.1%	377,885
Sub-alt 3d	5 wahoo per vessel	8.2%	9.8%	8.2%	236,610
Sub-alt 3e	6 wahoo per vessel	5.4%	8.7%	5.4%	155,896
Sub-alt 3f	7 wahoo per vessel	3.5%	8.0%	3.5%	101,126
Sub-alt 3g	8 wahoo per vessel	2.3%	7.2%	2.3%	66,523

Summary of Public Hearing Comments:

- Notable regional theme to many comments. With some exceptions, those in favor of changing retention limits (vessel limits, bag limits, size limits) were largely based in Florida or South Carolina. Those in favor of maintaining the current retention limits were often based in North Carolina.
- Many commenters stressed the importance of maintaining the current bag limit and no vessel limit for wahoo (**Alternative 1 (No Action)**), as a reduction would greatly harm the for-hire industry in North Carolina, particularly the Outer Banks (vessels fishing out of Oregon Inlet and Hatteras Inlet) and the southern Outer Banks (vessels fishing out of Beaufort Inlet).
 - Current retention limits are important to “justifying the cost of the trip” for many for-hire as well as some private vessel anglers.
 - Concern over notable economic hardship from reduced retention limits at a time when many in the for-hire industry have already faced challenges due to COVID-19.
 - Reducing retention limits could lead to more pressure on other species such as those found in the Snapper Grouper complex.
 - If retention limits are reduced, consider a regional approach rather than the entire Atlantic.
 - Consider holding off on changing retention limits until several years of data from the for-hire logbook can be used to inform management decisions.

- Varying opinions on whether reduced vessel limits should cover the entire Atlantic or only apply to certain states.
- Wahoo are an important species in the late summer and fall for private and for-hire vessels in the southern Outer Banks (typically fishing out of Beaufort Inlet). A harvest closure in the fall would be very detrimental. Wahoo is also an important recreational species in northeast Florida.
- Many commenters, particularly those from North Carolina, were not in favor of a vessel limit for wahoo (**Alternative 1 (No Action)**). If a vessel limit were to be implemented, consider a 12 fish vessel limit.
- Comments in favor of a vessel limit for wahoo ranged from 2 to 8 fish per vessel, with many focusing on 6 or 8 fish per vessel (**Sub-alternatives 3e or 3g**).
- Several comments in support of a vessel limit for wahoo that would apply in Florida only. These comments were expressed both by commenters from Florida and North Carolina.
- Limited and varying opinions on different retention limits between private and for-hire vessels. Most that did comment were in favor of a higher limit onboard for-hire vessels.
- There were some comments supporting a reduced bag limit (**Alternative 2**) and relatively few supporting implementing a size limit for wahoo. Support for a vessel limit on wahoo was more common.

Advisory Panel Recommendations:

- The alternatives for a vessel limit currently do not include an exception for headboats. Is this the intent of the Committee?

Committee Action:

- APPROVE ACTION 12 AND PROPOSED RANGE OF ALTERNATIVES FOR INCLUSION IN AMENDMENT 10.
- DO NOT APPROVE ACTION 12 AND PROPOSED RANGE OF ALTERNATIVES FOR INCLUSION IN AMENDMENT 10.
- CONSIDER CHOOSING A PREFERRED ALTERNATIVE FOR ACTION 12 IN AMENDMENT 10.

Action 13. 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.

Preferred 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 in response to a request from the Mid-Atlantic Fishery Management 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.” Liaisons from the Mid-Atlantic Council have noted that this action was requested to allow the crew to keep working during long runs back to port and shorten or remove the wait time at the dock for customers upon arrival since dolphin landed on a recreational trip would already be processed instead of waiting until the vessel is docked before doing so.
- The suggested regulations associated with allowing filleting of dolphin at sea included:
 - Requiring a 1” by 1” piece of skin remain on each fillet.
 - Crew must retain the racks (frames) of each fish.
 - Crew must be able to present two fillets with are equivalent to one fish.
- The request stated that the action originated from a joint law enforcement/for-hire workshop with attendees from the U.S. Coast Guard, NOAA Office of Law Enforcement, the Atlantic States Marine Fisheries Commission, the Greater Atlantic Regional Fisheries Office, and Highly Migratory Species.
- Overall, this action would affect an estimated 3,056 for-hire vessel trips on average annually in the Mid-Atlantic and New England regions (**Table 24**).

Table 24. Number of for-hire trips harvesting dolphin from the Mid-Atlantic and New England regions, 2015-2019.

Year	For-hire Vessel Trips Harvesting Dolphin in the NE and MA regions	For-Hire Angler Trips Harvesting Dolphin in the NE and MA regions
2015	4,107	18,479
2016	4,815	28,476
2017	544	2,841
2018	2,221	12,548
2019	3,591	18,544
Average	3,056	16,178

Source: Marine Recreational Information Program. Personal communication January 27, 2021.

Advisory Panel Recommendations:

The South Atlantic Fishery Management Council’s Law Enforcement (LE) AP reviewed the initial request from the Mid-Atlantic Council at their May 2019 meeting and provided the following input:

- The Mid-Atlantic Council’s request would indicate that law enforcement officers would need to count and match racks and fillets. This would be burdensome to boarding officers and appears redundant.
- The exception on filleting for fish brought to the U.S. from The Bahamas is effective because the fish are caught outside the U.S. EEZ. The Mid-Atlantic Council’s request would add

considerable burden to law enforcement officers if implemented in U.S. waters (i.e., certain regulations would apply in some areas along the east coast but not 3 others) resulting in considerably more time required for enforcement and more regulatory complexity.

- Consider that law enforcement would need guidance to address the possible scenario where a fish is caught and filleted north of Cape Hatteras but landed south of that line where the exception on filleting at sea would not apply. If adopted, the proposed regulation needs to be specified for the entire managed area (i.e., the U.S. east coast for dolphin) in order to be enforceable.
- In North Carolina, it is unlawful to possess aboard a vessel or while engaged in fishing any species of finfish that is subject to a size or harvest restriction without having the head and tail attached (except mullet and hickory shad when used for bait and tuna landed commercially).
- There appears to be no compelling reason to request an exemption on mutilated fish only for dolphin.
- A 1” by 1” piece of skin on a fillet, as proposed in the Mid-Atlantic Council’s request, is not large enough to ensure proper identification. If a filleting exemption is ultimately implemented, it should mirror what is in place for fish that are caught in The Bahamas and brought to the U.S.

The LE AP approved the following motion:

MOTION: THE LE AP RECOMMENDS THAT NO FILLETING OF DOLPHIN BE ALLOWED IN THE EEZ OFF THE ATLANTIC. APPROVED BY AP (UNANIMOUS)

The Law Enforcement AP discussed this action in its current form and provided the following recommendation during their February 1, 2020 meeting:

- There is no reason to distinguish between species regarding allowing filleting at sea. Allowing this to take place creates an enforcement problem and this practice should not be allowed anywhere.
- Fillets are much easier to hide than fish kept in a whole condition.
- Concern that allowing exemption for Dolphin would carry over to other species and other fisheries. The Council should consider firmly “holding the line” by not allowing this exemption. LE AP members noted that some fishermen had expressed support for a similar exemption in the Snapper Grouper fishery. The Dolphin Wahoo Advisory Panel supported this exemption to also apply to Dolphin caught in the South Atlantic region (see below).
- **The LE AP reiterated their previous recommendation that filleting of Dolphin at sea should not be allowed in the Atlantic EEZ.**

The Dolphin Wahoo AP discussed this action and provided the following recommendations during their October 28, 2020 meeting:

- In **Action 13**, several AP members noted that allowing filleting of dolphin at sea would also be useful in the South Atlantic Region. It would help with minimizing turnaround time between half day charters in South Florida where dolphin can be targeted due to the short travel distance to deep water. It would also help with spare cold storage capacity and preserving the meat of harvested fish.

- Some AP members noted that they also have very long runs to and from fishing grounds when targeting dolphin that are similar to those in the Mid-Atlantic. If this were to be allowed, the racks of filleted fish could be required to aid in the enforcement of size limits.

IPT Recommendations/Comments:

- This action could provide economic benefits to the for-hire sector on for-hire trips landing numerous dolphin in the Mid-Atlantic and New England regions.
- 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 some 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 tunas, sharks, and swordfish.
- Filleting of dolphin at sea may encourage additional harvest due to less cold storage space required to preserve additional fish and less time/hassle needed at the dock filleting fish.
- Allowing fillets of dolphin at sea onboard for-hire vessels in the Mid-Atlantic and New England regions could encourage the desire for similar regulations in the South Atlantic region, for other sectors (private recreational and commercial), and for other species under other FMPs.

Committee Action:

- NONE REQUIRED.
- IF MAINTAINING THE CURRENT PREFERRED ALTERNATIVE (ALTERNATIVE 1(NO ACTION)), CONSIDER MOVING ACTION 13 TO THE CONSIDERED BUT REJECTED SECTION.

Committee Action:

- APPROVE ALL ACTIONS IN DOLPHIN WAHOO AMENDMENT 10, AS MODIFIED, FOR REVIEW AT THE JUNE 2021 MEETING.