

Recreational Accountability Measure Modifications

Snapper Grouper Fishery of the South Atlantic,
Regulatory Amendment 31
Dolphin Wahoo Fishery of the Atlantic,
Regulatory Amendment 2

Decision Document
March 2019

Background

The South Atlantic Fishery Management Council (Council) is proposing modifications to recreational (rec) accountability measures (AMs) so they would be consistent across species as much as practicable in order to simplify them and avoid unintended negative social and economic effects. At the June 2018 meeting, the Council decided to include only species in the Snapper Grouper and Dolphin Wahoo fishery management plans (FMP). Coastal Migratory Pelagics (CMP) species were not included for several reasons: 1) the recreational sector does not typically meet its recreational ACL; and 2) AMs currently are managed differently for these species.

Actions in this amendment

- **Action 1.** Revise units for tracking recreational sector annual catch limits.

Actions for Snapper Grouper FMP species

- **Action 2.** Revise in-season closure, recreational accountability measures
- **Action 3.** Revise post-season, recreational accountability measures
- **Action 4.** Revise actions that will occur if the post-season accountability measure is triggered.
- **Action 5.** Announce starting and ending dates before a season starts

Actions for Dolphin and Wahoo

- **Action 6.** Revise in-season, recreational accountability measures

- **Action 7.** Revise post-season, recreational accountability measures
- **Action 8.** Revise actions that will occur if the post-season accountability measure is triggered.
- **Action 9.** Announce starting and ending dates before a season starts

Objectives for this meeting

- Review scoping comments
- Review Purpose and Need and recommend modifications, as necessary
- Recommend which actions/alternatives should be in the document, modify as needed

Expected amendment timing

✓June 2018	Council reviewed draft actions/alternatives and decided that the amendment will apply only to the snapper grouper and dolphin wahoo FMPs
✓December 2018	Decide which AM types of actions the Council wants considered in the amendment. Possibly decide to send out for scoping.
✓January 2019	Scoping
March 2019	Council reviews scoping comments. Modify actions/alternatives, as needed
June 2019	Council reviews draft document, chooses preferred alternatives/sub-alternatives, and votes to send out for public hearings
Summer 2019	Public hearings
September 2019	Council reviews public comments, modify document as necessary
December 2019	Council votes to send document to the U.S. Secretary of Commerce for formal review

Purpose and need statement

Purpose for Actions

Revise accountability measures for the recreational sector for species in the Snapper Grouper and Dolphin Wahoo Fishery Management Plans to address uncertainty in the estimates of recreational catch and **increase standardization of accountability measures across species, as well as improve predictability and stability of fishing seasons.**

Need for Actions

Maintain optimum yield in recreational fisheries while limiting discard losses and promoting social and economic benefits to recreational anglers.

IPT Comments:

- None other than the edits provided which were designed to make the Purpose be more inclusive of the actions regarding predictability and stability.

Committee Action:

- MODIFY AS NECESSARY
- APPROVE THE PURPOSE AND NEED
- NO ACTION NECESSARY
- OTHER ACTION

Actions and alternatives

Action 1. Revise units for tracking recreational sector annual catch limits.

Action Alternatives:

Alternative 1 (No Action). Individual species have their landings tracked in either numbers of fish or in pounds. There is no single, universal tracking metric for recreational annual catch limits.

Alternative 2. Landings will be evaluated against annual catch limits using numbers of fish for the recreational sector.

Alternative 3. Landings will be evaluated against annual catch limits using pounds for the recreational sector.

Discussion:

- Currently, the only recreational ACLs tracked in numbers of fish are red snapper, hogfish, mutton snapper, golden tilefish and snowy grouper. All of the rest are calculated

in numbers of pounds; either whole weight or gutted weight. What is the Council's goal with this action? How would this action apply to modifying AMs and meeting the purpose and need? Most of the ACLs in the regulations are in pounds; if Alternative 2 is implemented, would this action require the specification of the ACLs in numbers in the regulations?

IPT Recommendations/Concerns:

- IPT recommends putting this action into a future generic allocation amendment because while it won't by itself change allocation schemes, it could affect allocation calculations. Such as for gag grouper, which the total ACL in lbs gw is allocated between the commercial (51%) and recreational sectors (49%). Under Alternative 2, the recreational sector's 49% of the total ACL would have to be converted to numbers of fish.
- Some on the IPT were concerned that Alternative 2, which would set recreational ACLs in numbers of fish, could encourage anglers to discard lower grade fish, and thereby increase discards. Others disagreed because the thought was that most fishers aren't actively thinking about how to game the ACL and if some people are already high grading, this won't affect their behavior. However, one could speculate that because all anglers would be expected to be better at counting numbers of fish than estimating pounds, NMFS public reports of landings would be better understood. Is there evidence that the recreational ACLs for red snapper, hogfish, mutton snapper, golden tilefish and snowy grouper (or for any stock), which are in numbers of fish, are encouraging or have encouraged excessive discards?
- How would recreational ACLs either all in number of fish or all in pounds improve the fisheries? In turn, how would such a change improve accountability measures?
- This action could conceivably result in a huge amount of data analysis/calculation.
- Alternatives 2 and 3 would result in modifications of existing regulations.
- If this action is included in this amendment, this will need to become a regular amendment.
- Would it revise the units (numbers of fish or pounds) of ACLs or would it simply change the units displayed to the public as landings are tracked and approach the ACLs?
- Does Alternative 2 change those ACLs currently in pounds to ACLs in numbers of fish or would this alternative require NMFS SERO to publicly report all landings in numbers of fish (and then compared to ACLs expressed in numbers of fish)? Similar question with Alternative 3.

Scoping Comments:

Two individuals, both recreational anglers from North Carolina sent in scoping comments via the Council's comment form on the Council website. Both wanted similarities as much as possible, across all recreationally targeted species. Therefore, the scoping comments below each action are meant to apply to all species.

Both commenters supported the use of tracking the recreational ACL in terms of numbers of fish largely in part because this is how anglers think, not in terms of how many pounds of fish they catch. Currently, bag limits are set in terms of numbers of fish, not pounds of fish. It makes sense to keep the measurement unit the same for the recreational sector.

Committee Action:

- ACCEPT, REMOVE, OR MODIFY THIS ACTION FOR INCLUSION IN THE DOCUMENT
- ACCEPT OR MODIFY THE RANGE OF ALTERNATIVES
- OTHER

Actions Specific to the Snapper Grouper FMP

Action 2. Revise in-season closure, recreational accountability measures

Action Alternatives:

Alternative 1 (No Action). Retain the existing in-season closure accountability measures for the recreational sector for snapper grouper species. For 44 total species (17 individual species and 6 complexes), there is an in-season closure accountability measure that would close the harvest of a species (or a species complex where one exists) when the recreational landings of that species (or species complex), reaches, or is projected to reach, the species (or species complex) recreational annual catch limit unless the National Marine Fisheries Service determines no closure is necessary based on the Best Scientific Information Available. The following species currently do not have this in-season closure accountability measure for the recreational sector: black sea bass, red snapper, speckled hind, and warsaw grouper.

Alternative 2. Do not specify an Remove the existing in-season closure accountability measures for the recreational sector for the following snapper grouper species.

Sub-alternative 2a: All snapper grouper species.

Sub-alternative 2b: (This sub-alternative only needed if Council wishes to consider applying this AM to a different group of species).

~~**Alternative 3.** If recreational landings, as estimated by the National Marine Fisheries Service Southeast Regional Office, reach or are projected to reach the recreational sector annual catch limit, the Regional Administrator will file a notification with the Office of the Federal Register to close the recreational sector for the remainder of the fishing year.~~

Alternative 34: Only specify an Remove the existing in-season closure accountability measures for the recreational sector accountability measures if the most recent annual PSE (as determined by MRIP do not exceed X% of total recreational landings) is:

Sub-alternative 34a. less than 40% as certified final by National Marine Fisheries Service.

Sub-alternative 34b. less than 60% as certified final by National Marine Fisheries Service.

Sub-alternative 34c. less than 80% as certified final by National Marine Fisheries Service.

Note: The **Alternative 34** sub-alternatives were chosen as they line up with the ACCSP PSE workshop categories.

Discussion:

Based on uncertified PSEs for 2017, the Alternative 3, sub-alternatives would be as follows:

Sub-alternative 3a. Species with a PSE < 40%* -

TOMTATE	37.1%
ATLANTIC SPADEFISH	35.7%
WHITE GRUNT	33.9%
WHITEBONE PORGY	33.4%
MUTTON SNAPPER	32.0%
GRAY SNAPPER	24.4%
LANE SNAPPER	24.4%
WAHOO	23.7%
YELLOWTAIL SNAPPER	23.0%
BLACK SEA BASS	19.9%
VERMILION SNAPPER	19.1%
GRAY TRIGGERFISH	18.2%
DOLPHIN	18.0%

Sub-alternative 3b. Species with a PSE < 60%* - (same as PSE < 40% plus the following species)

JOLTHEAD PORGY	49.5%
GAG	48.3%
SNOWY GROUPE	47.2%
BLACK GROUPE	46.1%
SAILORS CHOICE	45.1%
RED GROUPE	43.6%
GREATER AMBERJACK	41.9%
ALMACO JACK	41.5%
HOGFISH	40.3%
GOLDEN TILEFISH	58.6%
BANDED RUDDERFISH	54.3%
GRAYSBY	52.8%
RED PORGY	50.6%

Sub-alternative 3c. Species with a PSE < 80%* - (same as PSE < 60% plus the following species)

BLUELINE TILEFISH	61.0%
SAND TILEFISH	60.6%
CUBERA SNAPPER	72.6%
SILK SNAPPER	71.1%
RED SNAPPER	71.1%

* Based on preliminary estimates of 2017 PSEs

Note: All other managed species have recreational PSEs > 80%.

IPT Recommendations/Concerns:

- The IPT recommends that the Council discuss the following:
 - Through this amendment, does the Council want to modify in-season AMs or only in-season *closure* AMs? If the later, Action 5 is not necessary.
 - Is the Council's intent for Alternative 4 sub-alternatives to set these values once and have them remain in these groupings until changed, or would the intent be to look at these groupings annually or on some other specific frequency? Keep in mind that headboat data do not have PSEs.
 - What if there is a complex? For example, the grunts complex include white grunt, sailor's choice, tomtate, and margate. White grunt and tomtate are <40% and sailor's choice and margate are >40%.
- What if there is a complex? For example, the grunts complex include white grunt, sailor's choice, tomtate, and margate. White grunt and tomtate are <40% and sailor's choice and margate are >40%.
- Consider removing in season AMs for recreational species that have short season closures – BLT, hogfish FLEC, and snowy Grouper
- The IPT recommends not using sub-alternatives for Alternative 3 due to the difficulty that would create.
- If the groupings change frequently, such as every year how does this increase stability?
- Frequent revision to the groups of Alternative 4 sub-alternatives could impose a large administrative burden because so many species could be affected
- If the Council wants to go forward with Alternative 4 and sub-alternatives, they need to state how and when they want the PSEs evaluated including working out of possible if-then type conditional rules.
- Alternative 4 sub-alternatives could be done like for ACTs – static average of 5 years to name the species this could apply to.
- In Alternative 4 the Council needs to define "X%".
- The in-season recreational accountability measure for black sea bass and red snapper is to specify the season length before the season begins. Speckled hind and warsaw grouper may not be harvested or possessed in or from the South Atlantic exclusive economic zone.
- For most species/complexes, the regulations say "reach or are projected to reach". However, for red grouper, blueline tilefish, and the Deepwater Complex, it only says "are projected to reach".
- In the "unless NMFS determines language" in the regulations, sometimes "AA" is used in place of "NMFS".

Scoping Comments:

- Both commenters were in favor of the Council removing in season closures for all species for the recreational sector because of inefficiency of such closures due to the inability to act quickly enough based on MRIP landings and because of the disruptions such closures would cause for:
 - the for-hire sector in terms of booking trips

- individual anglers who don't check regulations every time they go out to fish.
- One commenter stated that AMs modifications should take into account the reliability of MRIP catch estimates.
- One commenter directly addressed the issue of consistency for AMs across species to make it as easy as possible

Committee Action:

- **ACCEPT, REMOVE, OR MODIFY THIS ACTION FOR INCLUSION IN THE DOCUMENT**
- **ACCEPT OR MODIFY THE RANGE OF ALTERNATIVES**
- **OTHER**

Action 3. Revise post season, recreational accountability measures

Action Alternatives:

Alternative 1 (No Action). Retain the existing post season accountability measures for the recreational sector for snapper grouper species.

-For 36 total species (15 individual, 5 complexes), if overfished and total annual catch limit is exceeded, to monitor recreational landings for a persistence in increased landings, and if necessary, the AA will reduce the length of the recreational fishing season and the recreational annual catch limit by the amount of the overage.

-For the Deepwater Complex and blueline tilefish, if overfished and the total annual catch limit is exceeded, the AA will reduce the length of the recreational fishing season in the following fishing year to ensure recreational landings do not exceed the recreational annual catch limit the following fishing year.

- For vermilion snapper, if overfished and the total annual catch limit is exceeded, the AA will reduce the recreational annual catch limit for that following year by the amount of the recreational overage in the prior fishing year.

Alternative 2. ~~Do not specify~~ Remove the existing post season accountability measures for the recreational sector that reduces the length of fishing season and the recreational annual catch limit in the following fishing year by the amount of the recreational overage if is overfished and the total annual catch limit is exceeded.

Alternative 3. Replace the existing trigger for the post season accountability measure for the recreational sector. Only specify post season accountability measures if:

Sub-alternative 3a. For those species where recreational annual catch limits stay the same from year to year, and the 3-year geometric mean of landings exceed the recreational sector annual catch limit. If in any year the recreational sector annual catch limit is changed, the moving multi-year geometric mean of landings will start over.

Sub-alternative 3b. For those species where recreational annual catch limits stay the same from year to year, and the summed total of the most recent past three years of recreational landings exceeds the sum of the past three years recreational sector annual catch limits.

Sub-alternative 3c. For those species where recreational annual catch limits are constant, and recreational landings exceed the recreational sector annual catch limit in two of the

previous three fishing years or exceeds the total acceptable biological catch in any one year.

Sub-alternative 3d. The total (commercial and recreational combined) annual catch limit is exceeded.

Sub-alternative 3e. The stock is overfished based on the most recent Status of U.S. Fisheries Report to Congress. For a species complex, at least one of the species in the complex is overfished based on the most recent status of U.S. Fisheries Report to Congress.

Alternative 4. Replace the existing action taken following a trigger for the post season accountability measure for the recreational sector. If a post season accountability measure are triggered, monitor for a persistence in increased landings, and:

Sub-alternative 4a. Reduce the recreational sector annual catch limit in the following fishing year by the amount of the overage to the recreational annual catch limit.

Sub-alternative 4b. Reduce the length of the following recreational fishing season by the amount necessary to ensure recreational landings do not exceed the recreational annual catch limit in the following fishing year. ~~reduce the probability of an overage that the ACL will not be exceeded in the following year.~~

(Note: The recommendation is to move Alternatives 4 and 5 from the next action and move to this action in the form of Alternative 4 with two sub-alternatives.)

Discussion:

Sub-alternative 3a – Atlantic Spadefish had a recreational ACL of 154,252 lbs ww in 2014. 2014 landings were estimated at 702,011 lbs ww, equaling 454.8% of the ACL being caught. In 2015 and 2016 the recreational ACL increased to 661,926 lbs ww. In 2105, 225, 861 lbs ww and in 2016, 27,591 lbs ww were estimated to have been caught, both years well below the recreational ACL. The geometric mean for those three years of landings was 163,550 lbs ww. The average ACL over those three years was 492,735 lbs ww.

Sub-alternative 3b – The summed ACL for Atlantic spadefish for 2014 – 2016 was 1,478,204 lbs ww. The sum of the estimated landings was 955,463 lbs ww. In this case, there would be no post season in spite of the fact that 2014 landed 454.8% of that year's ACL.

Sub-alternative 3c – Since Atlantic spadefish only exceeded its ACL in 2014 and not in 2015 or 2016, there would not be any post-season AMs.

Sub-alternative 3d – Estimated commercial landings of blueline tilefish in 2017 did not exceed their sector ACL (86,877 lbs ww landed of ACL = 87,521 lbs ww). However, recreational landings were estimated at 256,575 lbs ww with an ACL = 87,277 lbs ww. In this case, the recreational sector would have post-season AMs applied because they exceeded their sector ACL and the total ACL for blueline tilefish (174,798 lbs) was exceeded.

On the other hand, the commercial sector did not exceed its 2015 ACL (36,348 lbs ww) for the porgies complex when 23,203 lbs ww were landed. In 2015 the recreational sector did exceed its ACL of 106,914 lbs ww by landing 111,577. But because the combined landings of both sectors (134,780 lbs ww) was less than the total ACL (143,262 lbs ww), no AMs would be applied to the recreational sector.

Sub-alternative 3e – The following SAFMC-managed stocks are on the December 2017 NMFS quarterly report as being overfished:

Hogfish – Florida East Coast

Red snapper
Red porgy
Snowy grouper
Red grouper

IPT Recommendations:

- For vermilion snapper, the regulations also state the following: “Recreational landings will be evaluated relative to the ACL based on a moving multi-year average of landings, as described in the FMP.”
- For Alternative 3, the IPT needs to determine if there are issues in applying this alternative when the recreational ACL changes year to year.
- Sub-alternative 3a is problematic in that it only applies to species with recreational annual catch limits that stay the same from year to year, but then include language that specifies what happens if, in any year, the recreational sector ACL is changed.

Scoping Comments:

- One commenter recommended phasing in modifications to the AMs over a couple of years to temper their impact.
- Additionally, because of the nature of recreational landings, multi-year landings need to be taken into account before adjusting AMs, particularly for those species whose lifecycles seem to be cyclical across years.

Committee Action:

- **ACCEPT, REMOVE, OR MODIFY THIS ACTION FOR INCLUSION IN THE DOCUMENT**
- **ACCEPT OR MODIFY THE RANGE OF ALTERNATIVES**
- **OTHER**

Action 4. Revise ~~actions that will occur if the~~ post season accountability measures ~~is triggered~~.

Action Alternatives:

Alternative 1 (No Action). Retain the current **post season** accountability measures for the recreational sector for snapper grouper species.

Alternative 2. If the post-season accountability measure is triggered, reduce the length of the following fishing season by:

Sub-alternative 2a. 1 month.

Sub-alternative 2b. 2 months.

Sub-alternative 2c. 3 months.

Alternative 3. If the post-season accountability measure is triggered, reduce the bag limit or vessel limit in the following fishing season by:

Sub-alternative 3a. 1 fish per person

Sub-alternative 3a. 2 fish per person

~~Sub-alternative 3a. 3 fish per person~~

~~Sub-alternative 3a. 1 fish per vessel~~

~~Alternative 4. If the post-season accountability measure is triggered, reduce the recreational sector annual catch limit by the amount of the overage in the following fishing season.~~

~~Alternative 5. If the post-season accountability measure is triggered, reduce the length of the following recreational fishing season by the amount necessary to reduce the probability of an overage that the ACL will not be exceeded in the following year.~~

Discussion:

Alternatives 4 and 5 could result in no seasons for some species. Whenever 200% or more, of the ACL is caught as happened in 2017 with blueline tilefish as recreational landings were estimated at 256,575 lbs ww with an ACL = 87,277 lbs ww, theoretically there would be no fishing allowed for at least the following season. Since the overage was nearly 3 times the recreational sector ACL, it is possible that the recreational season for blueline tilefish could be closed for two years to make up for the overage. If landings in a given year are over the recreational ACL, but less than 200% of the ACL, **Alternative 4** would reduce the ACL, but not shorten the season. If there are no in season AMs that could stop fishing, reducing the ACL in the following by the amount of the overage could only exacerbate ACL overages by increasing the likelihood that the new, lower ACL was met. For example, in 2017 anglers landed 447,019 lbs ww of gray triggerfish when the recreational ACL was 404,675 lbs ww causing an overage of 42,344 lbs ww. If the recreational ACL was reduced by the amount of the overage in the next season to 362,331 lbs ww, there is an increased likelihood that the amount of the overage in the subsequent year would be higher if there wasn't an in-season closure. **Alternative 5** would reduce the likelihood of going over the recreational ACL by reducing the season based on the actual catch rate that would end the season early enough to reduce the probability of an overage.

IPT Recommendations:

- The IPT recommends that Alternatives 2 and 3 be removed from consideration and that Alternatives 4 and 5 are moved into the prior action in the form of Alternative 4 with sub-alternatives 4a and 4b.

Scoping Comments:

- One commenter stated that anglers have different goals when it comes to AMs. Some anglers want long seasons while others prefer the opportunity to catch a lot of fish on a single trip. He recommended the Council get as much input on this issue from as many anglers as possible before making a decision on which AMs to prefer.

Committee Action:

- **ACCEPT, REMOVE, OR MODIFY THIS ACTION FOR INCLUSION IN THE DOCUMENT**
- **ACCEPT OR MODIFY THE RANGE OF ALTERNATIVES**
- **OTHER**

Action 5. Announce starting and ending dates before a season starts

Action Alternatives:

Alternative 1 (No Action). For black sea bass and red snapper, the National Marine Fisheries Service annually announces the recreational fishing season start and end dates in the *Federal Register* and by other methods, as deemed appropriate. The fishing season will start at the beginning of the fishing year and end on the date NMFS projects the recreational annual catch limit will be met.

Alternative 2. NMFS **The National Marine Fisheries Service** will annually announce the recreational fishing season start and end dates in the *Federal Register* and by other methods, as deemed appropriate. The fishing season will start at the beginning of the fishing year and end on the date NMFS projects the recreational ACL will be met. **This accountability measure applies to the following species: (Council to specify; add sub-alternatives if the Council wants to evaluate applying this AM to varies groups of species).**

Discussion:

Under **Alternative 1 (No Action)**, NMFS releases a fishery bulletin prior to the start of the fishing year. If black sea bass is projected to have landings lower than its ACL, the bulletin states that the fishing year will be the entire year. If it is expected that recreational black sea bass landings would reach the recreational ACL prior to the end of the fishing year, NMFS would calculate based on catch rates when the ACL would be projected to be met and announce in the fishery bulletin that date as the closure date. Under **Alternative 2**, NMFS would follow the same procedure for the additional species that would be covered by this action. **Action 6, Alternative 2** functionally would be very similar to **Action 5, Alternative 5**.

IPT Recommendations:

- The IPT thought the status quo is appropriate for black sea bass and red snapper but did not think it was for additional species.
- The administrative burden for implementing this for additional species would be great.
- Does the Council want to keep this action (announcement of the BSB season closure at the same time as the opening announcement)? Could this be removed?

Scoping Comments:

- Both commenters support setting fixed opening and closing dates for all species at the time the season opens.

Committee Action:

- **ACCEPT, REMOVE, OR MODIFY THIS ACTION FOR INCLUSION IN THE DOCUMENT**
- **ACCEPT OR MODIFY THE RANGE OF ALTERNATIVES**
- **OTHER**

Actions Specific to the Dolphin Wahoo FMP

Action 6. ~~Revise~~ Establish in-season, recreational accountability measures

Action Alternatives:

Alternative 1 (No Action). There are no in-season accountability measures for the recreational sector for dolphin and wahoo.

Alternative 2. Establish the following in-season accountability measures for the recreational sector for dolphin and wahoo: If recreational landings, as estimated by the National Marine Fisheries Service Southeast Regional Office, reach or are projected to reach the recreational sector annual catch limit, the Regional Administrator will file a notification with the Office of the Federal Register to close the recreational sector for the remainder of the fishing year.

Alternative 3. Only specify an Establish in-season closure accountability measures if the most recent annual PSE (as determined by MRIP do not exceed X% of total recreational landings) is:

Sub-alternative 3a. less than 40% as certified final by National Marine Fisheries Service.

Sub-alternative 3b. less than 60% as certified final by National Marine Fisheries Service.

Sub-alternative 3c. less than 80% as certified final by National Marine Fisheries Service.

Discussion:

This action is analogous with **Action 3** which is for snapper grouper. Since there are currently no in-season AMs for dolphin or wahoo, what was **Alternative 2** in **Action 3** is the same as the **Alternative 1 (No Action)** alternative here in **Action 6**. In 2017, the PSE for dolphin was 18%. Only king and Spanish mackerel had lower PSEs. The same year, the PSE for wahoo was 23.7%. It is not likely in the foreseeable future that either species will reach even the lowest PSE threshold for exclusion. Therefore, **Alternative 3** along with its sub-alternatives is probably irrelevant.

IPT Recommendations:

- Why is this amendment considering the addition of in-season closures for dolphin and wahoo but the removal for snapper and grouper?
- The IPT sees Alternative 3 and its sub-alternatives as being irrelevant for dolphin and wahoo since their PSEs are among the lowest of all species managed by the SAFMC.
- If the Council includes Alternative 3, the Council will need to define “X%”.
- If the Council modifies the post season AM for snapper grouper, the recommendation is to apply those changes to dolphin and wahoo

Scoping Comments:

- See scoping comments under Action 2.

Committee Action:

- ACCEPT, REMOVE, OR MODIFY THIS ACTION FOR INCLUSION IN THE DOCUMENT
- ACCEPT OR MODIFY THE RANGE OF ALTERNATIVES
- OTHER

Action 7. Revise post season, recreational accountability measures

Action Alternatives:

Alternative 1 (No Action). Retain the current **post season** accountability measures for the recreational sector for dolphin and wahoo.

Alternative 2. Do not specify post season accountability measures.

Alternative 3. Only specify post season accountability measures if:

Sub-alternative 3a. **The recreational ACLs are constant and** the 3-year geometric mean of landings exceed the recreational sector annual catch limit. If in any year the recreational sector annual catch limit is changed, the moving multi-year geometric mean of landings will start over.

Sub-alternative 3b. **The recreational ACLs are constant and** the summed total of the most recent past three years of recreational landings exceeds the sum of the past three years recreational sector annual catch limits.

Sub-alternative 3c. **The recreational ACLs are constant and recreational** landings exceed the recreational sector annual catch limit in two of the previous three fishing years **or exceeds the total ABC in any one year.**

Sub-alternative 3d. The total (commercial and recreational combined) annual catch limit is exceeded.

Sub-alternative 3e. The stock is overfished based on the most recent Status of U.S. Fisheries Report to Congress.

Discussion:

Neither dolphin nor wahoo have exceeded their recreational sector ACLs. The recreational sector ACL in 2016 for dolphin was 13,810,361 lbs ww. In 2014 and 2015, the recreational sector ACL for dolphin was 14,187,845 lbs ww. The highest recreational dolphin landings in the time series was 7,586,553 lbs ww. The recreational sector ACL for wahoo for 2014 – 2016 was 1,724,418 lbs ww. The highest landings were in 2016 at 1,570,951 lbs ww. However, wahoo landings tend to show a lot of variability from year to year. In 2014, only 656,871 lbs ww were reported as landed. Any of the sub-alternatives under **Alternative 3** are likely to result in AMs being triggered for either of these species.

IPT Recommendations:

- None, other than the wording edits

Scoping Comments:

- See scoping comments under Action 3.

Committee Action:

- ACCEPT, REMOVE, OR MODIFY THIS ACTION FOR INCLUSION IN THE DOCUMENT
- ACCEPT OR MODIFY THE RANGE OF ALTERNATIVES
- OTHER

Action 8. Revise actions that will occur if the post season accountability measure is triggered.

Action Alternatives:

Alternative 1 (No Action). Retain the current post season accountability measures for the recreational sector for dolphin and wahoo.

Alternative 2. If the post-season accountability measure is triggered, reduce the length of the following fishing season by:

Sub-alternative 2a. 1 month.

Sub-alternative 2b. 2 months.

Sub-alternative 2c. 3 months.

Alternative 3. If the post-season accountability measure is triggered, reduce the bag limit or vessel limit in the following fishing season by:

Sub-alternative 3a. 1 fish per person

Sub-alternative 3a. 2 fish per person

Sub-alternative 3a. 3 fish per person

Sub-alternative 3a. 1 fish per vessel

Alternative 4. If the post-season accountability measure is triggered, reduce the recreational sector annual catch limit by the amount of the overage in the following fishing season.

Alternative 5. If the post-season accountability measure is triggered, reduce the length of the following recreational fishing season by the amount necessary to reduce the probability of an overage that the ACL will not be exceeded in the following year.

Discussion:

Alternatives 2 and 3 are pretty self-explanatory. **Alternative 4** would reduce the ACL, but not shorten the season. If there are no in season AMs that could stop fishing, reducing the ACL in the following by the amount of the overage could only exacerbate ACL overages by increasing the likelihood that the new, lower ACL was met. **Alternative 5** would reduce the likelihood of going over the recreational ACL by reducing the season based on the actual catch rate that would end the season early enough to reduce the probability of an overage. Regardless of what alternative would be chosen under **Action 8**, it is unlikely to have an effect on dolphin or wahoo recreational landings since neither has exceeded the recreational ACL in the past. Choosing a preferred alternative for **Action 8** in line with what is chosen in **Action 4** for snapper grouper species would most like be for continuity between species.

IPT Recommendations:

- If the Council's goal is to remove in season AMs then the whole document boils down to the last two alternatives here. The IPT would like the Council to give more thought towards making Alternatives 4 and 5 more explicit in terms of what they would like to see happen.

Scoping Comments:

- See scoping comments under Action 4.

Committee Action:

- **ACCEPT, REMOVE, OR MODIFY THIS ACTION FOR INCLUSION IN THE DOCUMENT**
- **ACCEPT OR MODIFY THE RANGE OF ALTERNATIVES**
- **OTHER**

Action 9. Announce starting and ending dates before a season starts

Action Alternatives:

Alternative 1 (No Action). The fishing year for dolphin and wahoo are the same as the calendar year. There are no in-season closures for the recreational sector for dolphin and wahoo.

Alternative 2. NMFS will annually announce the recreational fishing season start and end dates in the *Federal Register* and by other methods, as deemed appropriate. The fishing season will start at the beginning of the fishing year and end on the date NMFS projects the recreational ACL will be met.

Discussion:

Under **Alternative 2**, NMFS would follow the same procedure currently in use for black sea bass (described under **Action 6**) for dolphin and wahoo. Since the recreational ACLs for these species have not been met in the past, it is unlikely that the length fishing year announced in a fishery bulletin for either would be anything other than the calendar year.

IPT Recommendations:

- The IPT recommends removing this action for dolphin and wahoo because in season closures do not occur for these two species.
- If Action 5 remains in the document, then this topic needs to be discussed somewhere in the document in relation to dolphin and wahoo, but no action needs to be included.

Scoping Comments:

- See scoping comments under Action 5

Committee Action:

- **ACCEPT, REMOVE, OR MODIFY THIS ACTION FOR INCLUSION IN THE DOCUMENT**
- **ACCEPT OR MODIFY THE RANGE OF ALTERNATIVES**
- **OTHER**