

Amendment 10 to the Fishery Management Plan for the Dolphin Wahoo Fishery of the Atlantic and Amendment 44 to the Fishery Management Plan for the Snapper Grouper Fishery of the South Atlantic Region



Scoping Document July 2016



Amendment 10 to the Fishery Management Plan for the Dolphin Wahoo Fishery of the Atlantic (Dolphin Wahoo Amendment 10) and Amendment 44 to the Fishery Management Plan for the Snapper Grouper Fishery of the South Atlantic Region (Snapper Grouper Amendment 44) addresses sector allocations in the dolphin and yellowtail snapper fisheries and gear allocations in the commercial dolphin fishery.

Written comments on Dolphin Wahoo Amendment 10 and Snapper Grouper Amendment 44 will be accepted until 5:00 p.m. on August 19, 2016. Comments may be submitted in writing at the South Atlantic Fishery Management Council (Council) address at the end of this document. Comments may also be submitted via fax (843-769-4520) with the subject “Am 10/Am 44 Scoping” or online using the public comment form that can be found at <http://safmc.net/meetings/public-hearing-and-scoping-meeting-schedule>.

Why is the Council Considering Action?

In 2015, the commercial dolphin fishery in the Atlantic and commercial yellowtail snapper fishery in the South Atlantic Region met their sector annual catch limit (ACL) and were faced with early season closures. The commercial dolphin fishery closed on June 30, 2015, and the commercial yellowtail snapper fishery closed on October 31, 2015. In 2015, the recreational sector harvested a little over half of the recreational ACL for each species respectively. As a result, approximately 6.8 million pounds of the total ACL for dolphin and 650,000 pounds of the total ACL for yellowtail snapper went unharvested.

In response to commercial closures in the face of uncaught total ACL, the council is considering options to temporarily or permanently reallocate a portion of the ACL. This action is intended to prevent or delay closures in the commercial fisheries for dolphin and yellowtail snapper.

Additionally, the council is considering gear allocations in the commercial dolphin fishery. This action is being considered in response to the 2015 closure of the commercial dolphin fishery, as well as an increase in dolphin landings caught with longline gear. Commercial landings for dolphin in the Atlantic were between 600,000 and 800,000 pounds from 2010 to 2013, while landings increased to over 1.1 million pounds during 2014 and 2015 (**Figure 1**). Hook and line mean catch per trip in pounds live weight was between 76 and 91 pounds from 2010-2015, but longline mean catch per trip was between 400 and 600 pounds from 2010-2013, increasing to over 800 pounds in 2014 and almost 2,000 pounds in 2015. Setting gear allocations in the fishery would help preserve the historic breakdown of landings within the commercial dolphin fishery between hook and line gear and longline gear. The gear allocations are also intended to allow the hook and line fishery to continue to operate year-round.

Draft Purpose for Action

The *purpose* of this amendment is to modify sector allocations, update the sector ACLs, extend the commercial fishing season, and minimize the risk of closures in the fisheries for dolphin and yellowtail snapper.

Draft Need for Action

The *need* for the amendment is to better achieve optimum yield (OY) for dolphin and yellowtail snapper while minimizing, to the extent possible, adverse social and economic impacts.

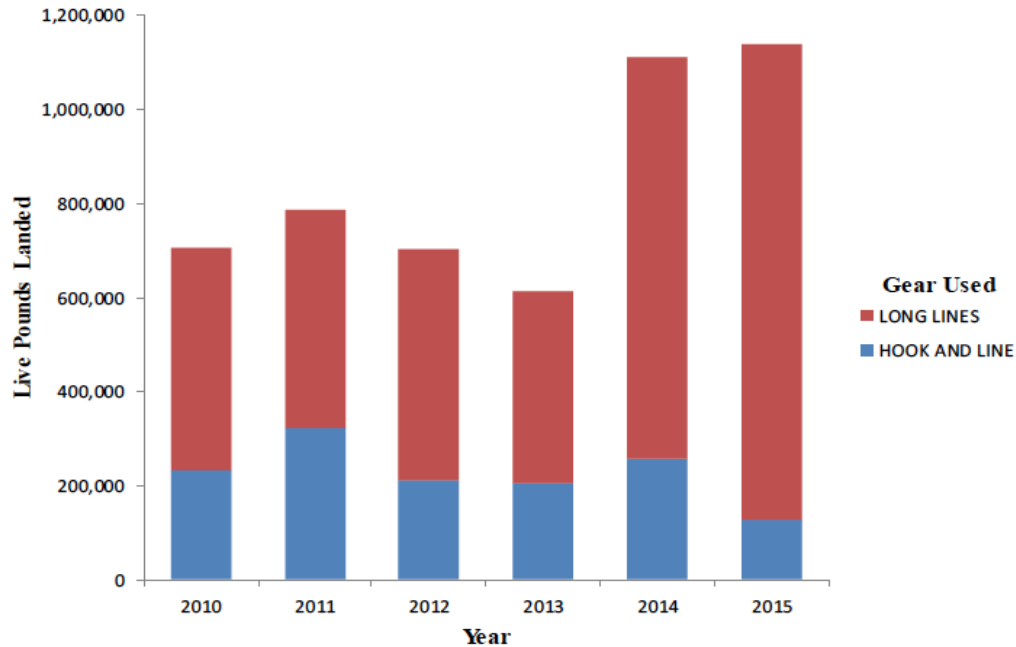


Figure 1. Atlantic dolphin landings in live weight by year and gear, 2010-2015.

What is Scoping?

When the Council is initially addressing a fishery issue, the issue may be sent out for scoping. Scoping involves reaching out for comments on the options that the Council is considering as well as asking for any other ideas that the public may have in regards to how the fishery issue should be addressed. At this point, no final decisions have been made in regards to what actions will be taken, and the options that the Council will consider are solidified after taking into account comments that are collected during the scoping process.

Draft Actions and Alternatives

Draft Action 1. Establish allocation of commercial ACL for dolphin based on gear type.

Draft Alternative 1 (No Action). There is currently one sector ACL for all gear types in the commercial dolphin fishery (10% of the total ACL).

Draft Alternative 2. Create separate commercial sector gear allocations for the dolphin fishery.

Draft Sub-alternative 2a. Allocate 62% of the commercial ACL for dolphin to longline gear. Allocate 38% of the commercial ACL for dolphin to hook and line and all other commercial fishing gear. (Based on average landings by gear type from 2005 through 2014).

Draft Sub-alternative 2b. Allocate 46% of the commercial ACL for dolphin to longline gear. Allocate 54% of the commercial ACL for dolphin to hook and line all other commercial fishing gear. (Based on lowest longline % landings by gear type from 2005 through 2014).

Draft Sub-alternative 2c. Allocate 75% of the commercial ACL for dolphin to longline gear. Allocate 25% of the commercial ACL for dolphin to hook and line and all other commercial fishing gear. (Based on highest longline % landings by gear type from 2005 through 2014).

Draft Sub-alternative 2d. Allocate 50% of the commercial ACL for dolphin to longline gear. Allocate 50% of the commercial ACL for dolphin to hook and line and all other commercial fishing gear.

Discussion:

When the commercial dolphin fishery closed on June 30, 2015, all commercial landings for dolphin ceased for the remainder of the calendar year. Traditionally, the longline gear sector makes the majority of their catches between late April and early July. The hook and line gear sector in the past has continued to fish throughout the year. In 2015, once the commercial ACL was met and the entire commercial sector was closed, participants in the commercial hook and line gear sector was not able to fish as they had historically. In response, the Council is considering sub-allocations of the commercial ACL to the gear sectors so that increased landings by one gear will not adversely affect other gear sectors' ability to fish for dolphin (**Draft Alternative 2**). Additionally, through

We Want to Hear From You!

The presented draft alternatives include the initial considerations of the Council in regards to possible gear allocations in the commercial dolphin fishery. This is not a final list of all possible alternatives and the Council would welcome input on these alternatives as well as any other ideas on how or if to implement these gear allocations. Details on how to submit your ideas and comments are included at the end of this document.

Dolphin Wahoo Framework Amendment 1, the Council has proposed to establish a commercial trip limit for dolphin of 4,000 pounds whole weight (ww) after 75% of the commercial sector ACL has been reached.

Table 1 shows the pounds landed (ww) of dolphin by longline and hook and line gear types from 2005 through 2014 by month. In that 10-year period, when there were no closures, 62% of commercially landed dolphin was by longlines and 48% by hook and line. Only in May and June do longline landings have a much larger percent of the landings compared to hook and line caught fish. The longline landings volume in May and June tend to be very large, whereas the hook and line landings are more evenly distributed throughout the fishing year.

Table 2 through **Table 4** show longline landings only by area and years (2010 – 2014) by permit type (Atlantic Dolphin Wahoo only or Atlantic Dolphin Wahoo + highly migratory species (HMS)). To calculate these landings by permit type, trips that used longline gear and landed dolphin were analyzed to see what other species were caught on the same trip. If any HMS were included in the landings, it was assumed the vessel had an HMS permit. If no HMS species were landed, the trip was assumed to be by a vessel that had only the Atlantic Dolphin Wahoo permit (SEFSC 2015).

The increase in longline landings experienced in 2015 are thought to partially be a side-effect of the final rule implementing Amendment 7 to the 2006 Consolidated Atlantic Highly Migratory Species Fishery Management Plan which became effective on January 1, 2015. This amendment implemented an individual bluefin tuna quota and a restricted area off of Cape Hatteras from January to April that may have led to changes in fishing behavior as fishery participants were attempting to avoid bluefin tuna interactions. Staff members in the HMS logbook program believe that the changes in fishing behavior, as a result of Amendment 7, resulted in higher catches of dolphin by commercial longline vessels. Additionally, anecdotal information from the Pelagic Observer Program may be indicative of a higher number of trips targeting dolphin in 2015 (SEFSC 2015).

Given the higher catch per trip observed in the dealer data in 2015, there may have been an increase in the targeting of dolphin. Another explanation for the increase in catch may be an increase in the availability of dolphin in the Atlantic due to above average recruitment or beneficial sea surface temperatures and oceanic currents that led to a higher than average density of dolphin in areas of high fishing pressure. Since hook and line catches of dolphin per trip did not increase, it is possible that there was not an increase in density in areas where hook-and-line fishing occurs, and the increase in density may be localized to areas where longline fishing occurs; or there is another reason for the increase in catches such as improved price or market conditions leading to increased targeting of dolphin by vessels fishing longline gear (SEFSC 2015).

Table 1. Atlantic dolphin landings (ww) by month/year for the commercial sector by gear type, 2005-2014.

Month	Gear	2005		2006		2007		2008		2009		2010		2011		2012		2013		2014		Average 2005 - 2014	
		Lbs ww	%	Lbs ww	%	Lbs ww	%	Lbs ww	%	Lbs ww	%	Lbs ww	%	Lbs ww	%	Lbs ww	%	Lbs ww	%	Lbs ww	%	Lbs ww	%
January	Longline	1,479	23%	447	10%	1,412	24%	5,422	55%	4,269	46%	1,660	40%	1,059	22%	10,738	56%	7,608	65%	9,161	73%	4,326	49%
	H & L	4,980	77%	3,847	90%	4,589	76%	4,353	45%	4,996	54%	2,511	60%	3,801	78%	8,544	44%	4,122	35%	3,462	27%	4,520	51%
February	Longline	1,129	11%	1,050	17%	4,105	54%	8,211	66%	3,073	31%	1,063	25%	770	12%	12,215	59%	9,996	73%	16,912	76%	5,852	51%
	H & L	9,344	89%	5,180	83%	3,450	46%	4,145	34%	6,921	69%	3,183	75%	5,555	88%	8,363	41%	3,730	27%	5,476	24%	5,535	49%
March	Longline	1,839	21%	841	9%	5,071	37%	11,626	73%	7,221	44%	2,063	34%	1,962	22%	15,754	61%	7,375	44%	22,432	75%	7,618	50%
	H & L	6,894	79%	8,316	91%	8,557	63%	4,292	27%	9,045	56%	4,053	66%	6,800	78%	10,004	39%	9,476	56%	7,375	25%	7,481	50%
April	Longline	6,077	33%	3,722	15%	10,991	35%	21,065	58%	12,181	32%	4,680	31%	6,309	39%	24,655	64%	10,269	42%	24,352	61%	12,430	44%
	H & L	12,285	67%	20,830	85%	20,435	65%	15,400	42%	26,210	68%	10,363	69%	9,765	61%	14,072	36%	14,293	58%	15,612	39%	15,926	56%
May	Longline	156,093	69%	130,068	55%	270,079	72%	214,966	75%	395,123	69%	232,718	72%	255,945	68%	273,571	80%	153,954	67%	483,578	87%	256,609	73%
	H & L	70,469	31%	108,094	45%	103,512	28%	73,393	25%	179,956	31%	91,576	28%	118,804	32%	67,765	20%	77,267	33%	70,702	13%	96,154	27%
June	Longline	70,494	43%	169,168	75%	236,318	73%	200,591	68%	279,368	73%	154,719	71%	49,216	38%	30,821	44%	128,555	77%	172,761	71%	149,201	67%
	H & L	94,899	57%	57,722	25%	87,927	27%	94,990	32%	101,566	27%	63,465	29%	80,835	62%	39,317	56%	38,093	23%	69,649	29%	72,846	33%
July	Longline	6,951	14%	11,212	26%	10,496	22%	4,268	15%	30,689	49%	5,341	17%	4,587	10%	7,632	29%	10,925	35%	9,855	25%	10,196	25%
	H & L	41,874	86%	31,532	74%	36,944	78%	24,759	85%	32,387	51%	25,662	83%	42,569	90%	18,908	71%	19,939	65%	28,837	75%	30,341	75%
August	Longline	1,844	9%	1,945	7%	3,184	15%	2,421	11%	2,907	21%	2,105	10%	3,269	8%	1,447	8%	5,819	24%	2,940	13%	2,788	12%
	H & L	17,892	91%	25,039	93%	18,535	85%	20,359	89%	11,239	79%	18,568	90%	39,962	92%	17,547	92%	18,171	76%	19,591	87%	20,690	88%
September	Longline	698	7%	648	10%	1,564	11%	1,789	9%	1,908	22%	2,832	32%	3,671	8%	2,530	19%	3,302	33%	2,749	21%	2,169	14%
	H & L	9,560	93%	5,684	90%	13,316	89%	18,705	91%	6,934	78%	6,126	68%	42,997	92%	10,685	81%	6,615	67%	10,536	79%	13,116	86%
October	Longline	1,137	15%	807	17%	1,239	11%	3,256	29%	3,514	35%	2,229	25%	5,351	31%	5,462	32%	3,414	24%	3,767	24%	3,018	26%
	H & L	6,421	85%	4,041	83%	9,677	89%	8,125	71%	6,588	65%	6,706	75%	12,023	69%	11,751	68%	10,706	76%	11,991	76%	8,803	74%
November	Longline	505	6%	564	11%	969	13%	2,705	23%	1,446	21%	4,441	35%	5,908	21%	4,194	43%	1,171	24%	3,368	33%	2,527	24%
	H & L	7,977	94%	4,457	89%	6,466	87%	9,060	77%	5,452	79%	8,150	65%	21,753	79%	5,624	57%	3,612	76%	6,759	67%	7,931	76%
December	Longline	196	4%	696	9%	702	15%	2,858	41%	1,438	29%	2,062	29%	14,944	65%	5,921	50%	5,526	63%	7,631	76%	4,197	47%
	H & L	4,683	96%	7,135	91%	4,091	85%	4,036	59%	3,585	71%	4,996	71%	7,876	35%	5,982	50%	3,254	37%	2,459	24%	4,810	53%
Annual	Longline	248,443	46%	321,170	53%	546,131	63%	479,179	63%	743,138	65%	415,912	63%	352,991	47%	394,941	64%	347,914	62%	759,506	75%	460,932	62%
	H & L	287,277	54%	281,875	47%	317,498	37%	281,616	37%	394,878	35%	245,360	37%	392,740	53%	218,561	36%	209,278	38%	252,449	25%	288,153	38%

Table 2. Pounds of Atlantic dolphin (ww) landed with longline gear by area and permit type, 2010-2014.

Pounds of Dolphin Landed by LL									
Year	Permit	Mid & North Atl ¹		NC		SC		GA-EFL ²	
2010	Dolphin Only	2,607	8%	53,564	32%	15,832	30%	114,059	59%
	HMS	30,875	92%	114,083	68%	36,413	70%	80,486	41%
2011	Dolphin Only	8,325	29%	30,202	64%	44,878	32%	133,140	74%
	HMS	20,111	71%	17,312	36%	96,774	68%	47,661	26%
2012	Dolphin Only	*		87,103	56%	4,438	28%	52,884	39%
	HMS	63,847		69,163	44%	11,442	72%	81,749	61%
2013	Dolphin Only	170	0%	36,533	26%	*		52,777	37%
	HMS	46,328	100%	102,289	74%	22,740		89,863	63%
2014	Dolphin Only	847	1%	70,296	20%	61,968	41%	117,638	44%
	HMS	65,828	99%	275,598	80%	89,619	59%	149,499	56%

Table 3. Number of vessel participants landing Atlantic dolphin with longline by area and permit type, 2010-2014.

Number of Participants in the Dolphin LL Fishery									
Year	Permit	Mid & North Atl ¹		NC		SC		GA-EFL ²	
2010	Dolphin Only	5	11%	21	47%	4	14%	14	29%
	HMS	40	89%	24	53%	25	86%	35	71%
2011	Dolphin Only	3	7%	18	39%	7	35%	13	27%
	HMS	39	93%	28	61%	13	65%	35	73%
2012	Dolphin Only	*		19	40%	6	25%	31	41%
	HMS	42		29	60%	18	75%	45	59%
2013	Dolphin Only	4	6%	20	33%	*		20	35%
	HMS	68	94%	41	67%	10		37	65%
2014	Dolphin Only	7	11%	15	27%	11	38%	29	39%
	HMS	58	89%	40	73%	18	62%	45	61%

Table 4. Number of trips landing Atlantic dolphin with longline gear by area and permit, 2010-2014.

Number of Trips That landed Dolphin by LL									
Year	Permit	Mid & North Atl ¹		NC		SC		GA-EFL ²	
2010	Dolphin Only	12	9%	94	44%	6	8%	22	10%
	HMS	128	91%	119	56%	73	92%	195	90%
2011	Dolphin Only	3	2%	47	31%	11	15%	28	13%
	HMS	120	98%	107	69%	64	85%	184	87%
2012	Dolphin Only	*		49	24%	12	23%	44	15%
	HMS	137		159	76%	41	77%	249	85%
2013	Dolphin Only	7	4%	71	20%	*		35	12%
	HMS	171	96%	279	80%	37		265	88%
2014	Dolphin Only	10	5%	31	12%	20	27%	49	16%
	HMS	183	95%	219	88%	55	73%	252	84%

*Data are confidential due to there being less than 3 participants.

1. The Mid-Atl and North Atl regions were combined due to issues with confidentiality for trips with only dolphin permits.
2. GA and EFL were combined due to confidentiality issues with the GA data. EFL does not include landings from Monroe County, Florida.

Draft Action 2. Revise sector allocations for dolphin.

Draft Alternative 1 (No Action). The current allocation for the recreational sector for dolphin is 90% of the total ACL. The current allocation for the commercial sector for dolphin is 10% of the total ACL.

Draft Alternative 2. Set aside a portion of the total ACL that can be used by either sector as a common pool allocation.

Draft Sub-alternative 2a: 1% of the total ACL becomes a common pool category.

Draft Sub-alternative 2b: 2.5% of the total ACL becomes a common pool category.

Draft Sub-alternative 2c: 5% of the total ACL becomes a common pool category.

Draft Sub-alternative 2d: 10% of the total ACL becomes a common pool category.

Draft Alternative 3: If the sector ACL is not met in a fishing year, establish a sector ACL “credit” derived from the difference between the total pounds of dolphin landed in the sector and the sector ACL for that same fishing year. In the following fishing year, the credit would transfer to the sector’s ACL and could be used if the sector ACL is met or exceeded. The sector ACL credit would only apply if a minimum percentage of the total ACL was not harvested in a given

fishing year (Draft Sub-alternatives 3a-3c), and only a certain percentage of the unharvested sector ACL from the previous fishing year would make up the carry-over credit (Draft Sub alternatives 3d-3f). The carry-over credit would remain until used, but could not exceed a certain percentage of the sector ACL (Draft Sub-alternatives 3g-3i) and the total harvest could not exceed the total ACL.

Remaining Total ACL Threshold (MUST CHOOSE ONE):

Draft Sub-alternative 3a: At least 15% of the total ACL remains unharvested.

Draft Sub-alternative 3b: At least 20% of the total ACL remains unharvested.

Draft Sub-alternative 3c: At least 25% of the total ACL remains unharvested.

Percentage of Remaining sector ACL to Transfer (MUST CHOOSE ONE):

Draft Sub-alternative 3d: The carry-over credit will be equal to 10% of the unharvested sector ACL.

Draft Sub-alternative 3e: The carry-over credit will be equal to 15% of the unharvested sector ACL.

Draft Sub-alternative 3f: The carry-over credit will be equal to 20% of the unharvested sector ACL.

Percentage cap for carry-over credit in relation to sector ACL (MUST CHOOSE ONE):

Draft Sub-alternative 3g: The carry-over credit could not exceed 10% of the sector ACL.

Draft Sub-alternative 3h: The carry-over credit could not exceed 20% of the sector ACL.

Draft Sub-alternative 3i: The carry-over credit could not exceed 30% of the sector ACL

Draft Alternative 4. Maintain current sector allocations, but allow temporary increase in a sector's ACL annually if the other sector is projected to not land its entire allocation in the coming year, provided that the combination of the projected landings and the increased sector ACL do not exceed the total ACL.

Draft Sub-alternative 4a: Conditionally increase the commercial ACL by 100,000 pounds (ww) if the recreational ACL is not projected to be landed.

Draft Sub-alternative 4a: Conditionally increase the commercial ACL by 250,000 pounds (ww) if recreational ACL is not projected to be landed.

Draft Sub-alternative 4a: Conditionally increase the commercial ACL by 500,000 pounds (ww) if recreational ACL is not projected to be landed.

Draft Sub-alternative 4a: Conditionally increase the commercial ACL by 750,000 pounds (ww) if recreational ACL is not projected to be landed.

Draft Sub-alternative 4b: Conditionally increase the commercial ACL by 1 million pounds (ww) if recreational ACL is not projected to be landed.

Draft Alternative 5: Conditionally transfer a certain percentage (Draft Sub-alternatives 5a-5d) of one sector's ACL to the other sector until such a time that the donating sector's landings reach

a predetermined threshold (Draft Sub-alternatives 5e-5g). If this threshold is met, the recreational and commercial allocations will revert to 90% of the total ACL for the recreational sector and 10% of the total ACL for the commercial sector.

Conditional Quota Transfer (MUST CHOOSE ONE):

Draft Sub-alternative 5a: Conditionally transfer 5% of the recreational ACL to the commercial sector.

Draft Sub-alternative 5b: Conditionally transfer 10% of the recreational ACL to the commercial sector.

Draft Sub-alternative 5c: Conditionally transfer 15% of the recreational ACL to the commercial sector.

Draft Sub-alternative 5d: Conditionally transfer 20% of the recreational ACL to the commercial sector.

Donating Sector ACL Threshold (MUST CHOOSE ONE):

Draft Sub-alternative 5e: Revert to the status quo sector allocations if 80% of the recreational sector's amended ACL is landed.

Draft Sub-alternative 5f: Revert to the status quo sector allocations if 90% of the recreational sector's amended ACL is landed.

Draft Sub-alternative 5g: Revert to the status quo sector allocations if 100% of the recreational sector's amended ACL is landed.

Draft Alternative 6. Establish a permanent allocation shift between the sector ACLs.

Draft Sub-alternative 6a. Allocate 87% of the total ACL to the recreational sector. Allocate 13% of the total ACL to the commercial sector. (Based on 2013 landings).

Draft Sub-alternative 6b. Allocate 85% of the total ACL to the recreational sector. Allocate 15% of the total ACL to the commercial sector.

Draft Sub-alternative 6c. Allocate 82% of the total ACL to the recreational sector. Allocate 18% of the total ACL to the commercial sector. (Based on 2014 landings).

Draft Sub-alternative 6d. Allocate 80% of the total ACL to the recreational sector. Allocate 20% of the total ACL to the commercial sector.

Draft Sub-alternative 6e. Allocate 75% of the total ACL to the recreational sector. Allocate 25% of the total ACL to the commercial sector.

Draft Alternative 7. Remove sector allocations and only use the total ACL as the upper harvest limit.

Discussion:

Commercial and recreational Atlantic dolphin landings by month for the years 2005 through 2014 can be seen in **Table 5**. The 2005 – 2014 10% commercial/90% recreational landings matches the revised allocation put in place in Dolphin Wahoo FMP Amendment 8 and will be applicable starting in 2016. The previous total ACL allocation was 7.54% commercial and 92.46% recreational. Dolphin Wahoo Amendment 8 set the total ACL at 15,344,846 lbs

(ww) with 1,534,485 lbs (ww) for the commercial ACL and 13,810,361 lbs (ww) for the recreational ACL. Had the revised allocations from the amendment been in place for the 2015 fishing year, it is possible that the commercial dolphin fishery would not have closed.

We Want to Hear From You!

The presented draft alternatives include the initial considerations of the Council in regards to potential temporary and permanent reallocations of ACL in the dolphin fishery. This is not a final list of all possible alternatives and the Council would welcome input on these alternatives as well as any other ideas on how or if to implement these ACL reallocations. Details on how to submit your ideas and comments are included at the end of this document.

While Amendment 8 permanently increased the commercial allocation for dolphin from 7.54% to 10%, there are issues regarding dolphin allocations that remain. The recreational sector typically does not land its entire sector ACL. In recent years several million pounds of the total ACL have gone unharvested, with much of the unharvested ACL coming from the recreational sector (**Table 6**). While the unharvested ACL does contribute to the well-being of the dolphin stock and the associated benefits of abundance for both sectors, the commercial sector has come close to landing its ACL in 2014 and 2015. In 2015, the commercial sector faced a closure starting June 30th and did not re-open until January 1, 2016. In response to this

closure, the Council is considering options that would allow some of the uncaught ACL to be made available to the commercial sector if needed to prolong the commercial season or prevent closures. Additionally, the Council is interested in identifying generic methods of allowing one sector to conditionally gain access to ACL when needed, when a large portion of the total ACL is typically not landed. This is being examined in the interest of preventing fishery closures or prolonging fishing seasons.

One way to consider such a situation is to create a common pool allocation or set aside a portion of the overall stock ACL into a sector's reserve that would be tapped into by that sector only if it needed the additional pounds of fish to keep from going over its sector ACL (**Draft Alternative 2** and **Draft Alternative 3**). It should be noted that under **Draft Alternative 3**, additional actions would need to be taken to allow total ACLs to increase by the amount of the roll-over credit or the total ACLs would need to be lowered well below ABC to build in a buffer that would allow such a credit roll-over to take place. Another way to consider changing the allocation is to allow temporary allocation shifts from one sector to the other sector when it appears that a sector is not going to land its entire ACL (**Draft Alternative 4** and **Draft Alternative 5**). If a temporary allocation shift occurred, it would only be valid for the fishing year in which the shift occurred. The following fishing year would automatically reset to the regular sector allocations. The Council could also consider permanent allocation shifts between sectors such as those that occurred in the Dolphin Wahoo FMP Amendment 8 (**Draft Alternative 6**). Finally, the sector ACLs could be removed, and both sectors would be able to land fish until the total ACL is met (**Draft Alternative 7**).

Table 5. Atlantic dolphin landings by month/year for the commercial and recreational sectors, 2005-2014.

Month	Sector	2005		2006		2007		2008		2009		2010		2011		2012		2013		2014		Average 2005 - 2014	
		Lbs ww	%	Lbs ww	%	Lbs ww	%	Lbs ww	%	Lbs ww	%	Lbs ww	%	Lbs ww	%	Lbs ww	%	Lbs ww	%	Lbs ww	%	Lbs ww	%
January	Commercial	6,459	12%	4,294	4%	6,001	5%	9,775	8%	9,265	9%	4,171	5%	4,860	17%	19,282	15%	11,730	25%	12,623	48%	8,846	11%
	Recreational	49,069	88%	107,248	96%	119,434	95%	113,937	92%	93,938	91%	83,793	95%	23,334	83%	107,002	85%	34,723	75%	13,517	52%	74,600	89%
February	Commercial	10,473	7%	6,230	7%	7,555	2%	12,356	38%	9,994	4%	4,246	6%	6,325	19%	20,578	27%	13,726	26%	22,388	26%	11,387	10%
	Recreational	138,247	93%	79,560	93%	312,875	98%	20,054	62%	222,906	96%	62,834	94%	26,960	81%	54,557	73%	38,703	74%	62,557	74%	101,925	90%
March	Commercial	8,733	6%	9,157	7%	13,628	6%	15,918	9%	16,266	7%	6,116	16%	8,762	7%	25,758	12%	16,851	12%	29,807	24%	15,100	9%
	Recreational	139,721	94%	128,487	93%	234,121	94%	151,848	91%	224,867	93%	31,133	84%	116,475	93%	198,216	88%	125,005	88%	95,288	76%	144,516	91%
April	Commercial	18,362	4%	24,552	4%	31,426	6%	36,465	3%	38,391	6%	15,043	2%	16,074	8%	38,727	4%	24,562	17%	39,964	6%	28,357	5%
	Recreational	499,031	96%	662,217	96%	500,303	94%	1,027,783	97%	650,906	94%	608,830	98%	196,508	92%	894,238	96%	115,885	83%	589,941	94%	574,564	95%
May	Commercial	226,562	17%	238,162	10%	373,591	11%	288,359	19%	575,079	26%	324,294	23%	374,749	22%	341,336	17%	231,221	19%	554,280	50%	352,763	20%
	Recreational	1,078,394	83%	2,036,035	90%	2,928,191	89%	1,228,339	81%	1,668,952	74%	1,088,157	77%	1,348,228	78%	1,612,926	83%	955,128	81%	555,469	50%	1,449,982	80%
June	Commercial	165,393	8%	226,890	12%	324,245	15%	295,581	14%	380,934	18%	218,184	7%	130,051	7%	70,138	5%	166,648	17%	242,410	14%	222,047	12%
	Recreational	1,888,739	92%	1,639,280	88%	1,861,920	85%	1,770,794	86%	1,700,191	82%	2,909,746	93%	1,609,310	93%	1,216,979	95%	797,973	83%	1,501,502	86%	1,689,643	88%
July	Commercial	48,825	2%	42,744	3%	47,440	2%	29,027	3%	63,076	5%	31,003	6%	47,156	4%	26,540	7%	30,864	6%	38,692	6%	40,537	3%
	Recreational	2,744,368	98%	1,595,181	97%	2,189,882	98%	1,072,032	97%	1,282,260	95%	517,093	94%	1,121,318	96%	348,724	93%	444,596	94%	631,332	94%	1,194,679	97%
August	Commercial	19,736	2%	26,984	3%	21,719	4%	22,780	3%	14,146	4%	20,673	5%	43,231	7%	18,994	5%	23,990	3%	22,531	7%	23,478	4%
	Recreational	1,101,655	98%	771,091	97%	483,552	96%	869,278	97%	328,087	96%	356,509	95%	544,929	93%	393,352	95%	807,122	97%	321,223	93%	597,680	96%
September	Commercial	10,258	4%	6,332	1%	14,880	5%	20,494	3%	8,842	6%	8,958	4%	46,668	10%	13,215	4%	9,917	4%	13,285	9%	15,285	5%
	Recreational	257,054	96%	583,633	99%	286,277	95%	574,690	97%	145,211	94%	206,412	96%	423,711	90%	362,116	96%	231,474	96%	142,211	91%	321,279	95%
October	Commercial	7,558	4%	4,848	2%	10,916	4%	11,381	5%	10,102	10%	8,935	8%	17,374	4%	17,213	4%	14,120	9%	15,758	3%	11,821	4%
	Recreational	200,791	96%	256,066	98%	246,126	96%	236,732	95%	87,766	90%	96,653	92%	432,008	96%	442,311	96%	144,928	91%	435,318	97%	257,870	96%
November	Commercial	8,482	4%	5,021	5%	7,435	4%	11,765	3%	6,898	3%	12,591	36%	27,661	19%	9,818	12%	4,783	16%	10,127	18%	10,458	7%
	Recreational	192,767	96%	98,242	95%	198,379	96%	365,669	97%	197,768	97%	22,695	64%	116,541	81%	70,921	88%	25,097	84%	47,216	82%	133,530	93%
December	Commercial	4,879	4%	7,831	3%	4,793	6%	6,894	3%	5,023	2%	7,058	16%	22,820	11%	11,903	7%	8,780	6%	10,090	8%	9,007	5%
	Recreational	124,803	96%	237,135	97%	75,118	94%	248,417	97%	252,408	98%	36,624	84%	175,616	89%	160,428	93%	143,687	94%	121,176	92%	157,541	95%
Annual	Commercial	535,720	6%	603,045	7%	863,629	8%	760,795	9%	1,138,016	14%	661,272	10%	745,731	11%	613,502	9%	557,192	13%	1,011,955	18%	749,086	10%
	Recreational	8,414,637	94%	8,194,176	93%	9,436,178	92%	7,679,572	91%	6,855,259	86%	6,020,479	90%	6,134,938	89%	5,861,772	91%	3,864,320	87%	4,516,751	82%	6,697,808	90%

Table 6. Commercial and recreational Atlantic dolphin landings (ww) as a percentage of total and sector ACLs, 2012-2015.

Year	Total Stock ACL (lbs)	Com. Sector ACL (lbs)	Com. Landings (lbs)	Rec. Sector ACL (lbs)	Rec. Landings (lbs)	% of Sector ACL Landed		% of Total ACL Landed	Unharvested Total ACL (lbs)
						Com.	Rec.		
2012	14,596,216	1,065,524	708,852	13,530,692	6,108,460	67%	45%	47%	7,422,232
2013	14,596,216	1,065,524	616,864	13,530,692	5,136,065	58%	38%	39%	8,394,627
2014	15,344,846	1,157,001	1,022,887	14,187,845	5,227,644	88%	37%	41%	8,960,201
2015	15,344,846	1,157,001	1,098,135	14,187,845	7,411,256	95%	52%	55%	6,776,589

Draft Action 3. Revise sector allocations for yellowtail snapper.

Draft Alternative 1 (No Action). The current recreational sector allocation for yellowtail snapper is 47.44% of the total ACL. The current commercial sector allocation for yellowtail snapper is 52.56% of the total ACL.

Draft Alternative 2. Set aside a portion of the total ACL that can be used by either sector as a common pool allocation.

Draft Sub-alternative 2a: 1% of the total ACL becomes a common pool category.

Draft Sub-alternative 2b: 2.5% of the total ACL becomes a common pool category.

Draft Sub-alternative 2c: 5% of the total ACL becomes a common pool category.

Draft Sub-alternative 2d: 10% of the total ACL becomes a common pool category.

Draft Alternative 3: If the sector ACL is not met in a fishing year, establish a sector ACL “credit” derived from the difference between the total pounds of yellowtail snapper landed in the sector and the sector ACL for that same fishing year. In the following fishing year, the credit would transfer to the sector’s ACL if the sector ACL is met or exceeded. The sector ACL credit would only apply if a minimum percentage of the total ACL was not harvested in a given fishing year (Draft Sub-alternatives 3a-3c), and only a certain percentage of the unharvested sector ACL from the previous fishing year would make up the carry-over credit (Draft Sub alternatives 3d-3f). The carry-over credit would remain until used, but could not exceed a certain percentage of the sector ACL (Draft Sub-alternatives 3g-3i) and the total harvest could not exceed the total ACL.

Remaining Total ACL Threshold (MUST CHOOSE ONE):

Draft Sub-alternative 3a: At least 15% of the total ACL remains unharvested.

Draft Sub-alternative 3b: At least 20% of the total ACL remains unharvested.

Draft Sub-alternative 3c: At least 25% of the total ACL remains unharvested.

Percentage of Remaining Stock ACL to Transfer (MUST CHOOSE ONE):

Draft Sub-alternative 3d: The carry-over credit will be equal to 10% of the unharvested sector ACL.

Draft Sub-alternative 3e: The carry-over credit will be equal to 15% of the unharvested sector ACL.

Draft Sub-alternative 3f: The carry-over credit will be equal to 20% of the unharvested sector ACL.

Percentage cap for carry-over credit in relation to sector ACL (MUST CHOOSE ONE):

Draft Sub-alternative 3g: The carry-over credit could not exceed 10% of the sector ACL.

Draft Sub-alternative 3h: The carry-over credit could not exceed 20% of the sector ACL.

Draft Sub-alternative 3i: The carry-over credit could not exceed 30% of the sector ACL

Draft Alternative 4. Maintain current sector allocations, but allow temporary increase in a sector's ACL annually if the other sector is projected not land its entire allocation in the coming year, provided that the combination of the projected landings and the increased sector ACL do not exceed the total ACL.

Draft Sub-alternative 4a: Conditionally increase the commercial ACL by 50,000 pounds if the recreational ACL is not project to be landed.

Draft Sub-alternative 4b: Conditionally increase the commercial ACL by 150,000 pounds if the recreational ACL is not project to be landed.

Draft Sub-alternative 4c: Conditionally increase the commercial ACL by 250,000 million pounds if the recreational ACL is not project to be landed.

Draft Sub-alternative 4d: Conditionally increase the commercial ACL by 350,000 pounds if the recreational ACL is not project to be landed.

Draft Alternative 5: Conditionally transfer a certain percentage (Draft Sub-alternatives 5a-5d) of one sector's ACL to the other sector until such a time that the donating sector's landings reach a predetermined threshold (Draft Sub-alternatives 5e-5g). If this threshold is met, the recreational and commercial allocations will revert to 47.44% of the total ACL for the recreational sector and 52.56% of the total ACL for the commercial sector.

Conditional Quota Transfer (MUST CHOOSE ONE):

Draft Sub-alternative 5a: Conditionally transfer 5% of the recreational ACL to the commercial sector.

Draft Sub-alternative 5b: Conditionally transfer 10% of the recreational ACL to the commercial sector.

Draft Sub-alternative 5c: Conditionally transfer 15% of the recreational ACL to the commercial sector.

Draft Sub-alternative 5d: Conditionally transfer 20% of the recreational ACL to the commercial sector.

Donating Sector's ACL Threshold (MUST CHOOSE ONE):

Draft Sub-alternative 5e: Revert to the status quo sector allocations if 80% of the recreational sector's amended ACL is landed.

Draft Sub-alternative 5f: Revert to the status quo sector allocations if 90% of the recreational sector's amended ACL is landed.

Draft Sub-alternative 5g: Revert to the status quo sector allocations if 100% of the recreational sector's amended ACL is landed.

Draft Alternative 6. Establish a permanent allocation shift between the sector ACLs.

Draft Sub-alternative 6a. Allocate 42% of the total ACL to the recreational sector. Allocate 58% of the total ACL to the commercial sector. (Based on average landings from 2005-2014)

Draft Sub-alternative 6b. Allocate 40% of the total ACL to the recreational sector. Allocate 60% of the total ACL to the commercial sector. (Based on 2013 landings).

Draft Sub-alternative 6c. Allocate 30% of the total ACL to the recreational sector. Allocate 70% of the total ACL to the commercial sector. (Based on 2012 landings)

Draft Sub-alternative 6d. Allocate 28% of the total ACL to the recreational sector. Allocate 72% of the total ACL to the commercial sector. (Based on 2011 landings)

Draft Alternative 7. Remove sector allocations and only use the total ACL as an upper harvest limit.

Discussion:

Commercial and recreational yellowtail snapper landings by month for the years 2005 through 2014 can be seen in **Table 7**. The current allocation of the total ACL for yellowtail snapper is 52.56% commercial (1,596,510 lbs ww) and 47.44% recreational (1,440,990 lbs ww). In most years, the recreational sector has not landed its sector ACL for yellowtail snapper in the South Atlantic, with several hundred thousand pounds remaining uncaught (**Table 8**). While the unharvested ACL does contribute to the well-being of the yellowtail snapper stock and the associated benefits of abundance for both sectors, the commercial sector has come close to landing its ACL in most recent years. In 2015, the commercial sector landed its ACL and was closed October 30th.

We Want to Hear From You!

The presented draft alternatives include the initial considerations of the Council in regards to potential temporary and permanent reallocations of ACL in the yellowtail snapper fishery. This is not a final list of all possible alternatives and the Council would welcome input on these alternatives as well as any other ideas on how or if to implement these ACL reallocations. Details on how to submit your ideas and comments are included at the end of this document.

In response to the closure, as with dolphin, the Council is considering options that would allow some of the uncaught ACL to be made available to the commercial sector if necessary to prolong the commercial season or prevent closures.

The same allocation options could be applied to the yellowtail snapper fishery as mentioned for the dolphin fishery. One way to consider such a situation is to create a common pool allocation or set aside a portion of the total ACL into a sector's reserve that would be tapped into by that sector only if it needed the additional pounds of fish to keep from going over its sector ACL (**Draft Alternative 2** and **Draft Alternative 3**). It should be noted that under **Draft Alternative 3**, additional actions would need to be taken to allow the total ACL to increase by the amount of the roll-over credit or the total ACL would need to be lowered well below ABC to build in a buffer that would allow such a roll-over to take place. Another way to consider changing the allocation is to allow temporary allocation shifts from one sector to the other sector when it appears that a sector is not going to land its entire ACL (**Draft Alternative 4** and **Draft Alternative 5**). If a temporary allocation shift occurred, it would only be valid for the fishing year in which the shift occurred. The following fishing year would automatically reset to the regular sector allocations. The Council could also consider permanent allocation shifts between sectors such as those that occurred in the Dolphin Wahoo FMP Amendment 8 (**Draft Alternative 6**). Finally, the sector ACLs could be removed, and both sectors would be able to land fish until the total ACL is met (**Draft Alternative 7**).

Table 7. Yellowtail snapper landings by month/year for the commercial and recreational sectors, 2005-2014.

Month	Sector	2005		2006		2007		2008		2009		2010		2011		2012		2013		2014		Average 2005 - 2014	
		Lbs ww	%	Lbs ww	%	Lbs ww	%	Lbs ww	%	Lbs ww	%	Lbs ww	%	Lbs ww	%	Lbs ww	%	Lbs ww	%	Lbs ww	%	Lbs ww	%
January	Commercial	52,843	60%	58,660	80%	49,025	46%	53,701	49%	49,594	52%	46,429	68%	51,019	73%	79,114	70%	66,160	43%	42,750	36%	54,930	55%
	Recreational	35,728	40%	14,293	20%	58,555	54%	55,625	51%	46,257	48%	21,491	32%	18,580	27%	33,829	30%	86,017	57%	77,010	64%	44,738	45%
February	Commercial	61,897	66%	49,315	32%	41,135	31%	66,208	59%	35,819	31%	45,668	71%	48,897	36%	115,890	83%	100,077	75%	88,872	33%	65,378	49%
	Recreational	32,264	34%	103,610	68%	91,813	69%	45,071	41%	79,813	69%	18,229	29%	86,011	64%	24,398	17%	32,894	25%	176,889	67%	69,099	51%
March	Commercial	74,031	58%	76,143	49%	22,910	34%	62,711	56%	70,980	80%	63,469	71%	100,788	69%	143,277	57%	88,244	57%	98,636	72%	80,119	60%
	Recreational	52,864	42%	77,923	51%	44,033	66%	50,127	44%	17,387	20%	25,799	29%	44,559	31%	108,423	43%	65,741	43%	38,227	28%	52,508	40%
April	Commercial	66,916	61%	93,932	61%	55,730	54%	123,854	43%	113,124	70%	112,671	74%	142,416	83%	144,119	81%	147,505	65%	136,111	64%	113,638	65%
	Recreational	43,536	39%	59,491	39%	46,855	46%	167,090	57%	48,049	30%	39,035	26%	29,201	17%	34,536	19%	77,936	35%	75,596	36%	62,133	35%
May	Commercial	115,391	75%	93,218	69%	66,361	35%	98,918	65%	133,268	76%	200,611	74%	142,906	85%	195,404	64%	199,457	64%	175,225	51%	142,076	64%
	Recreational	38,321	25%	41,561	31%	122,766	65%	52,578	35%	41,952	24%	71,995	26%	24,754	15%	110,962	36%	111,666	36%	169,018	49%	78,557	36%
June	Commercial	98,532	63%	74,206	58%	115,556	42%	121,346	46%	133,169	73%	183,711	57%	111,853	78%	140,350	79%	174,877	49%	172,977	55%	132,658	57%
	Recreational	58,457	37%	52,686	42%	158,962	58%	142,809	54%	48,496	27%	137,379	43%	32,007	22%	36,678	21%	180,303	51%	143,114	45%	99,089	43%
July	Commercial	91,453	59%	42,118	53%	54,585	17%	102,815	22%	107,665	73%	97,021	52%	91,754	72%	149,331	73%	123,552	46%	103,646	44%	96,394	44%
	Recreational	64,810	41%	36,956	47%	262,611	83%	370,100	78%	39,796	27%	91,260	48%	36,356	28%	56,365	27%	144,987	54%	132,357	56%	123,560	56%
August	Commercial	50,907	54%	44,266	49%	40,868	44%	68,535	52%	100,407	79%	140,530	79%	84,204	68%	97,872	84%	108,309	66%	69,450	42%	80,535	63%
	Recreational	43,034	46%	46,108	51%	51,785	56%	63,741	48%	27,347	21%	38,179	21%	39,757	32%	17,955	16%	56,338	34%	96,507	58%	48,075	37%
September	Commercial	61,369	51%	54,825	58%	45,469	27%	74,581	61%	99,615	86%	70,507	60%	101,293	67%	120,555	77%	123,531	80%	70,608	71%	82,235	63%
	Recreational	58,589	49%	40,214	42%	120,827	73%	46,764	39%	16,386	14%	47,516	40%	50,352	33%	35,434	23%	30,360	20%	28,604	29%	47,505	37%
October	Commercial	31,305	52%	48,786	41%	36,049	41%	48,740	69%	89,293	81%	66,323	82%	92,895	85%	96,785	75%	76,223	69%	89,986	70%	67,639	67%
	Recreational	29,136	48%	69,131	59%	52,438	59%	22,131	31%	21,413	19%	14,647	18%	16,747	15%	32,992	25%	35,015	31%	39,122	30%	33,277	33%
November	Commercial	43,805	50%	33,474	37%	41,255	48%	39,447	52%	80,726	47%	61,722	56%	94,836	68%	71,916	45%	53,858	61%	80,584	77%	60,162	54%
	Recreational	43,477	50%	56,295	63%	45,100	52%	36,259	48%	89,858	53%	48,433	44%	44,133	32%	88,951	55%	33,758	39%	23,460	23%	50,972	46%
December	Commercial	69,172	63%	27,262	41%	60,435	62%	50,428	25%	71,697	85%	38,909	86%	63,259	80%	88,192	71%	67,338	73%	81,084	51%	61,778	58%
	Recreational	40,838	37%	39,829	59%	36,796	38%	151,215	75%	13,114	15%	6,420	14%	15,700	20%	36,311	29%	24,749	27%	79,316	49%	44,429	42%
Annual	Commercial	817,621	60%	696,205	52%	629,378	37%	911,284	43%	1,085,357	69%	1,127,571	67%	1,126,120	72%	1,442,805	70%	1,329,131	60%	1,209,929	53%	1,037,540	58%
	Recreational	541,054	40%	638,096	48%	1,092,540	63%	1,203,510	57%	489,868	31%	560,385	33%	438,156	28%	616,833	30%	879,764	40%	1,079,222	47%	753,943	42%

Table 8. Commercial and recreational yellowtail snapper landings (ww) as a percentage of total and sector ACLs, 2012-2015.

Year	Total Stock ACL (lbs)	Com. Sector ACL (lbs)	Com. Landings (Lbs)	Rec. Sector ACL (lbs)	Rec. Landings (lbs)	% of Sector ACL Landed		% of Total ACL Landed	Unharvested Total ACL (lbs)
						Com.	Rec.		
2012	3,037,500	1,596,510	1,439,586	1,440,990	449,037	90%	31%	62%	991,953
2013	3,037,500	1,596,510	1,328,931	1,440,990	666,029	83%	46%	66%	774,961
2014	3,037,500	1,596,510	1,209,592	1,440,990	933,279	76%	65%	71%	507,711
2015	3,037,500	1,596,510	1,620,510	1,440,990	793,556	102%	55%	79%	647,434

References

Southeast Fisheries Science Center (SEFSC). 2015. Trends in Atlantic Dolphin Landings 2010-2015 and ACL Monitoring of Atlantic Dolphin by the SEFSC during the 2015 Season. Report to the South Atlantic Fishery Management Council. 14 pp.

How to Comment

Submitting Written Comments:

The Council requests that written comments be submitted using the online public comment form. Comments submitted using the online comment form are immediately posted to the Council’s website and available for all Council members and the public to view. Written comments may also be submitted by mail or fax.

Deadline for Submitting Written Comments: *All written comments are due by 5 PM on August 19, 2016.*

- **Comments by mail:** Send comments to Gregg Waugh, Executive Director, SAFMC, 4055 Faber Place Drive, Suite 201, N. Charleston, SC 29405
- **Comments by fax:** Send to 843/769-4520.
- **Comments using the online public comment form:** Use the comment form links on the [Public Hearing & Scoping Meeting page](#) on the Council’s website to submit comments on each amendment. All comments submitted will be automatically posted to the website and accessible for the public to view.
- **Direct link to PH page:** http://safmc.net/08_2016_SAFMCPublicHearingCommentForm_SGAm41

What's Next?

The South Atlantic Fishery Management Council will hold a Question and Answer webinar to inform the public on proposed changes and answer questions. **The webinar will be held beginning at 6:00 p.m. on August 4, 2016.** Go to www.safmc.net for information on how to register. The Council will discuss the public input received during the scoping process and further develop the draft actions and alternatives included in this document during its September meeting that will take place in Myrtle Beach, SC from September 12th-16th, 2016. These actions and amendments will then go out for public hearing in early 2017 and any approved actions will likely not go into effect until 2018.

If you have questions, you can contact the following Council Staff:

Brian Chevront

Email: Brian.Chevront@safmc.net

Phone: (843) 302-8442 or (866) 723-6210

Or

John Hadley

Email: John.Hadley@safmc.net

Phone: (843) 302-8432 or (866) 723-6210