

FINAL
SUMMARY REPORT
DOLPHIN WAHOO COMMITTEE
SOUTH ATLANTIC FISHERY MANAGEMENT COUNCIL
Wilmington, NC
December 3, 2019

The Committee approved minutes from the September 2019 meeting and the agenda.

Status of commercial & recreational landings versus ACLs

NMFS Southeast Regional Office (SERO) staff delivered briefings to the Committee on the status of commercial and recreational landings of dolphin and wahoo relative to ACLs. Based on preliminary landings estimates, commercial dolphin landings were at 46 percent of the sector ACL and commercial wahoo landings were at 91 percent of the sector ACL for 2019. Recreational dolphin landings were at 19 percent of the sector ACL and wahoo landings were at 23 percent of the sector ACL for 2019.

Scientific and Statistical Committee (SSC) Report

The SSC met in Charleston, SC on October 15-17, 2019 to discuss items of interest to the Committee including recommendations for acceptable biological catch (ABC) levels for dolphin and wahoo as well as Amendment 12 (Bullet Mackerel and Frigate Mackerel as Ecosystem Component Species). Dr. George Sedberry, SSC Chair, briefed the Committee on SSC discussions and recommendations. The SSC provided the following recommendations:

- Include recreational catch data from Monroe County, Florida for setting ABCs and tracking annual catch limits (ACLs) for both dolphin and wahoo.
- Maintain the use of a landings reference period of 1994 to 1997 for dolphin and 1994 to 2003 for wahoo, choosing the third highest landings for both species within the respective time series.
- Add the ORCs method to the Dolphin Wahoo Fishery Management Plan (FMP) and revisit the ABCs at that time.
- Investigate trends in dolphin catch and effort data, particularly in the south Florida area.
- Regarding Amendment 12, the SSC recommended adding bullet mackerel and frigate mackerel to the Dolphin Wahoo FMP as ecosystem component species.

The Committee discussed the SSC's recommendations and the landings reference periods that were used to set the ABC recommendations. During this discussion, it was noted that the overall trend in the landings data had changed substantially with the revised Fishery Effort Survey (FES) estimates as well as the inclusion of recreational landings from Monroe County, Florida. The Committee expressed concern that using the existing four-year time series to set the ABC for dolphin may be too restrictive and a longer time series may be appropriate. Additionally, the Committee felt that the reference period for wahoo is not reflective of the current fishery for wahoo. The Committee also discussed the SSC's recommendation to apply the ORCs method to dolphin and wahoo when setting catch level recommendations. It was noted that the two species were not included for the ORCs approach in application of the ABC Control Rule, but there was previous precedent for applying the ORCs method outside of the ABC Control Rule when it was

deemed a superior approach. The Committee made the following requests for the SSC to consider at their upcoming April 2020 meeting:

- Reconsider the time series used for dolphin when setting catch level recommendations for dolphin.
- Consider if a different time series that is more reflective of the current fishery for wahoo would be more appropriate in setting catch level recommendations for wahoo.
- Would application of the ORCs method be a superior approach to the “third highest landings” approach in setting catch level recommendations for dolphin and wahoo? If so, does the SSC deem this approach best scientific information available (BSAI) and thus this method can be applied rather than the existing approach?

Review of the goals and objectives of the Dolphin Wahoo Fishery Management Plan

The Committee reviewed revised goals and objectives of the Dolphin Wahoo Fishery Management Plan (FMP) in an effort to update them to reflect the current needs of the fisheries for dolphin and wahoo as well as part of the Council’s process for creating an Allocation Review Trigger Policy. The Committee provided comments on further revisions that should be made, with the following version of the goals and objectives reflecting these comments.

Preamble: The original and ongoing intent of the Fishery Management Plan for the Dolphin Wahoo Fishery of the Atlantic is to sustainably manage the stocks of dolphin and wahoo for the long-term benefit of **all participants in the recreational and commercial fishing sectors community**. Owing to the substantial importance of the fisheries for dolphin and wahoo, particularly to the recreational sector, this fishery management plan seeks to manage these fisheries using a precautionary approach that maintains access, minimizes competition, **conserves preserves** the social and economic **importance components** of the fisheries, as well as promotes research and incorporation of ecosystem considerations where practicable.

Goal 1 (Precautionary Approach): Management of the dolphin and wahoo fisheries is precautionary, risk-averse, and maintains historic catch levels while preventing overfishing.	
<i>Objective 1</i>	Maintain catch levels that do not exceed catch level recommendations for dolphin or wahoo and do not directly change the balance of landings in comparison to the historic fishery to the extent that conflict is created between the recreational and commercial sectors.
<i>Objective 2</i>	Minimize bycatch of dolphin and wahoo in non-directed fisheries.
Goal 2 (Access): The recreational and commercial sectors retain access to the dolphin and wahoo resource.	
<i>Objective 1</i>	For the recreational sector, adopt management measures that ensure consistent and predictable access to dolphin and wahoo when they are regionally available as well as maintain abundant stock levels that lead to high encounter rates and elevated trip satisfaction.
<i>Objective 2</i>	For the commercial sector, adopt management measures that ensure consistent and predictable access to dolphin and wahoo when they are regionally available.

<i>Objective 3</i>	Address concerns as practicable over localized reduction in fish abundance and the resulting perceived decline in local availability of dolphin and wahoo.
Goal 3 (Minimize Competition Between User Groups): Competition between user groups is minimized.	
<i>Objective 1</i>	Ensure effort and catch levels of dolphin and wahoo by distinct user groups does not notably expand beyond their traditional share of the fishery.
<i>Objective 2</i>	Exercise caution in allowing development of new fisheries or expansion of existing fisheries that may increase competition between user groups.
Goal 4 (Economic and Social Importance): Management of the dolphin and wahoo fisheries recognizes and preserves their economic and social importance to both the recreational and commercial sectors.	
<i>Objective 1</i>	Manage the dolphin and wahoo resources to achieve optimum yield on a continuing basis in order to maximize the economic and social net benefits of the fishery.
<i>Objective 2</i>	Minimize market disruption. In the short-term , commercial markets (mainly local) may be disrupted if large quantities of dolphin are landed from intense commercial harvest or unregulated catch.
<i>Objective 3</i>	Encourage research that improves knowledge about the social and economic elements of the dolphin and wahoo fishery.
<i>Objective 4</i>	Improve awareness and understanding of how social and economic issues are linked to dolphin and wahoo fishery management measures.
Goal 5 (Ecosystem Based Management and Research Priorities): Management of the dolphin and wahoo fisheries recognizes the importance of biologic information and incorporating ecosystem considerations.	
<i>Objective 1</i>	Support improved and expanded monitoring and reporting programs for the dolphin and wahoo fishery. Promote collection of quality data to support management plans and programs considered by the Council.
<i>Objective 2</i>	Support measures that incorporate ecosystem considerations for the management of dolphin and wahoo where practicable.
<i>Objective 3</i>	Promote research aimed at developing ecosystem based management of dolphin and wahoo.
<i>Objective 4</i>	Promote research that enhances collection of biologic and habitat data on dolphin and wahoo stocks and fisheries.

DIRECTION TO STAFF: Maintain this version of the goals and objectives until review at a later date but prior to implementation in the next Dolphin Wahoo FMP plan amendment.

Amendment 10 (Revise Dolphin and Wahoo Management Measures)

The amendment would accommodate revised recreational data from the Marine Recreational Information Program, redefine optimum yield in the dolphin fishery, revise accountability measures, and implement various other management revisions in the dolphin wahoo fishery. The

Committee discussed the status of the amendment and determined that additional scoping was not necessary because the amendment had received a great deal of public input as it has been developed. Since the SSC will be discussing revisions to the ABCs for dolphin and wahoo at their upcoming April 2020 meeting, the Committee decided to delay discussion of Actions 1 through 7 until that information is available. The Committee provided the following guidance, and made the following motions:

MOTION #1: MOVE ACTION 8 IN AMENDMENT 10 TO THE CONSIDERED BUT REJECTED SECTION.

Action 8. Allow adaptive management of sector annual catch limits (ACLs) for dolphin

~~**Alternative 1 (No Action).** The current allocation for the recreational sector for dolphin is 90% of the total annual catch limit. The current allocation for the commercial sector for dolphin is 10% of the total annual catch limit.~~

~~**Alternative 2.** Set aside a portion of the total annual catch limit ACL that can be used by either sector as a common pool allocation.~~

~~**Sub-alternative 2a:** 1% of the total annual catch limit ACL becomes a common pool allocation. The remaining total annual catch limit ACL is split between the recreational sector and the commercial sector according to the current allocation.~~

~~**Sub-alternative 2b:** 2.5% of the total annual catch limit ACL becomes a common pool allocation. The remaining total annual catch limit ACL is split between the recreational sector and the commercial sector according to the current allocation.~~

~~**Sub-alternative 2c:** 5% of the total annual catch limit ACL becomes a common pool allocation. The remaining total annual catch limit ACL is split between the recreational sector and the commercial sector according to the current allocation.~~

~~**Sub-alternative 2d:** 10% of the total annual catch limit ACL becomes a common pool allocation. The remaining total annual catch limit ACL is split between the recreational sector and the commercial sector according to the current allocation.~~

~~**Alternative 3.** If the commercial annual catch limit ACL is not met in a given fishing year, the unused annual catch limit ACL may be carried forward to the next fishing year only. The carried forward balance shall not exceed a given percentage (Sub-alternatives 3a-3c) of the commercial sector annual catch limit ACL.~~

~~**Sub-alternative 3a:** The carried forward balance shall not exceed 5% of the total commercial sector annual catch limit ACL.~~

~~**Sub-alternative 3b:** The carried forward balance shall not exceed 10% of the total commercial sector annual catch limit ACL.~~

~~**Sub-alternative 3c:** The carried forward balance shall not exceed 20% of the total commercial sector annual catch limit ACL.~~

~~**Alternative 4.** If the recreational annual catch limit ACL is not met in a given fishing year, the unused annual catch limit ACL may be carried forward to the next fishing year only. The carried forward balance shall not exceed a given percentage (Sub-alternatives 4a-4c) of the recreational sector annual catch limit ACL.~~

~~Sub-alternative 4a:~~ The carried forward balance shall not exceed 1% of the total recreational sector ~~annual catch limit ACL~~.

~~Sub-alternative 4b:~~ The carried forward balance shall not exceed 2.5% of the total recreational sector ~~annual catch limit ACL~~.

~~Sub-alternative 4c:~~ The carried forward balance shall not exceed 5% of the total recreational sector ~~annual catch limit ACL~~.

~~Alternative 5:~~ Conditionally transfer for the next fishing year a certain percentage (Sub-alternatives 5a-5d) of the ~~annual catch limit ACL~~ from a sector that is not landing its ~~annual catch limit ACL~~ to the other sector that is landing at least 90% of its ~~annual catch limit ACL~~, if the landings of the donating sector are below the minimum landings threshold (Sub-alternatives 5e-5g). The highest landings from the donating sector, based on available finalized data from the five years prior, will be used as criteria to determine if landings are below the minimum landings threshold for a conditional transfer to occur.

~~Conditional Quota Transfer (MUST CHOOSE ONE):~~

~~Sub-alternative 5a:~~ Conditionally transfer 1% of the unadjusted ~~annual catch limit ACL~~ of one sector to the other sector.

~~Sub-alternative 5b:~~ Conditionally transfer 2.5% of the unadjusted ~~annual catch limit ACL~~ of one sector to the other sector.

~~Sub-alternative 5c:~~ Conditionally transfer 5% of the unadjusted ~~annual catch limit ACL~~ of one sector to the other sector.

~~Sub-alternative 5d:~~ Conditionally transfer 10% of the unadjusted ~~annual catch limit ACL~~ of one sector to the other sector.

~~Donating sector's ~~annual catch limit ACL~~ Minimum Threshold (MUST CHOOSE ONE), if the donating sector's landings are:~~

~~Sub-alternative 5e:~~ less than 50% of its unadjusted ~~annual catch limit ACL~~.

~~Sub-alternative 5f:~~ less than 65% of its unadjusted ~~annual catch limit ACL~~.

~~Sub-alternative 5g:~~ less than 75% of its unadjusted ~~annual catch limit ACL~~.

APPROVED BY COMMITTEE

APPROVED BY COUNCIL

DIRECTION TO STAFF: MOVE ALTERNATIVES 3 AND 4 IN ACTION 8 TO THE COMPREHENSIVE ABC CONTROL RULE AMENDMENT.

MOTION #2: REMOVE ALTERNATIVES 2 AND 3 IN ACTION 9.

Action 9. Revise the commercial accountability measures for dolphin

~~Alternative 2.~~ The commercial accountability measure will include an in-season closure to take place if the commercial annual catch limit and the available common pool annual catch limit is met or projected to be met. If the commercial annual catch limit and the available common pool annual catch limit is exceeded, it will be reduced by the amount of the commercial overage in the following fishing year only if the species is overfished and the total annual catch limit is exceeded.

~~**Alternative 3.** The commercial accountability measure will include an in-season closure to take place if the commercial annual catch limit and the available uncaught sector annual catch limit from the previous fishing year is met or projected to be met. If the commercial annual catch limit and the available uncaught sector annual catch limit from the previous fishing year is exceeded, it will be reduced by the amount of the commercial overage in the following fishing year only if the species is overfished and the total annual catch limit is exceeded.~~

APPROVED BY COUNCIL

MOTION #3: POSTPONE DISCUSSION OF AMENDMENT 10 UNTIL THE JUNE 2020 MEETING.

APPROVED BY COMMITTEE

APPROVED BY COUNCIL

Amendment 12 (Bullet and Frigate Mackerel as Ecosystem Component Species)

The amendment would add bullet and frigate mackerel to the Dolphin Wahoo FMP as ecosystem component species. The Committee discussed the amendment and the pending guidance that is expected from the National Marine Fisheries Service at the March 2020 meeting on the Council's ability to implement regulatory measures for bullet mackerel and frigate mackerel. The Committee provided the following guidance and made the following motions:

MOTION #4: APPROVE ALTERNATE VERSION OF THE PURPOSE AND NEED STATEMENT AS SHOWN BELOW.

The *purpose* is to add bullet mackerel and frigate mackerel to the Fishery Management Plan for the Dolphin Wahoo Fishery of the Atlantic as ecosystem component (EC) species based on their **ECOLOGICAL** importance as forage fish for wahoo **and limit the potential for adverse biological effects.** ~~Designate bullet mackerel and frigate mackerel as ecosystem component (EC) species to address data collection issues and limit the potential for adverse biological effects.~~

The *need* is to safeguard the **ECOLOGICAL** role of bullet mackerel and frigate mackerel as forage species for wahoo.

APPROVED BY COUNCIL

MOTION #5: APPROVE FURTHER DEVELOPMENT OF DOLPHIN WAHOO AMENDMENT 12 TO BE REVIEWED IN MARCH 2020.

APPROVED BY COMMITTEE

APPROVED BY COUNCIL

Dolphin Wahoo Advisory Panel Meeting Report

The Dolphin Wahoo AP met via webinar on October 29, 2019 to discuss and provide recommendations on proposed modifications to the Florida Keys National Marine Sanctuary (FKNMS) regulations and boundary. The AP relayed specific concerns over the proposed

changes as well as potential benefits. The AP recommended Alternative 1 (No Action) as the preferred alternative given the impacts of the other alternatives on businesses and recreational activities. In addition, the AP recommended that there are increased efforts to better educate the public on existing regulations for areas that are managed by the FKNMS to achieve better compliance. If the FKNMS does move forward with closing certain areas to fishing activity, consider still allowing fishing in the upper water column (i.e. trolling) rather than prohibit fishing access all together since this type of activity is still compatible with habitat protection measures such as prohibitions on anchoring or use of gear that can come in contact with coral or hard bottom habitats.

Other Business

There were no items discussed under Other Business.

Timing and Tasks:

MOTION #6: DIRECT STAFF TO COMPLETE THE FOLLOWING TASKS:

1. CONTINUE WORK ON AMENDMENT 10 FOR REVIEW AT THE JUNE 2020 MEETING.
2. CONTINUE WORK ON AMENDMENT 12 FOR REVIEW AT THE MARCH 2020 MEETING.
3. FORWARD THE SPECIFIED REQUESTS REGARDING CATCH LEVEL RECOMMENDATIONS FOR DOLPHIN AND WAHOO TO THE SSC FOR DISCUSSION AT THEIR APRIL 2020 MEETING.

APPROVED BY COUNCIL