

# **SOUTH ATLANTIC FISHERY MANAGEMENT COUNCIL**

## **DOLPHIN WAHOO COMMITTEE**

**Hotel Ballast  
Wilmington, North Carolina**

**December 3, 2019**

### **SUMMARY MINUTES**

#### **COMMITTEE MEMBERS**

Anna Beckwith, Chair

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Tim Griner

Dr. Kyle Christiansen

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Dewey Hemilright

Dr. Carolyn Belcher

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Dr. Erik Williams

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Erika Burgess

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Dale Diaz

Rick DeVictor

Other observers and participants attached.

The Dolphin Wahoo Committee of the South Atlantic Fishery Management Council convened at the Hotel Ballast, Wilmington, North Carolina, on Tuesday, December 3, 2019, and was called to order by Chairman Anna Beckwith.

MS. BECKWITH: I will call the Dolphin Wahoo Committee to order. The first agenda item is Approval of the Agenda. We are going to make a couple of additions. We're going to add in an SSC report presentation, and so we'll maintain it fluid and flexibility, but, with that flexibility considered, is there any other adjustments to the agenda? Seeing none, the agenda is approved.

Second is the Approval of the September 2019 Dolphin Wahoo Committee Minutes. Is there any notes that need to go in reference to those committee minutes? Seeing none, those committee minutes are approved. If Rick DeVictor is ready, he can give us the commercial. Go ahead.

UNIDENTIFIED: Good afternoon. These are the commercial landings through November 25, 2019. We have dolphin at 46 percent and wahoo at 91 percent. Any questions? The ones that I read out are updated landings, because, by the time the landings go in the briefing book, we continue getting updates, and so we want to give you the latest and greatest, and so these are as of November 25.

MS. BECKWITH: Okay. Is there any questions on that? It was 91 percent for dolphin?

UNIDENTIFIED: No. It was 91 for wahoo and 46 for dolphin.

MS. BECKWITH: All right. Sounds good. Mike Larkin is going to go through the recreational numbers.

DR. LARKIN: This is the dolphin wahoo that I am showing you now, the recreational landings, using MRIP, and they include data for 2019 through Wave 4, and so that's January 1 all the way through August 31 of 2019. The 2019 landings are preliminary, and all the landings include MRIP and also the headboat landings, and one thing to keep in mind is the last bullet, and I apologize, is confusing, but we changed the MRIP survey in 2018, and so keep that in mind. We used to use a phone survey to get the effort component, but now, in 2018 and 2019, we're using the mail survey, but these landings were converted back to the phone survey, and I know that's confusing, but to make it equivalent, because that's how the ACLs were set up.

Here is the 2018 landings for dolphin and wahoo, and you can see, in both cases, they are below the ACL. Dolphin are at 49 percent, and wahoo are at 27 percent. The preliminary is what we have for 2019, and so, again, January 1 all the way up to August 31 of 2019, and both of them are below their ACL. Dolphin are currently at 19 percent, and wahoo are at 23 percent, and these are from New England to east Florida, and these do not include Monroe County, and I know there will be discussions later on about Monroe County, but this is the way the ACLs are currently set up, is they don't include Monroe County for either one of these stocks.

Then here, and I will show --When I show other presentations, they will be the same format, and so here's the fishing year, and then the columns are the modes, and so you have charter, headboat, private, and shore, and then the total. The gray area is when it was monitored under MRFSS, and then you can see, in 2014, it goes to clear, 2014 through 2019, and that's MRIP.

This figure I will show you in other slides too, other presentations later in the week, but each color of the bars is the mode, and so we have charter, headboat, private, and shore, and you can see there's a lot of green and blue, because dolphin are dominated by the private sector, and also the charter sector, with a little bit of red, which is the headboat, and then on the Y-axis to the left is the landings, and the Y-axis to the right is the effort, and so we have also the red line is the MRIP effort, and the orange line is the headboat effort. We don't have that updated yet for 2019, and so you can see that it stops at 2018.

Then you can see the dashes up top, and those are the ACLs, and so you can see, when you sum up all the landings, all of them are below the ACL, and now I will show you the same thing for wahoo. It's the same format. It changed from MRFSS to MRIP in this case in 2014, and it started with MRIP, and then it goes on to 2019, and the landings by mode. Then the same figure there, and you can see it's bumping up against the ACL in 2016, but, currently, 2017, 2018, and 2019 are below the ACL, and, currently, it looks like we're similar to what we had in 2019 to what we had in 2018, but we only have, currently, landings in 2019 from January 1 to August 31.

This is a request that came from Anna, and this is a comparison of the dolphin wahoo from using the effort component from the telephone survey and the effort component from the mail survey, and so there is certainly some -- Keep that in mind, and I will go to the next slide here.

Here is the year, and then the MRIP that came from the CHTS, and that's the telephone survey, compared with the landings of MRIP, the new survey, the fisheries effort, and that's the mail survey, and then I show you a figure at the bottom there, and you can see the red being the new effort component coming from the mail survey, and you can see it's a lot higher there, and so this is the dolphin landings comparing the two different MRIP landings there. Then this is the same thing, but with wahoo, and so, again, you can see the higher landings there with the new mail survey data there, and that's it for dolphin wahoo, and I will be happy to take any questions.

MS. BECKWITH: Do we have any questions at the moment?

MR. BREWER: I am really confused, because, quite frankly, some of these numbers don't make any sense to me. On dolphin, you said that the MRIP numbers -- You converted them back to the old formula?

DR. LARKIN: Yes. Let's say like 2018, and so now we're dealing with the mail survey, and we're not doing the phone survey anymore in 2018, the recreational, and we're only doing that. You get these higher landings. People don't answer their phone anymore, and so now we're getting the effort data from the mail survey, but we have calibration factors, because, before that, they ran them side-by-side, and so think of like a conversion factor, and so, if we still had the phone survey in 2018, we could estimate what it would have been, because we need those conversion factors, because we need to go back in time, and so, in 2018, we're starting with the mail survey, but what about for the assessments and the historical data, and so we need those conversion factors to go between the mail survey and the phone survey.

What the Science Center can do, and the Office of Science and Technology, they will take the current 2018, collected from the mail survey, and then convert it to the phone survey, using the conversion factors that they developed when they ran them side-by-side. I know it's very confusing, but hopefully that makes sense.

MR. BREWER: I was under the impression that we were very liable to be in trouble with dolphin, because you were going to find, or that MRIP was going to find, that the landings were actually 300 to 400 percent of what had previously been reported.

DR. LARKIN: You see that figure, and they are higher, but keep in mind that those are -- The current ACL is based on the phone survey data, and so it's lower, and so, when you change it to the mail survey, you also will have a higher ACL, likely, as well, and so keep in mind that we're not just switching out the new mail survey data, but the ACL will change as well, and so the ACL will not be fixed when you go from the phone survey to the mail survey, and so that will change as well. Hopefully that makes sense.

MR. BREWER: I will try to understand this, but I am totally confused.

MS. BECKWITH: We're going to spend some time discussing what the new ABC recommendations were from the SSC and what implications those have the potential to have, and so do we have any more questions for Dr. Larkin? Okay. Thank you.

DR. LARKIN: Thank you.

MS. BECKWITH: Okay. Next, we're going to have the SSC Report, provided by Dr. Sedberry.

DR. SEDBERRY: Thank you, and so the new MRIP estimates and dealing with Monroe County data added a new perspective to our previous ABC estimates, and so the ABC Workgroup of the SSC got together and recommended to the SSC some new ABCs for dolphin and wahoo. We reviewed those at our October meeting, and the report, again, is in the briefing book, and the SSC recommended including catch data for Monroe County for setting ABCs and tracking ACLs, and the SSC had originally recommended 1994 to 1997 as the reference period for the dolphin ABC, but the snapper grouper reference period was what was actually implemented, and so the SSC recommends going back to using 1994 to 1997, and we're going to have some additional discussion of that.

This new ABC recommendation to revise the ABC upwards slightly, from about fifteen million pounds to eighteen million pounds, and the SSC also recommended adding the ORCS method to the Dolphin Wahoo Fishery Management Plan and revisiting this ABC at that time, when that plan is developed, and to also investigate trends in dolphin catch and effort.

There is apparently, at least in south Florida, reports of decreasing catch per unit effort for dolphin at the same time that catch per unit effort is increasing slightly farther north, and so there may be some movement of dolphin, due to water temperature changes or sargassum changes or other things that the SSC discussed, and we felt that this needed additional investigation, and so we have included that as some research recommendations, and we want to know whether this reported decline in CPUE, particularly of younger dolphin, is localized to south Florida or if it's occurring other places as well.

The SSC also made ABC recommendations for wahoo, again including the catch data from Monroe County for setting ABCs and tracking ACLs, and, again, we altered the reference period and recommended the reference period from 1994 to 2003, which is different from what had been

previously used, and this altered the ABC recommendation, revised it upwards slightly from 1.7 million pounds to 1.9 million pounds. Then, again, adding the ORCS method to the Dolphin Wahoo Fishery Management Plan and revisiting the ABC at the time that that plan is implemented.

The SSC also reviewed the recommendations regarding the Amendment 12, the documentation for Amendment 12, and recommends adding bullet mackerel and frigate mackerel to the Dolphin Wahoo Fishery Management Plan as ecosystem component species, because of their importance as prey for both of those, for both dolphin and wahoo.

Those are the recommendations and brief summary of discussions that came out of the SSC's review of revised ABCs based on new MRIP data, and Amendment 12 as well, and we have some additional information, and I don't know if you want to take questions first or just have Mike talk about that.

MR. HADLEY: Mike, do you want to give your presentation first? I think it will be a comprehensive discussion that way, if that's okay.

DR. SEDBERRY: The bullets I had up there were just a really brief summary of what were chosen as reference years, and there's a lot more discussion that goes into that, and Mike is going to provide the details on that.

DR. ERRIGO: I did quite a lot of digging, and I went back through minutes from 2010, 2011, and 2013, all the different discussions that the SSC had about reference years and ABCs and all that, and I finally figured out exactly what's going on with all the different reference years and why we ended up where we ended up and where we might need to go from there.

Originally, in 2010, this is the time series that the SSC was looking at, and it ended in 1999 there, and they were looking for a period of stable landings that they could use to set actually the OFL, and then, from that, the ABC, and so the OFL was going to be average landings, and then the ABC would come down from there, and they found that the most reliable set of landings, and the peak landings, were 1994 to 1997, and they were the most reliable, and they were also the peak right there.

They had some landings further along than this, but they were unreliable, and they were kind of - - They looked very different, and there were regulations that were in place, and so they felt that those regulations had reduced the landings and the effort, and they wanted a period of very high sustainable landings, and, from 1994 to 1997, after that, they just kind of kept going along at a nice pace, and they felt that those were sustainable, and so that's where they came up with 1994 to 1997.

This is the same dataset that they had in 2011 and 2013, and with the exception of the terminal year, and so, in 2011, they got this dataset up to 2009, and it looked completely different, because that 2000 to 2002, those really high years, they didn't look that way in the old dataset, and so people were wondering what was going on there, because, after those three years, you see there's a precipitous drop, and so some of the SSC was concerned of could that be that, after those years, the population decreased, because of high catches, but then they were able to explain that as the FMP went into place, regulations went into place, and they felt that that was the explanation for the drop.

They felt that including those years, those high years, these years here, was fine for calculating the ABC, and so they recommended -- They included those, and, to be consistent, they said, well, okay, fine, we can just use 1999 to 2008, because the third highest is still going to land here in these years that we feel are okay to use, and they are close enough to the -- Because the council, at the time, had asked if the SSC could consider 1999 to 2008 as the time series, and they said, well, the only difference between -- There is only one point in the 1994 to 1997 time series that is slightly higher, and so the difference in ABC would have been just this small amount here, and so they felt that that was a fine compromise, or a fine alternative, to calculating the ABC, and so that's why it wound up being 1999 to 2008 in the 2011 ABC discussions.

Then, in 2013, we had the ORCS workshop, and, during the ORCS discussions, the SSC re-evaluated this time series and felt that the 1994 to 1997 time period was a better fit, because they were looking for a nice, stable period of landings, and 1994 to 1997 just bounces up and down around a nice average, and they wanted an area like that, where they could -- At the time, they were going to go from the mean, or median, and then up from there, and then they decided on the maximum landings, and went up from there, but the same kind of difference. They wanted a period of stable landings, whereas, if they included more of this, there's a way up here and then stable and then way down and then stable, and so this period they felt was more stable, and so that's why they chose this period for ORCS. That is why they went back to 1994 to 1997 for the ORCS methodology, and so that's why we ended up where we ended up with that.

Currently though, this is what the time series looks like, and it's even more -- It's even different than what it was before. This is the FES calibrated time series, and you will see there is two lines there, and that's because the red line is what the SSC saw at their October 2019 meeting, and the purple line is actually the newest dataset, which includes 2018 landings, and it's slightly different, because the Science Center changed a little bit how they calculate the weight, but I just wanted to show them both, because the difference is very, very small, and so this is the newest time series, and it looks different than either of the time series that the SSC has seen before, and so it may be most prudent to -- My recommendation would be, if you want to look at ABCs, the SSC might want to look at this again with a full review of this time series, to see if they still want to go with 1994 to 1997, or if they want to include more years, if they want to include different years, because the trend here is very different.

One of the reasons why the trend is so different is this includes Monroe County, and, if you take out Monroe County, everything from 1998 back to 1989 drops down, and it's completely flat, and so this drop, and then this low time, that's all due to the addition of Monroe County. For some reason, when you add Monroe County, they had much higher landings here than they did here, except for 2015, and I don't know what happened there.

I think that point also was high in wahoo, and so it must have been a good year for pelagics, and so that actually supports the changing distribution of dolphin that we heard about in the Keys, because that's only caused by the addition of Monroe County, Florida, and you really would only see dolphin and wahoo off the southern end of the Keys, in our jurisdiction, for the most part, and maybe a little bit out into the Tortugas and out that way, and so that's where we're at.

I think, if you needed a recommendation, my recommendation would be to send it back to the SSC to reevaluate the full time series for probably both dolphin and wahoo and to look at the years and

what exactly to do about this situation. Also, they did recommend both of these species for ORCS. Unfortunately, the last time around, when they made those recommendations, the council didn't implement ORCS in the FMP, and so that never went through, but they may be able to implement -- They may be able to recommend ORCS, or an ORCS-type methodology, even without it being in the FMP, if they feel the justification is strong enough to do that, and so you can ask them about that as well.

MS. BECKWITH: Would it be possible for us to go over what -- Because I know the SSC, in their discussions, actually went through the ORCS process, even though they weren't able to implement it, because it's not in our FMP, but they did go through and come up with what the ABC recommendations would be if they had gone to ORCS, and could we go through that, just to give the committee a sense of what the third-highest versus what the ABC recommendations would be if we went through the ORCS process?

DR. ERRIGO: Yes, and I don't have the graphic on here, but I can tell you that -- You have seen the third-highest landings. For dolphin, it's in the eighteen-million-pound range, and, for wahoo, it's at 1.9 million. Dolphin, if you use the third-highest, or if you use the ORCS, for 1994 to 1997, you would get a figure somewhere in thirty-five-million-pound range. The forty-seven-million-pound range. Sorry. Way above the time series. For wahoo, you would get in the four-and-half-million-pound range, using the 1994 to 2003 time series.

MS. BECKWITH: Okay. the

MS. MCCAWLEY: I guess that one of my points is, yes, I would like to see it go back to the SSC, because of a number of reasons here, but, also, wasn't 2008 included as one of the years that was chosen, and I could have sworn that I read in the SSC report that that was thrown out for every other species, because it was a recession year, and so I'm wondering why it's included for dolphin and wahoo, but not on everything else.

DR. ERRIGO: It wasn't included in dolphin and wahoo. It was removed for all species, including dolphin and wahoo. It was 1999 to 2007. Originally, in 2011, 2008 was included for all species. It was then -- When we did ORCS, and we redid all the ABCs, 2008 was removed, because it was clear that there were issues with economics affecting the fishery in 2008, and so it was then removed, and that's why it was removed in the most recent --

DR. CRABTREE: A couple of points. I think, if you're using a relatively long time series, whether you include 2008 or don't include it -- If it's low, it's not going to be the third-highest, and so it won't change anything. I think we do need to send dolphin back. I mean, I agree with the SSC that we need to include Monroe County, because it's part of the management unit, but it bothers me to have such a short time series, particularly if you're going to use the third-highest. If you think about it, this is four years, and the third-highest is the second lowest, and so, in fact, what we're using is less than the median, and it's less than the mean.

If you have a longer time series, the third-highest is almost always going to be higher than the mean and higher than the median, and so I think it gets -- I think the rationale for it breaks down when it gets to be so short, and so it seems to me that we need to have a longer time series if we're going to base it on the third-highest, and that's really what I think the SSC needs to look at. I think four years is just too short.

MS. BECKWITH: Roy, I think some of us that have been chatting about this are hoping that the SSC will consider the ORCS process for dolphin and wahoo, given particularly -- While the dolphin numbers are concerning, the wahoo numbers are significantly concerning, because they would show that we've been over our ABC for a number of years, and it would require us to do some pretty drastic changes to the wahoo fishery, and so I think both of these being reconsidered, and it sounded like the SSC was willing to consider ORCS, and they went through the process and seemed comfortable with it, except that we simply didn't have that as part of our ABC, and so, if we could take this back and have that discussion and see if we need to actually move to make ORCS part of our ABC control rule for dolphin wahoo or if the SSC would be willing to consider that the best available science and move forward with that while we are going through the process of including ORCS as part of our ABC control rule.

MR. SAPP: I just wanted to settle a little bit of the concern with the SSC about sargassum, and we've had plenty. It's been abundant in the south, and, those of us that keep track of the sea surface temperatures, it's been extremely consistent, and there's no issues there, and it's not so much that there are no fish. The fish that are there have been very, very small in the early portion of the year, when they usually aren't over the past few years, like illegally small, where you have a size limit down there that -- I guess North Carolina doesn't, but your concerns with the wahoo -- With the economy being stronger and more people owning boats that are capable of making longer runs and some method improvements, or technique improvements, more fish are being caught in places that they've always been there, but just we weren't able to reach them as easily, and so that's to settle your concerns a little bit on the wahoo. They are still fine. The fact that we're catching more of them just speaks more to the ability to go get them and the methods being done to get them.

MR. POLAND: I wanted to agree with Art on the wahoo. I certainly feel like the reference period that we have for wahoo isn't that indicative of the fishery now. I think there's been some changes in catch per unit effort with this fishery, as Art mentioned, just a change in tactics and a change in gear, and I would like to see the SSC have a discussion about that reference period with that change in catch per unit effort discussion.

DR. CRABTREE: Well, I would encourage you not to get into whether it's going to cause a management action or not, and the point here is to choose a sound basis for setting the ABC, and, if that means we have to take an action, then so be it, but I think the driver here needs to be to choose a solid time series and methodology and premise for it. Whether that's ORCS or not, I don't know, and that's for the science folks to figure out.

MS. BECKWITH: Point noted, and I guess my question would also be -- We went through the different choices of how we ended up at the reference years for dolphin, but we didn't discuss it for wahoo, and I guess I'm curious to know why they chose 1994 to 2003 versus 1999 to 2007.

DR. ERRIGO: As I was going through, wahoo was right after dolphin in all of the minutes, and the rationale is actually very similar to dolphin. The only difference is they were able to extend the time series to 2003, because they had -- One, they had more reliable data for wahoo for some reason, but, also, there was less issues with like an increase and then a drop, where they had -- For dolphin, when the time series changed, you had very high landings in 2001 and 2002, and then it dropped precipitously in 2003, and so the SSC was concerned about that. In wahoo, it was fairly steady from 1994 to 2003, and this is the new time series, and it looks different. You will see that

it's actually increasing, and then it becomes fairly stable later, but the old time series was fairly stable from 1994 to 2003, and that's what they were looking for, and dolphin was not.

MS. BECKWITH: Thanks for that.

MR. CONKLIN: This is a question for Roy. The reason why you want to send it back is for fear that we may not get the appropriate catch level and we would essentially be overfished easier?

DR. CRABTREE: Well, no. I mean, my main concern with dolphin is that I think four years is just not a long enough time series, and I think choosing the third-highest, or the second-lowest, in that concerns me, because the way that would work out mathematically is very different than if you chose a ten or a twelve-year time series, and, if you look through the table, there is no other species in there where we chose such a short time series, and so dolphin really sticks out at you, and I'm not looking at it in terms of how high it is or how low it is or any of that. I just think it's too short, and I haven't seen anything in the record to explain to me why it should be so short.

MR. CONKLIN: Mike, you were saying that they chose like 1994 to 1997 because they were the most reliable years, and what do you mean when you say that?

DR. ERRIGO: Back when they first looked at it, the landings series -- The landings were very -- They were very unsure about all the landings, and they were highly variable and unreliable, but the 1994 to 1997 period was more reliable than a lot of the other years that they had, or, actually, they had up to 2003, but, like I said, they were having some issues with it being high and then going down low, and so 1994 to 1997 was nice, and it just had this -- You can still see it here, and it just goes up and down and up and down around the median, and that's a nice pattern for coming up with like an ABC recommendation, but I do agree that four years is short, because the SSC did settle on a methodology for coming up with an ABC, for unassessed stocks that didn't have concerning trends, that they didn't want to -- They wanted to allow the average landings from the reference period to stay as average landings. If you use the third-highest and it actually is below the average landings, that does go against the methodology of the SSC that they had come up with originally.

DR. CRABTREE: I looked through this, and I read some of the minutes, and I really couldn't find much of a rationale for those years. The closest I could come is if you look back in the original dolphin wahoo plan, and there's a lot of discussion in there about maintaining the status quo and maintaining the -- It says that the current catch levels should not be exceeded, and then it goes on to say that status quo should reflect trends in the fishery over the last five years, 1993 through 1997, and so that's pretty close, but, even then, somehow 1993 fell out of that, and I don't know, and I didn't see anything in the record anywhere that showed the SSC was even aware that those years were in the plan, and so I can't figure it out, which I think is why we need a stronger record for what we're doing on it.

MR. CONKLIN: That was kind of a question that I had, is did they pick those years because they fit around the median, or were they more reliable because they had more intercepts and you had more confidence in those years?

DR. ERRIGO: They actually hired somebody, when they were developing the FMP, to gather the landings that went into the FMP, and they had more confidence in those landings that went into

the FMP than they did from landings that were coming in from other sources that the SSC was looking at at the time. I cannot remember the guy's name, and it's in the minutes, and I could dig it up, but I actually have the clips, the snippets, from the minutes, but I don't remember his name, off the top of my head, and so they had more confidence in those landings.

Also, they were looking -- At the time, they were looking at setting an OFL, and so they wanted peak sustainable landings, and this fit the bill. This fit the bill, the 1994 to 1997. It fit the bill as peak sustainable landings, because you see they were the highest in the time series and they -- After that, it kind of just -- I think it went up, again, to here, and then it went down, and this and that and the other thing, but 1994 to 1997 were peak, and they felt they were sustainable, and they also kind of bounced around a median, and they actually used the average, rather than the median at the time, they recommended, to come up with the OFL, and then they were going to come down from the OFL with the ABC, and that's how they were going to use it, but then, when they were using the third-highest, they actually did -- They did go ahead and recommend 1999 to 2008. It was when they went back to ORCS that they decided that it might be better to use the old time series, because of the stable landings period, whereas the rest of it wasn't quite as stable, and they were worried about this drop.

DR. WILLIAMS: Sorry if this is -- I don't mean to derail the conversation, but it sounds like you're leaning towards kicking this back to the SSC, and the only comment I will say is recognize, from a population dynamics science standpoint, trying to pick an average catch from a time series is our worst-case-last-best hope to try and do anything.

We can do more with these species, but the question is how can we do more? Obviously, we can't go to a full-blown SEDAR assessment, but, barring that, when you're looking at a landings time series, you should take it in context of other species that are caught in the same fishery and the trends that they're experiencing, and we should be looking at effort time series, which we should be able to pull out of the MRIP data and things like that, and even go as far as to compute some sort of crude CPUE, which would just be catch over effort, if we can get an effort time series, and so looking at those things gets you a lot more information than just trying to look at a time series and then eyeball some stable period and say that that's your ABC or MSY or whatever we're trying to pull out of it.

If you're going to kick it back to the SSC, maybe we can recommend that they do just a little more data digging and we provide them -- I don't want to commit the Center to this, but I'm sure the Center can help provide some of those additional time series that might be able to be helpful to the SSC to put in context with trying to select an appropriate time period for computing this average catch.

DR. CRABTREE: When would the SSC meet again, Mike, or George?

DR. SEDBERRY: We're meeting in April, and I don't know the exact dates, but they're on the calendar already.

DR. CRABTREE: I guess the question for Erik is can you deliver something in time for the April SSC meeting, because that's when we would need it.

DR. ERRIGO: I know that I can help with some of the data analysis, and I've done CPUEs from the MRIP data for the cobia assessment, and so I'm pretty sure that I can use the same code and just pull dolphin data instead.

DR. CRABTREE: I would encourage you and Erik to talk about that and see if that realistically can be done, and I'm sure the SSC would be happy to look at whatever information we can provide them.

MS. BECKWITH: In terms of a procedural question, since it's kind of chicken-and-egg, we know we need to add ORCS for dolphin wahoo into our ABC control rule, and what would be -- The SSC can potentially choose to move forward with the ORCS process, even though it's not in our FMP, if they deem it best available science, but what would be a mechanism for us to move that forward, because, right now, we do have an ABC control rule amendment that is kind of sitting there gathering dust.

DR. ERRIGO: The SSC can use a methodology to come up with an ABC and then recommend the ABC to you, and then all you would do is you would implement the ACL based on whatever the ABC is, and then you would just state the ABC is this. The methodology that they use can deviate from the ABC control rule currently in place, with good justification, and they have already done that with scamp and knobbed porgy, I think it was, and it was one of the porgies, because of the concerning trends in the new dataset, and so they can -- That can happen, and I'm sure that the SSC, if they felt that the ORCS approach was the right way to go, would come up with the right justification for that, and then they could recommend an ABC based on that.

MS. BECKWITH: So it sounds like we would like, as a committee, to see both dolphin and wahoo return with some time for the SSC to fully reconsider the appropriate methodology for setting an ABC for dolphin and wahoo, and it sounds like Mike and Erik will get together and see what additional data can be provided for the SSC's consideration. Are we in agreement?

MR. POLAND: Madam Chair, I'm in full support of that, and I really appreciate Erik bringing that up, because that's -- I have thought about that a lot, sitting at the SSC meeting back in October, for not only these two species, but for a lot of these unassessed species. I mean, there's other data out there that we can consider, and another thing that ran across my mind is we're so focused on reference periods, but we seem to be getting further and further away from those reference periods, and so, at some point, we're going to have to get away from those reference periods anyway, and I think this would be a good first step, to see what other type of data is out there and how we can kind of rethink this.

MS. BECKWITH: Is there any additional direction on this item that you guys need us to provide?

DR. SEDBERRY: No, and I think we've heard some good ideas here, and the SSC is willing to do whatever you all recommend that we take up, and we can look at it at our next meeting, and, particularly, the more specific you can get of the things that you need, the better it is for us, and so thank you.

DR. ERRIGO: I'm pretty clear on what the SSC should look at and the kinds of things that they need to go over, and so I will make sure that the overview states that and help them out if they have any questions.

MS. BECKWITH: Great. Thank you so much, and I think the next item on our agenda is discussion of the objectives.

MR. HADLEY: We will jump into revising the goals and objectives of the Dolphin Wahoo FMP. As you will recall, we have discussed these over the past couple of meetings, and this is an ongoing process as part of the council setting the allocation review trigger policy and making sure that the goals and objectives reflect the current needs of the fishery, and I will jump down to the draft revised goals and objectives.

At the last meeting, as you may recall, we made quite a few changes to the goals and objectives, one being the adding a preamble to them, and the wording that the IPT used to discuss the goals and objectives came from the previous Dolphin Wahoo Committee report, and so that was the basis that the IPT went off of, and, really, largely, there were some small suggested edits, and all of them are highlighted in the document, but there were -- I will just run through them very quickly.

In the preamble, it was suggested adding, in the commercial fishing sector, "participants in the commercial fishery sector", to the very beginning, the reason being that it was stated that one of the ongoing intents is to sustainably manage the stocks of dolphin and wahoo for the long-term benefit of the fishery, and it seems like both sectors should be included in some fashion in there, and so you can see those changes highlighted at the very beginning, and then some of these additional changes, and it's really some semantics there, but they're being done for consistency. It suggested "preserves", and instead of "component components", "economic importance", the reason being this is the wording that was used in the goals and objectives themselves, and so it's really just consistency that's behind those initial edits.

Here again, moving through the document, we have the precautionary approach being Goal 1, and, as you may recall last time, these were changed to be more of a stated action, and so something that will be instead of something that is aspired to, so to speak. Really, there's only small change to Objective 1, from "fishery" to "fisheries", there again for consistency. Under Goal 2, Access, there were no suggested edits.

Goal 3, Minimizing Competition Between User Groups, there again, changing "fishery" to "fisheries", for consistency purposes, and then Goal 4, under Objective 1, "fishery" to "fisheries", as well as Objective 3, "fishery" to "fisheries", for consistency purposes. Under Objective 2, minimizing market disruption, it was suggested to add "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", just to make it clear that that tends to be a short-term problem, and markets do clear themselves, or typically clear themselves, and then, finally, under Goal 5, under ecosystem-based management and research priorities, there again, that last change, for consistency.

There is a lot of discussion, and I know these are very hard to edit by committee, and so I'll turn it over, but, really, as far as discussion questions, do you have any suggested changes or edits to the goal and objectives of the FMP? Is it comprehensive? Are there other topics that should be covered that aren't currently covered? If the committee does feel comfortable with the goals and objectives as they are written, we can set these aside, and these will go into the next plan amendment for the Dolphin Wahoo Fishery Management Plan.

MS. BECKWITH: Thank you, John. The only edit I would suggest is under the preamble, to strike “in the recreational and commercial fishing sectors”, and just to add an “all” in front of “participants”, so it reads: “Manage the stocks of dolphin and wahoo for long-term benefit of all participants.” My concern with just calling out the recreational and commercial fishing sector is some acknowledgment that we do have an environmental component out there that is also concerned with the long-term sustainability of this fishery, and they’re not to be ignored.

MR. CONKLIN: Since we manage the fish for the whole country, wouldn’t it not just be for the participants, but all the stakeholders?

MS. BECKWITH: So “the long-term benefit of all stakeholders” would be fine by me as well. It’s the same concept, and we certainly are accustomed to using that verbiage.

MR. BELL: I had the same thought, because “participants” sort of implies somebody active in the fishery, but there’s other folks that aren’t active in the fishery that are invested in this, and so stakeholders.

MS. BECKWITH: Okay.

MS. MCCAWLEY: A couple of thoughts. I thought that preamble was partly going back to the original FMP and talking about that original intent, and so I would argue that the original intent had to do with -- It had to do with the participants specifically, the people that were active in the fishery at that time. I don’t mind adding the all stakeholder part, but I just think that it should be in a separate sentence, because original to me, goes to the participants, and ongoing intent maybe is about all stakeholders, and so I would like to see those thoughts separated.

MR. SAPP: I like the concept of commercial and recreational working together and not separating them, and that’s one of my big goals, is for us to work together against potential other enemies in the fishery.

MS. BECKWITH: I tend to agree with Jessica, actually, because I know that the point of the preamble, again, as she said, was to bring it back to the original, and the dolphin wahoo plan is the only fisheries management plan that this council sort of created with an err of caution to the recreational importance of these particular species, and so I can see that point, and so I guess I’m okay with the all participants, and we don’t have to edit by committee, and we can maybe make some suggestions and bring them back, but, if we have an additional sentence that could sort of talk about stakeholders, but, otherwise, I’m kind of good with all, because that next sentence does bring it back to the importance, particularly to the recreational sector, and so that was really the intent, is just to remind us from whence we came, which is this is an incredibly important fishery to the recreational sector, and the original fishery management plan was intended to acknowledge and maintain that, and so are there any other comments? Okay. Sounds good.

MR. GRIMES: First, I will apologize to John for not having raised this in the context of the IPT, but, just looking at all these, I don’t necessarily think it’s appropriate to change “fishery” to “fisheries” in all these contexts, and I think this is the dolphin and wahoo fishery management plan, and everything that falls under the rubric of that plan we characterize as a single fishery.

Say, for instance, Goal 1, Objective 1, where we have proposed changing “fishery” to “fisheries”, that might be appropriate in reference to like what has existed in the past, but then, as you move on, and you have -- Goal 3, Objective 1, that one I might be on the fence on, but say Goal 4, Objective 1, to maximize the economic and social net benefits of the fishery, and you’re talking about the fishery under the FMP, and I wouldn’t pluralize it. It’s not pluralized in other contexts, and so I think that’s a relatively small thing, but I guess that means that I would -- If it were my decision, I would not change “fishery” to “fisheries” in Goal 4 and Goal 5, at least, and arguably Goal 3 as well.

MS. BECKWITH: So it sounds like we can change it back across-the-board, except for maybe Objective 1, but that seems like it could also be “fishery” instead of “fisheries”, because it is the historic fishery under the FMP, by that logic, and so I think the “fishery” verbiage can be maintained throughout. Are there any additional comments on that or concerns? Okay. Sounds good. All right. Any other suggestions for edits at this moment? Seeing none, sounds good. Thanks.

MR. HADLEY: All right. Thank you. I will mention that we’ll set these aside until the next plan amendment gets towards the final stages, and you will see this one more time before they are put into place, and so thank you.

MS. BECKWITH: Okay. Next on the agenda is discussion of Amendment 10, which is Attachment 3.

MR. HADLEY: All right. Jumping into Amendment 10, this is the briefing document, and it largely tracks what’s in the decision document, just to orient everyone on where the amendment stands at the moment, and so what the council did in September was review the actions in the amendment and new items that were identified. As you may recall, we spent a good amount of time addressing the actions that would modify the accountability measures for dolphin and wahoo, and then also rearranging the action that would modify the gear, bait, and training requirements within the pelagic longline fishery to align with HMS requirements, among many of the other actions in the amendment.

Also, the council received information from the Office of Protected Resources on the timing of new biological opinions for dolphin wahoo and highly migratory species, and that was in the Protected Resources Committee that took place right before Dolphin Wahoo, and I wanted to take a second, because this has come up -- Kind of bits and pieces of it have come up in discussion of Amendment 10, but just to go over some of the recent history of the Amendment 10 and some of the recent regulatory changes, relatively recent regulatory changes, in the fishery.

Just to take a step back, really, the original impetus for Amendment 10 was in 2015, when the commercial sector met the sector ACL for dolphin and closed on June 30, and the commercial sector remained closed for the rest of the year. In 2015, the recreational sector harvested a little bit over half of the sector ACL, and so there were several million pounds of dolphin that remained unharvested that year, and so that was really the event that led to the council moving forward with Amendment 10.

A couple of amendments of note that have occurred in the meantime was Amendment 8, which became effective the following year, and so, on February 22, 2016, and Amendment 8 increased

the commercial allocation for dolphin from 7.54 percent to 10 percent of the total ACL, and this added approximately 377,000 pounds of dolphin to the commercial ACL, and this really set the commercial ACL close to the original soft cap of 1.5 million pounds that was put in place with the original Dolphin Wahoo FMP.

Additionally, this had been in place, it is quite possible that the commercial sector probably would not have -- Well, the commercial sector would have closed at least later in the year, in 2015, or potentially might have not closed at all, if this additional ACL had been available. Also, of note was Amendment 1, or Regulatory Amendment 1, I should have said, and this was effective January 30, 2017, and it established a 4,000-pound whole weight commercial trip limit for dolphin once 75 percent of the commercial sector ACL is met.

The intent here is, if it's looking like the commercial sector is going to reach the sector ACL, a trip limit would be put in place to ideally slow down landings and be able to keep the fishery open longer, or potentially all year. Since 2016, neither the commercial sector nor the recreational sector have harvested the respective ACLs, and the conditional commercial trip limit implemented in Regulatory Amendment 1 has not been triggered, and so, moving forward into the potential amendment timeline, just to remind everyone that March of 2016 was when council staff was directed to begin development of a joint dolphin wahoo and snapper grouper amendment, Dolphin Wahoo 10 and Snapper Grouper Amendment 44.

This amendment was scoped in August of 2016. However, there were really only two concepts that were scoped at this time, and these were the concepts of potential gear allocations for the commercial sector, specifically for the dolphin fishery, and so looking at a longline allocation of the commercial ACL and then another allocation to all other gears, and, also, potentially adaptive management of sector ACLs.

In March of 2017, development of the amendment was suspended, pending availability of revised MRIP data, which we have discussed quite a bit, and, in December of 2018, when the revised MRIP data was available, the council directed staff to begin work on Amendment 10, and we've been working on it since then.

At this meeting, we'll be reviewing the amendment, as well as the goals and objectives, and potentially looking at approving the amendment for scoping, and the timing of scoping is an important discussion. Potentially, it could take place this winter. If this were to occur, the council would be reviewing scoping comments in March of 2019, and then, moving along with development of the amendment, potentially approving it for public hearings in December of 2020. These would take place in the winter, and then the council would move forward with development of the amendment, likely voting on it for formal approval at the June 2021 meeting, with regulations likely going into place in early 2022, and so the point being that we are fairly early in the process of the amendment as it moves towards implementation.

I won't go over this in great detail, because we have the SSC report, but just to mention that -- There again, to reiterate that we kind of have two separate moving pieces, as far as the new ABC recommendations, and we have the revised recreational information that is being incorporated, as well as the Monroe County component -- The recreational landings from Monroe County, Florida that are incorporated in setting the ACLs.

Looking at the general effect that that had, and this is for dolphin, and this is the new ABC, and this is the information that was presented to the SSC, and, the blue line at the bottom that has diamond shapes on it, those are the old landings. The middle line with the Xs that is red, those are the total new that are not incorporating Monroe County, and the line at the very top, or the green line with the squares, that's including Monroe County, and so you can see the difference between that red line and the green line. That's Monroe County landings, and so you can see that does change the trend quite a bit, particularly in the 1990s, in the earlier years of the time series.

Also, on the very far right there, you can see the dashed black line is the current ACL, and the green line with what would be the new ABC, potentially the new ACL, and, obviously, this will be further discussed by the SSC, and so that's to be determined.

Looking at wahoo, it's similar information. The blue line at the very bottom is the total old landings, so to speak, and so those are the old currency, if you will, and the red line are the total new landings, exclusive of Monroe County, and then the green line at the very top are total landings inclusive of Monroe County. You can see, in the later years, it's not a terribly large difference. However, earlier in the time series, there is quite a difference there by including Monroe County when considering new ABC recommendations. Here again, the dashed-black line is your current ACL, and the solid kind of olive green line there would be what would be the new ACL. However, that warrants further discussion by the SSC.

Looking over the actions in the amendment, there are currently sixteen potential actions, and they can really be broken down into four major categories, those that accommodate revised recreational data, those that redefine optimum yield in the dolphin fishery, allowing adaptive management of sector ACLs and changing accountability measures, and then sort of a last catch-all category of implementing miscellaneous management revisions in the dolphin and wahoo fisheries.

This first grouping, Actions 1 and 2, would revise the annual catch limits for dolphin and wahoo to reflect the updated acceptable biological catch levels. Actions 3 and 4 would revise sector allocations and sector annual catch limits for dolphin and wahoo. Moving over to the next set of actions, Actions 5 through 7, Action 5 would revise the definition of optimum yield for dolphin. Action 6 would -- I should mention, and we'll get into the details of it, but one of the potential definitions of dolphin includes using annual catch targets, and, if that were to be the case, there is no annual catch target for the commercial sector. That's why Action 6 is in there, and that would establish an annual catch target for the commercial sector, and Action 7 would modify the annual catch target for dolphin.

The next set of actions, Action 8, would allow adaptive management of sector ACLs, and, on a related note, Action 9 and 10, and this would be for dolphin, Action 9 and 10 would revise the accountability measures for dolphin. Part of that would be to accommodate some of the alternatives in Action 8. However, there are some -- We'll get into the details of it, but there are some other components to those accountability measure actions, and then Action 11 would revise the recreational accountability measure for wahoo.

Then, finally, the last kind of catch-all category there, miscellaneous management revisions, Action 12 is looking at allowing possession of dolphin and wahoo when unauthorized gears are onboard a vessel, and Action 13 would remove the operator card requirement, and Action 14 would potentially reduce the recreational vessel limit for dolphin, and Action 15 is looking at modifying

the gear, bait, and training requirements in the commercial longline fishery for dolphin and wahoo to align with those from highly migratory species. Then, finally, Action 16 would allow filleting of dolphin at-sea onboard for-hire vessels in the waters north of the Virginia/North Carolina border.

What needs to be done at this meeting is we'll go over the decision document, and there is the draft purpose and need that is included, as well as the actions and alternatives, approving a couple of the new actions, and also there are several proposed revisions to the wording of the other actions. As I mentioned, consider approving the amendment for scoping, and consider amendment timing, as well as scoping timing, and when the committee would like to review the amendment again, and that's all I have for dolphin.

MS. BECKWITH: I was hoping that we would be able to get further along in this document, because we would have an ABC that we were comfortable moving forward with, but clearly that's not the case, and so there are some of these actions that, short of approving some IPT language corrections, don't seem worth our time to discuss until we have an ABC, probably in -- It's looking like June, and so I almost say that 1 through 7 probably don't really need to be discussed until June.

MS. MCCAWLEY: I need to look at those particular actions, but I guess where I thought you were going is you were also suggesting then we would hold off on scoping until after June, because we want to get this other information in there, and we want to make edits to the document after we get that information in there and then scope it, and that's what I thought you were going to say.

MS. BECKWITH: I mean, I think we probably need to get scoping out of the way at some point, because it is scoping, and this document is -- By the time we scope it, it's going to be a final document, and I don't know if -- I mean, I'm struggling with this, because I think there's not enough information for the public to really give us comments, but then that would be a public hearing, rather than really scoping, and so I think we're skipping steps here.

MR. GRIMES: Well, just on that point, arguably, this should have been scoped already, and so I wouldn't delay scoping to get the number that you're eventually going to be considering implementing.

MS. BECKWITH: Right, and so I don't know if we can create a very broad scoping document that would be more appropriate to send out than, obviously, this, and I'm not sure what John would think about that, if we could get that step out of the way.

MR. HADLEY: If it was sent out to scoping at this time, certainly it would be conceptual, and you wouldn't have the -- We probably, really, would try to eliminate some of the alternatives, and we wouldn't have the numbers, as far as what the new potential ACLs would be, and so it would be scoping, but very conceptual, which really is -- You know, you could say that's what scoping is, and so that would be the -- We would almost be taking a step back and making the amendment just conceptual, rather than the kind of nitty-gritty details of the different alternatives.

MR. GRIMES: I recognize the logic behind doing that, but, at this point, we've been out with all of these actions and alternatives, and they have been to the public, and they are part of the record. It would be highly unusual, in my opinion, to then withhold that in the scoping process, and it

might be a weird scoping document, in that there are already actions and alternatives in it, but, otherwise, it seems like -- It's just difficult for me to square my mind around taking information out before taking it to the public, when all of that information has already been thoroughly discussed in the public on a number of occasions.

DR. CHEUVRONT: You all can do what you want to do, in terms of whether you're going to vote for scoping or not, and, I mean, that's your prerogative, but I can tell you that, logistically, being able to get this document scoped prior to March is probably not going to be able to happen. You have got -- Currently, you have a webinar scheduled for January, and the briefing book deadline for your March meeting is February 14, and so you would have to have your scoping done prior to that, and a big part of this scoping would need to occur in Florida, and that would conflict, probably, with the FWC meeting that would occur then, and my guess is that you probably would want to scope this using listening stations or something, and that's always a logistical difficulty, to get that to happen.

If you want to go ahead and vote for sending it out to scoping, that would be fine. We would work on when it could happen, and it just -- I would probably just tell you that you're not going to get scoping results back in March, but that doesn't mean that we can't start working towards figuring out when the scoping is going to occur, but it's just that you just probably won't have those results at the March meeting.

MR. POLAND: I'm a little gladder now than I was before you skipped me and let a few people talk, because originally I was -- I really preferred to hold this off until we get these new ABC recommendations, but, with timing, I just -- I don't know, and I need to see the scoping document, myself. I just have got some reservations in sending this out without some ABC and ACL numbers in there, because I feel like that would really affect people's comments, especially on Actions 12 through 16, and so I don't -- I guess I am kind of middle of the road, like everyone else, on this thing.

MS. BECKWITH: I am concerned in sending something out to scoping with the allocation portion in there without the ABC numbers is going to turn into a bit of a thing.

MS. MCCAWLEY: I am concerned about scoping it without the ABC and ACL numbers in there, just because I feel like that's going to play into how people feel about allocation and other things, and what their comments are going to, and so I would rather wait until we have that information before we go out to the public again, I guess is what I'm saying.

MS. BECKWITH: Okay, and so it sounds like we'll plan for scoping in the summertime, July-ish, after we see this, hopefully with some ABC/ACL numbers in there in June.

MR. BREWER: Whenever it goes out for scoping, and I've got to tell you that my head is spinning right now, there are some things that I would like to have the public's thoughts on, and those things are -- Maybe these are alternatives to the overall thing, but I would really like to know what the public thinks about longlining dolphin, and I would like to know what the public thinks about going from ten fish per person recreational to five, and I would like to know what the public thinks about a trip limit, commercial trip limit, for dolphin, because I look back to the original FMP and what the purpose was, and what they thought the need was, and you have a 3,000-pound trip limit, commercial, and that was there for a reason.

It was there to discourage, and perhaps prohibit, commercial longlining of dolphin, and I don't have any justification for the five fish per person recreational, other than conversations that I have had with people at the fishing club that think that five per person is enough, and those kind of conversations were along the same lines as mutton. There wasn't anything there that was indicating that mutton snapper were in trouble, but people just thought that ten fish per person was too many, and so I would like to see those kinds of things incorporated into the document, so that we can get some feedback from the public on those types of issues.

MS. MCCAWLEY: I agree with Chester on pretty much all of those things. I guess I would also, on the forty-fish vessel limit, I would like to see some more options on that, but I guess, just procedurally, are you thinking that we go through the document and start trying to eliminate alternatives, or tweak things, even though we might not be able to edit, maybe, Actions at least 1 through 4, and it seems like it would be beneficial to still go through the document, as we intended.

MS. BECKWITH: I guess my suggestion would be ignoring Actions 1 through 7 at this point, because they are also related to the ABC, because I think, if we had gone with the third-highest, Actions 5, 6, and 7 would automatically get taken out, but, if there's a different ABC that comes to us, then it might still be worth a discussion, but it's too heady of a discussion to have without a real number in there, and so I guess I would just ignore 1 through 7 at this point, and we can start with Action 8 and go through and make sure that we're accepting the IPT language recommendations, and we're making sure that Chester -- I think he wanted to add an alternative option to one, to a couple of them, and we can get that in there and see if there's anything that we know that we don't want to consider and take out to -- That would be my suggestion, is to start with Action 8 and roll through.

DR. CRABTREE: I think part of what is causing some consternation here -- Normally, scoping is very high. It's here's some problems we have identified, and we get ideas from the public as to what to do about it. Usually, if you want to ask the public what do you think of going to a five-fish bag limit, that's done through public hearings and afterwards, but it does seem to me that we've talked about this amendment and all these ideas at public meetings in every state on the South Atlantic for a couple of years now, and so it's not clear to me what scoping gets us at this point. It seems to me that you could argue that we have already scoped it, but, at any rate, I'm with you on -- I mean, if anything, if we're going to get this document ever brought to a conclusion and done, we need to streamline this down and focus in on a few things, because I think that's part of what is causing us so much grief, and so that would be my urge to you, is let's try to condense this down to what are some real problems and some practical solutions.

MR. GRIMES: I would make similar comments to Roy relative to process. The CEQ regs relative to scoping say there shall be an early and open process for determining the scope of the issues to be addressed and for identifying significant issues related to a proposed action. The process shall be termed "scoping", and it goes on and lays out some more detail. Meetings may be held, I think -- As Roy was just saying, you've had council meetings, and you've had a ton of discussion of this, and I think you probably do have a robust record to support that you have functionally already done the scoping part of it, because we've been -- We sort of proceeded quickly, it seems, to a draft amendment on this, and so that's probably a reasonable approach.

MS. BECKWITH: Thank you for that.

MR. WAUGH: I'm glad to hear Roy and Shep say that, because we have discussed this internally, and we've talked about this so many times. The only thing that hasn't happened is to go out and say these are formal scoping meetings, and, if you do those via webinar, we're probably going to have very little participation, and so you can save yourselves time and money by following that advice and consider it scoped, because we do have a huge administrative record.

MS. BECKWITH: Given that our advisory panel has had a chance to go through this as well a couple of times, then I feel comfortable with that assessment.

MR. POLAND: I mean, I'm comfortable with that, too. This is the fifth meeting since I've been on the council that we've talked about dolphin and wahoo, and I think we've received public comment at every single one of those meetings, and I think we've already heard from the public. My concern now is, to Roy's point, is do we want to break this up into two amendments, or how do we want to move forward, because we've still got the issue of we're waiting on an ABC from the SSC.

MS. BECKWITH: Breaking them up does add administrative burden to the staff, and so that's sort of a last resort, if the timing becomes a problem and one really has to go, but, given that none of these are ultra time sensitive, I guess I would avoid trying to break it up for now, until we reach a point where we really need to see one of these move forward.

MR. POLAND: Okay, and I understand that, and I'm just kind of putting that out there, just kind of for the whole council. I mean, how quickly do we want to act on this, or how quickly do we want to get some of these actions implemented? I mean, I'm fine waiting and working on a full document and getting it right, and so I'm just putting that out there for discussion.

MS. BECKWITH: I have six more meetings on this council, and my goal is to see this through, but that goal is quickly fading. Okay. I suggest, unless there's any additional comments, we start with Action 8, and let's see if there's any IPT recommendations that we need to approve or any additional alternatives that we need to add.

DR. CRABTREE: Are we going to go through this?

MS. BECKWITH: Yes. We're going to start with Action 8, just to go through the IPT recommendations and language changes, and make sure that nobody wants to add any more alternatives for consideration and move on.

MR. HADLEY: I will take that as direction to staff that we will not present Actions 1 through 7 until we have the SSC's updated comments. Okay. With that, we will start with Action 8, and this action would allow adaptive management of sector annual catch limits for dolphin. This is one of the actions that was originally in, and it has been in the amendment the whole time, in Amendment 10 rather, and so, under the current Alternative 1, no action, the recreational sector has 90 percent of the total ACL, and the commercial sector is allocated 10 percent of the total ACL.

Alternative 2 looks at setting aside a common pool application. In this case, this would be a section of the total ACL that would be set aside, from which either sector could pull from, if necessary.

The sub-alternatives, 2a through 2d, set different percentages, and so it basically sets the different sizes for whatever that common pool allocation would be, and, as you can see, there are several IPT suggested edits in here, really kind of housekeeping items, removing acronyms and spelling them out, and so that's what those highlighted changes are, really throughout this action.

Alternative 3 would allow the commercial sector to roll over uncaught ACL into the following fishing year, if it is available, and the sub-alternatives of Alternative 3 set essentially a buffer on how much of that ACL could be carried forward, and so, essentially, under 3a, that carried-forward balance cannot exceed 5 percent of the commercial sector's allocation, and that moves down all the way to 3c, where it cannot exceed 20 percent of the allocation.

Alternative 4 is very similar, but it's for the recreational sector, and so it would allow the recreational sector to carry forward uncaught ACL into the following fishing year, and Sub-Alternative 4a starts at 1 percent, and then it moves upwards to Sub-Alternative 4c, which it would not exceed 5 percent of the total recreational ACL.

Alternative 5 would involve a conditional transfer, and, really, there are two moving parts here. One would be the one sector would essentially have to be underharvesting by a certain amount, and, if this were the case, then the other sector, if it is using most of its allocation, it would be able to -- Part of the unused ACL from one sector would be conditionally rolled over to the sector that needs the ACL, so to speak, and so the conditional transfer would be the amount of quota that could be transferred, and so Sub-Alternative 5a is conditionally transfer 1 percent of the unadjusted annual catch limit of one sector to the other, and that would step up to 10 percent under Sub-Alternative 5d.

Then the second part of it is the minimum threshold, and so this is the other part of the conditional transfer, and so the donating sector's annual catch limit would have to be -- That sector would have to be landing less than 50 percent of its unadjusted ACL under 5e, moving up to 75 percent under 5g, and so those are the alternatives in this action.

As a reminder, the Dolphin Wahoo AP did review this action, and they showed some support for Sub-Alternative 2b, and so allowing -- Looking at a common pool allocation, and they also supported Alternative 3 and Alternative 4, which would allow the respective sectors to roll forward unused ACL, or uncaught ACL, into the following fishing year.

Looking at the IPT recommendations on this action, Alternatives 2 and 5 would likely be cumbersome to implement, from a timing perspective, due to time lags in the data, particularly for the recreational sector, and so keeping track of a common pool ACL for both sectors at once would be very difficult, as would conditionally transferring the ACL from one sector to another, and it could be tricky, due to the pulse nature of particularly the dolphin fishery, where large amounts of landings can come in in a relatively short amount of time. Alternatives 3 and 4 involve carrying over uncaught ACL, and this could be addressed in the Comprehensive ACL Control Rule Amendment, and, if that is done, these alternatives really would not be necessary for inclusion in Amendment 10, and that's Action 8 as it stands.

MS. BECKWITH: Okay. Besides adding or accepting the IPT's suggested edits, is there any other action that anyone wants to take on this particular section?

DR. CRABTREE: Just to suggest to you that, if you're going to have carryover, you're going to have to have payback, and it does seem to me that that's better addressed more comprehensively in the control rule amendment. The other thing is it's just not clear to me that there's a need for this action. We have had one closure of the commercial fishery, one time, in the history of the dolphin wahoo plan, and so it just isn't clear to me that there's really a need for this at this point, and so I guess my preference would be just to take the whole action out, and it's all going to be administratively cumbersome and difficult to do. Address the carryover more comprehensively elsewhere, and let's focus on getting the ABCs set and adjusting the allocation upfront when we do that, and it's just not clear to me that we need this.

MS. BECKWITH: Any other thoughts?

MR. BREWER: I agree with Roy. This action would have done absolutely nothing to correct the situation that happened in 2015, and so I don't know that it's necessary, and I think it's -- As Roy says, it's better handled in a different way. I mean, if you're going to reallocate, have the gumption to stand up and reallocate. Don't do it through the back door, which is what this thing is doing.

MS. BECKWITH: Well, and we've also had some additional discussions that the accountability measures that we're discussing might get us to the same goal of avoiding a closure, particularly for the commercial dolphin fishery of one high year of abundance, and we've had those discussions, and we can deal with that via an accountability measure, and so I'm open to a motion. Have at it.

MS. MCCAWLEY: **I move that we send this action to the Considered but Rejected Appendix. It's Action 8, by the way.**

MS. BECKWITH: Do I have a second? Yes, it's Action 8.

MR. BREWER: Second.

MS. BECKWITH: Chester seconds.

MR. GRIMES: I guess, associated with that then, any carryover of unused -- The stuff that we have in the ABC control rule amendment, we would cover that for dolphin wahoo as well, but, if you're removing it from here and it's not in the ABC control rule, then those carryover elements would be governed by nothing, and so I presume we would want to make sure that we add those.

MS. BECKWITH: What I am hearing you say is we need to make a note to make sure that the Comprehensive ABC Control Rule Amendment takes into consideration the carryover provisions for dolphin and wahoo. Thank you for catching that, Shep. Okay, and so we have a motion on the table to move Action 8 in Amendment 10 to Considered but Rejected. Is there any discussion? **Is there any opposition? Seeing none, that motion carries.**

MR. HADLEY: All right. Moving along to Action 9, this would revise the commercial accountability measures for dolphin. Currently, the commercial accountability measure includes an in-season closure that takes place if the commercial ACL is met or projected to be met. Additionally, if the commercial ACL is exceeded, it will be reduced by the overage in the following fishing year, only if the species is overfished and the total annual catch limit is exceeded.

Alternative 2 is put in place and this is to accommodate the common pool, potential common pool, allocation alternative in Action 8, and so this may not be necessary, since that was just removed. Alternative 3 looks at allowing the commercial sector to -- Well, it accommodates the rollover of the ACL for the commercial sector. Then Alternative 4 -- Alternative 3 may be unnecessary as well, since that was removed in Action 8. Alternative 4 applies the current recreational accountability measure to the commercial sector, and so, to pick up where we left off last time, the committee was kind of on the fence of removing this, since it's likely not desirable.

However, it was suggested that this stay in there, at least for a little further consideration, since it does reflect the current recreational accountability measures, and so additional guidance on whether or not the committee would like to keep Alternative 4 in the action would be certainly helpful, and, if it were to be removed, certainly rationale for why it would be removed, but, in this case, if commercial landings exceed the commercial annual catch limit, then, during the following fishing year, landings would be monitored for persistence in increased landings.

If the commercial ACL is exceeded for a second consecutive year, it would be reduced by the amount of the commercial overage in the following fishing year, and the commercial season would be reduced by the amount necessary to make sure that commercial landings do not exceed the ACL. However, this would only occur if the total annual catch limit is exceeded and if the species is overfished, and that was suggested for removal if this alternative is to stay. The commercial annual catch limit and season length will not be reduced if the Regional Administrator determines, using the best scientific information available, that this is not necessary, and so that's Alternative 2.

Then Alternative 5 was added during the last Dolphin Wahoo Committee discussion, and so, if commercial landings exceed the commercial ACL, then, during the following fishing year, the commercial season would be reduced by the amount necessary to ensure that landings do not exceed the ACL. However, the length of the commercial season will not be reduced if the RA determines, using the best scientific information available, that it is not necessary. Of note is this would remove the in-season closure for the commercial sector within the accountability measure.

MS. BECKWITH: I guess one suggestion on Alternative 5 would be to consider adding, in the language, if the total annual catch limit is exceeded that it wouldn't close, or it wouldn't have to be -- How is it written up here? So like it's written in Alternative 4. The commercial season will be reduced by the amount necessary to ensure the commercial landings do not exceed the annual catch limit only if the total annual catch limit is exceeded, and so I'm not sure if there's an interest in adding that in. I think that seems like a good move, and there is really no reason to shorten the following season if the total annual catch limit hasn't been exceeded.

DR. CRABTREE: John, just help me make sure I understand, because these accountabilities get so complicated, but the status quo for commercial dolphin is that, if they catch their ACL, their quota, they are closed, and then there's a payback of the overage, but only if the stock is overfished, correct?

MR. HADLEY: That's correct.

DR. CRABTREE: That seems, to me, to be entirely appropriate and consistent with how we manage most other commercial fisheries, and so, again, I don't really see any need to make a change to that. It has only happened once, and it seems like a perfectly reasonable accountability measure. **I would make a motion to move Action 9 to the Considered but Rejected.**

MS. BECKWITH: Chester seconded, and so it's on the floor. I would certainly caution us to think about that carefully. I am -- We have talked about this a lot, and I think that there are years of particularly high abundance, like happened in 2015, and, given that we don't know what the ABC is going to be, it may be appropriate to remove this at a later point, but, for right now, without knowing what the ABC is and what the commercial ACL is going to be, I would be very nervous to remove any accountability measure that would deal with the potential to recognize that there are years of high abundance and that it is possible that the commercial guys may go over in one year, and we can have all the outfall from that, but I don't think that it's -- I think we've talked a lot about different accountability measures, to make sure that, if there is a year of high abundance, that the commercial guys can keep fishing the following year and that there's no need for an in-season closure, and we've taken steps with the step-down, and we've taken steps with a trip limit, but I am personally not ready to remove Alternative 4 and 5, Roy.

DR. CRABTREE: I would point out that this plan went into place I think in 2001 or 2002, a long time ago, and it has closed one time. I mean, we've had lots of fisheries close every year, virtually, and it just seems to me to have a fishery catch its quota and close on occasion is -- That's fisheries management, and so, again, I just don't really see that we need to make a change to this. We have talked about it an awful lot, but we haven't really gotten anywhere, and, like a lot of these things, they tend to get kind of spinning into more and more complex actions, and I am trying to help you, Anna, make sure we get this done while you're still here.

MS. MCCAWLEY: **Can I offer a substitute motion to remove I believe it's Alternatives 2 and 3 and keep 4 and 5 in Action 9?**

MS. BECKWITH: Art seconds. Is there any discussion on the substitute motion?

MR. SAPP: Simply that we're protecting, or trying to protect, a group of small boat day-trippers that rely heavily on that late-season dolphin fishery by these step-downs that I feel are very important, and I don't want to run away from them yet, and I don't ever want to see that commercial closure again. That was very hard on a pretty decent group of guys down there when it happened in 2015.

MS. BECKWITH: For the record, I agree with Art. Is there any further discussion?

MR. GRIMES: There are no step-downs in this action though, right?

DR. CRABTREE: Just to point out to you that both Alternatives 4 and 5 don't have any in-season closure in it, and there's no need to monitor it for persistence in the next year. We monitor these quotas with weekly dealer reports, and that's some language we've used for recreational fisheries, where we have these big time lags in a lot of things, and I don't really think it's applicable here, but I think Alternative 4 and 5 are just going to lead you to overruns, potentially, even though we haven't really overrun the fishery much, but certainly they set us up in a position where we're

weakening the accountability measures in such a way that overruns could occur, and I just don't think that's wise, and so I can't support the substitute motion.

MS. BECKWITH: Sure, and, if there's a further tweaking of the language of Alternative 4 and 5, we can certainly do that, as I was originally suggesting with Alternative 5, to add that the season did not have to be reduced unless the total ACL was achieved, and that might be something to consider, but let's take this step-wise. We have a substitute motion to remove Alternative 2 and 3 in Action 9, and we've had a second. Is there any further discussion? **Is there any opposition to the substitute motion? Six opposed.**

Has everyone checked that you're on the committee, before we start voting, since this sounds like it's going to be kind of close? We've got Art, Chester, Chris, Tim, Steve, Spud, our Mid-Atlantic Tony, Carolyn, Mel, Kyle, Roy, Jessica, David, and Lieutenant Jeremy. Okay. **Everybody who voted in opposition, raise your hands one more time, if you're opposed, six opposed; all those in favor of the substitute motion. The motion fails.**

The main motion is on the floor. It's to move Action 9 in Amendment 10 to the Considered but Rejected. **Is there anyone in opposition to this motion, three opposed; all those in favor, seven in favor. The motion passes. There is one abstention.** We're going to take a five-minute potty break.

(Whereupon, a recess was taken.)

MS. BECKWITH: That was super fun, and so I'm going to turn it over to Jessica, who made the original substitute motion.

MS. MCCAWLEY: I caused part of this confusion, and so the substitute motion that I made was keeping Action 9, but removing Alternatives 2 and 3, and so it was removing the in-season accountability measures and keeping the post-season accountability measures. I got a little confused from Roy's discussion, and I ultimately voted against my substitute motion, because I felt like Roy made some compelling arguments, but, anyway, maybe when this comes back to Full Council, we can put this action back in, because I do think that we need these post-season accountability measures, because we have an in-season accountability measure right now for dolphin on the commercial side, which is, I think, what Art was getting at, and so I would rather not keep that on the books.

I would rather have the post-season accountability measure, but I think that this gets to a bigger picture issue here, that this is very confusing to have a conversation in this amendment without these ABC numbers and all these other items that we're waiting for from the SSC, and so, until we get that, it's kind of like we're having an abstract discussion, and we're trying to recall what has happened in past years, or what happened in the original amendment, and we're having to vote based on really abstract ideas. **It's very confusing to me, and so, ultimately, I would like to make a motion to table this amendment until the June council meeting, until we can get the revised numbers from the SSC.**

MS. BECKWITH: Okay. It's seconded by Steve. We have a motion to table discussion on Amendment 10 until June, or a motion to postpone. We are going to postpone discussion of Amendment 10 until the June 2020 meeting, at which point we should have an ABC from the SSC,

so we can have a clearer discussion. I am going to remind us all, and encourage us all, at Full Council to consider, to reconsider, the motion that passed previously, and so I will bring that up when we get to Full Council.

DR. CRABTREE: Well, if you all want to hold off until June, that's fine, but I don't think there was any -- I don't know what the confusion was on that motion. We have a commercial fishery that has an in-season closure and payback if we're overfished, and that's par for the course on how we manage most all of our fisheries, and, outside of shrimp and spiny lobster and some invertebrate fisheries, I can't think of any commercial finfish fishery that we manage where we don't have an in-season closure if they catch their quota, and so I am just not sure what was confusing about any of that. We decided that the status quo is consistent with how we've managed the fishery for years and how we manage other commercial fisheries, and we decided to leave it there, but, if you want to vote to postpone until some time in the future, I don't have objections to that.

MS. BECKWITH: Yes, and we can have that discussion further at Full Council, if we feel the need, but I think, certainly, Jessica brought up the point that we have had discussions about a post-season accountability measure taking the place of the in-season closure, and I think that is still a discussion that some of us would like to retain in the document. There is a motion to postpone discussion of the amendment, of Amendment 10, until the June 2020 meeting. **Is there any opposition to this? Seeing none, the motion carries.**

We will give John a second, but we're going to move over to Amendment 12, which is adding bullet and frigate mackerel as an ecosystem component species to the Dolphin Wahoo FMP.

MR. HADLEY: All right. Moving over to Amendment 12, and this amendment would add bullet and frigate mackerel as ecosystem component species in the Dolphin Wahoo FMP, and, if you recall our discussion in September, the committee and council approved an action that would add the two mackerel species as ecosystem components to the Dolphin Wahoo FMP, and so this is the one action that is currently approved in Amendment 12.

Additionally, as you may recall, there was quite a long discussion on the parameters of the council's ability to implement regulatory measures for the two mackerel species, and, in the end, the committee requested guidance from the National Marine Fisheries Service on the feasibility of additional actions considered in Amendment 12, with the idea that a response would be forthcoming at the March 2020 meeting.

Additional information was requested on potentially jurisdictional issues and implementing regulatory measures, since this falls outside of the typical range of the South Atlantic Fishery Management Council. The Dolphin Wahoo FMP covers the entire Atlantic coast. Additionally, appropriate measures that -- Input on appropriate measures that could prevent development of an unregulated fishery before the council can develop an amendment to address such a fishery and issues regarding allowable gears in the dolphin wahoo fishery and their application to potential landings of bullet and frigate mackerel with gears that are not currently allowed in the Dolphin Wahoo FMP.

As mentioned earlier during the SSC report, the SSC did review this amendment as it stood after the September meeting, recommending adding bullet and frigate mackerel to the Dolphin Wahoo FMP as ecosystem component species. However, the SSC had no additional recommendations,

knowing that guidance is pending from the National Marine Fisheries Service on the other actions in the amendment.

Potential amendment timing, we will review the amendment and modify as appropriate. At the March 2020 meeting, as I mentioned, the National Marine Fisheries Service will be providing guidance on the parameters of the South Atlantic Council's ability to add ecosystem component species to an FMP and implement regulatory measures. Also, you will be reviewing the amendment and modifying and considering approving for public hearings.

This timeline really is dependent on how many actions are included in the amendment. If it is a single-action amendment, you could approve it for public hearings, if this is the case, and those would occur in spring of 2020, and the committee would receive public hearing comments in June of 2020 and potentially be voting on the amendment for final review at the September 2020 meeting, with an implementation likely in the spring of 2021.

There is one action included in the amendment, as I mentioned, currently. However, there are eight other potential actions in the amendment, and so Action 1 designates bullet and frigate mackerel as ecosystem component species in the Dolphin Wahoo Fishery Management Plan, and then the next set of actions are pending guidance from the National Marine Fisheries Service, the first of which would be Action 2. That would be to establish a permit requirement for bullet and frigate mackerel. Action 3 is establish reporting requirements for the two mackerel species.

Action 4 is establish a commercial trip limit for bullet and frigate mackerel. Action 5 is establish an annual vessel limit for bullet and frigate mackerel. Action 6 is establishing a recreational bag limit and vessel limit for the two mackerel species. Action 7 is establishing a process that allows new fisheries for the two mackerel species to develop, or existing fisheries to expand, and Action 8 is potentially prohibiting the sale of bullet and frigate mackerel, and then kind of a catch-all category, Action 9, is are there other actions that could be considered, or should be considered, in Amendment 12?

Really, what we're going to look at at this meeting is we'll go over the decision document, and it's largely going to be an update, and we'll review the draft purpose and need statements, as well as the actions and alternatives that are currently in the amendment, and we'll just consider the amendment timing on when presumably the committee would want to see the amendment again, likely in March of 2020. Are there any questions, before I get into the decision document? All right.

One thing I did want to just provide everyone a review is the actions that are currently either included in the amendment, or are to be considered for inclusion in the amendment, if you'll recall, are based on the options that were taken out for scoping, and Table 1 includes the different options that were taken out for scoping and with the guidance from the committee to consider expanding these, or potentially consider expanding these, for inclusion in the amendment down the road.

With that, I will jump down to the purpose and need. We have the draft purpose and need from the amendment, and, really, as you will see, the purpose and need -- The focus is on wahoo, since wahoo do show the largest reliance of dolphin or wahoo. Wahoo show a stronger reliance on bullet and frigate mackerel, and so the purpose is to add bullet and frigate mackerel to the fishery management plan for the dolphin wahoo fishery of the Atlantic. Based on their importance as

forage for wahoo, designate bullet mackerel and frigate mackerel as ecosystem component species, to address data collection issues and limit the potential for adverse biological effects. The need is to safeguard the role of bullet mackerel and frigate mackerel as forage species for wahoo by preventing the development of directed fisheries on these ecosystem component species.

MS. BECKWITH: Did you guys have some suggested language edits to the purpose and need, or are you guys not interested in bringing those forward?

MR. POLAND: Looking at the purpose and need, I just -- I feel like there's a few things that we just really need to clear up and emphasize. At least from my perspective, the intent of this is to acknowledge the importance of bullet and frigate mackerel, specifically in the diets of wahoo, and so I'm thinking, in the very first sentence, add "ecological" in front of "importance", just to further just underscore that fact. We're taking this action to really protect the importance of bullet and frigate mackerel to the diet of the species.

Then, further in the second sentence, where it says to designate bullet mackerel and frigate mackerel as ecosystem component species to address data collection issues and limit the potential for adverse biological effects, the data collection issues -- I would be interested in to hear from Shep on this, but I have heard, in that past, that we need a little bit more -- A little stronger footing than just to add a species just to base data collection on.

I mean, really, we're adding the species to identify, or to at least acknowledge, their ecological significance to the fishery, and recognize their role in that ecosystem and those ecosystem services, and I feel like data collection is already implied when we acknowledge -- I just feel that language is probably not needed.

MR. GRIMES: I just wanted to respond that the collection of data is one of the reasons that you can add a species as an ecosystem component species, but I have commented in the past, relative to this one, that, if you want catch data, we already have the catch data, and we're getting it from other licensed commercial vessels, and, in terms of recreational, we estimate it through the standard protocols, and so I don't -- I tend to agree with Steve relative to this not really being about data collection issues, per se. Thank you.

MS. MCCAWLEY: I'm okay with adding that word "ecological", and I would delete the second sentence in the purpose. That's just my suggestion, and then I would simplify the need to say that the need for this action is to elevate the importance of bullet and frigate mackerel for research and monitoring purposes. The need for this action is to elevate the importance of bullet and frigate mackerel for research and monitoring purposes.

MR. HADLEY: Would you remove the latter part of that sentence?

MS. MCCAWLEY: I would.

MS. BECKWITH: Really, isn't one of the things that we're trying to do is prevent the development of a directed fishery on EC species in general? I mean, that's --

MC. MCCAWLEY: Not me. That's not what I am trying to do there, and I have not necessarily been a proponent of that, and so I don't want that in there. Also, we won't know until March

whether or not we can do that anyway, and so I was suggesting taking it out, because it's not what we're doing so far.

MR. GRIMES: I think, in terms of the revised need, if it stays as it is, and it's just designated as ecosystem component, that makes a lot of sense to me. I think, in March, once we get a response and we take the next step, if we're going to include regulatory measures that actually do things to constrain harvest in the fishery, then I think you might need revisit some of the language you just removed.

MS. BECKWITH: Okay. That makes sense.

MR. BREWER: I am going to disagree with Jessica, and I agree with Shep. I think that what we need to do is to have the ability to constrain harvest of this species in the future, and we've had a lot of discussions about the fact that the -- It's sort of like the fear is that a fishery, directed fishery, will develop, and, before we can do anything about it, it's already established. I sort of look to what happened with menhaden, and, granted, that took a number of years, but, once that fishery was established, there was hell to pay in trying to constrain it, and so I think that that language -- I don't know that it needs to say "prevent", but language to that effect I think needs to stay in, because the real idea here is to constrain the ability of a directed commercial fishery on those specific species, and only those species.

MS. BECKWITH: Any additional comments?

DR. CRABTREE: Just to point out that the directed fishery on menhaden sprung up on us about 150 years ago, I believe.

MS. BECKWITH: Okay. So, are there any additional edits? Are we sure that we don't want to maintain in there safeguarding the role of bullet and frigate mackerel as forage species, and we're comfortable with --

MR. BELL: This is sort of Spud's brainchild, but, I mean, if you just said the need to safeguard the role of bullet and frigate mackerel for forage species for wahoo, period, you are not obligating yourself to do anything, but you're stating that there's a need to safeguard the role of it at some point, and you're not saying that you're going to regulate it.

MS. BECKWITH: I would agree with that suggestion. Jessica, are you comfortable with that?

MS. MCCAWLEY: Sounds good.

MS. BECKWITH: Okay. Is there any additional suggestions? Okay. Do we need a motion to accept this altered language?

MS. MCCAWLEY: Just to be clearly, the additionally -- The need now, is it the two phrases, or is it just the phrase that Mel said? I'm a little confused. All right. **Then I move to approve the edits to the purpose and need.**

MS. BECKWITH: It's seconded by Steve. Is there any discussion? **Any opposition? Seeing none, that motion carried.**

MR. HADLEY: Moving along to Action 1, this action would designate bullet mackerel and frigate mackerel as ecosystem component species in the Dolphin Wahoo Fishery Management Plan. Currently, they are not ecosystem component species, and Alternative 2 would add the two species to the Dolphin Wahoo FMP, and just a two-alternative action there.

Of note, if you will recall last time, and I believe in the white paper for this topic as well, there is consideration of ten factors that are listed in the National Standard General Guidelines for deciding whether a species is in need of conservation and management, and, really, the response to these ten factors will evolve as the amendment develops, but the IPT did discuss these ten factors, and, after initial analysis, it determined that bullet mackerel and frigate mackerel at least do not appear to be in need of conservation and management, and, thus, they have at least the potential to be designated as ecosystem component species, and so that's an update on the IPT discussion of this, and I will turn it over.

MS. BECKWITH: Okay, and so, in terms of next steps, it sounds like we're going to wait until March, and National Marine Fisheries Service is going to come back with the answers to some of our questions, at which point we will decide to potentially just move Action 1 forward to kind of a final action scenario and secretarial review, or we could, at that point, choose to add in some additional management measures, based on what we are able to do. Is that correct?

MR. HADLEY: Correct, based on the agency guidance. There is that list of other actions, and presumably you'll have much more clear guidance on whether or not that is within the council's ability to implement those sorts of actions.

MS. BECKWITH: Okay, and so, in terms of next steps for us, we would approve for further development of Amendment 12, to be reviewed in March of 2020? Yes? Okay. Would anyone like to make that motion?

MS. MCCAWLEY: **So moved.**

MS. BECKWITH: It's seconded by Mel. Is there any further discussion? **Any opposition? Seeing none, that motion carries.**

MR. HADLEY: All right, and so that's everything for Amendment 12 at the current time, and, again, we'll come back to that at the March 2020 meeting. The final scheduled piece is the summary report of the Dolphin Wahoo AP. As mentioned, there was a multiple AP meeting that was held via webinar on October 29, where the Florida Keys National Marine Sanctuary staff presented an overview of the sanctuary's proposed modifications, and this included interested members of the Dolphin Wahoo AP, Coral AP, Mackerel Cobia AP, and the Shrimp AP.

Overall, we had -- Given the relatively small scope of this, at least regional scope of this, this was tabled as an optional meeting, and so interested parties were very welcome to weigh-in, but the total AP was not necessarily -- They did not necessarily need to attend if they did not have interest in specifically changes to the Florida Keys National Marine Sanctuary. We had two members that attended the AP webinar, the multiple AP webinar, I should say. Then, afterwards, one AP member joined the Dolphin Wahoo AP webinar and provided comments, and these comments were sent around the entire Dolphin Wahoo AP, and additional comments were welcomed.

Overall, there were several questions that were asked of the AP, and so the first thing is do you feel like stocks are sustainable, and the feedback was that stocks of dolphin wahoo and snappers and groupers and many other species seem to be adequately managed for sustainability by the South Atlantic Council, as well as the Florida Fish and Wildlife Conservation Commission. The input was that the additional fisheries management measures being proposed felt they may be an overreach beyond the existing -- Into the jurisdiction of these existing fisheries management bodies.

When asked do you feel that these changes are going to impact fishing in your area and what are some of the social and economic impacts, the feedback was that the proposed zones would restrict or prohibit fishing occurring in areas where dolphin and wahoo are targeted at times. Of note were some deepwater wrecks that can aggregate wahoo, which lie within the proposed potential -- The areas that would potentially be closed to fishing. Additionally, it was noted that, when ballyhoo congregate in some of the proposed zones, dolphin and wahoo can follow these schools of ballyhoo into these areas, and they are subsequently targeted by fishermen.

Also, of particular note was fishing activity for snapper grouper species that occurs southwest of the Dry Tortugas, near Riley's Hump, and it seems to be an area that is of particular concern for recreational and commercial fishermen, many of which are concerned about losing access to this area. It was noted that eliminating catch-and-release trolling in some of the sanctuary preservation areas will negatively affect recreational trips that are targeting sailfish, often targeting sailfish and barracuda, and it seems like -- These areas are catch-and-release, and enforcement does seem pretty straightforward, and so the input was that these areas could remain.

Also, the Florida Keys National Marine Sanctuary baitfish permit holders use some of these areas for catching bait, and so the proposed management measures would remove the ability to catch bait in these areas, thus impacting fishing activity. Also, overall, it was noted that the patchwork of proposed areas may make it more confusing for knowing where fishing can and cannot occur, and there was concern -- It was expressed that there was concern among recreational and commercial folks in the fishing community, and, overall, Alternative 3 would negatively affect a wide range of businesses in the Florida Keys, including those engaged or relying on fishing, diving, snorkeling, and ecotourism. Those are some of the effects that were mentioned.

As far as the benefits, it was acknowledged that the Florida Keys have very many visitors and limited resources, and AP member felt that the existing measures, such as those that address derelict vessels or use vessel groundings are certainly beneficial, and there may be additional -- There would be additional benefits to some of the proposed changes, but overarching issues, such as water quality, were not being addressed, and it was generally felt that the overall benefits did not seem to outweigh the negative impacts.

Another AP member felt similar, but not exactly the same, as far as the benefits of the proposed changes, and this AP member acknowledged improvements to habitat, whether through protecting degraded natural reefs, or additional artificial reefs could result in benefits to multiple fish species, including forage species, protecting forage species and their ability, particularly with spawning, and that could increase their prevalence in the Keys, and thus increase populations of predatory species, such as dolphin or wahoo that are commonly targeted by anglers.

Then, finally, as far as the recommendations to the council to consider, it was recommended that Alternative 2, no action, be chosen across the board as the preferred alternative, due to the impacts of the other alternatives on businesses and recreational activities, and, additionally, it was recommended that there are increased efforts to better educate the public on existing regulations for areas that are currently managed.

It was noted that, if the changes to the sanctuary do move forward with closing certain areas to fishing activity, consider still allowing fishing in the upper water column, i.e., trolling, and including catch-and-release trolling, which is currently mandated in some of these areas, rather than prohibit fishing access altogether, since this fishing activity is compatible with habitat protection measures, such as prohibiting anchoring or use of gear that can come in contact with coral or other hardbottom habitats. That is a summary of the discussion.

MS. BECKWITH: Thank you. Are there any questions on this informative piece? I think we'll be discussing this further later on in the week. The last item would be Other Business. Is there any other business to come before the Dolphin Wahoo Committee? Seeing none, the Dolphin Wahoo Committee is adjourned.

(Whereupon, the meeting adjourned on December 3, 2019.)

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Certified By: \_\_\_\_\_ Date: \_\_\_\_\_

Transcribed By:  
Amanda Thomas  
January 6, 2020

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