



# Update on Dolphin Wahoo Amendments

April 2022

## Recently Submitted or Implemented Amendments:

### *Amendment 12 (Dolphin and Wahoo Management Measures)*

**Purpose of the Amendment and Action Summary:** This amendment included a single action to add bullet mackerel and frigate mackerel to the Dolphin Wahoo Fishery Management Plan as Ecosystem Component (EC) species.

#### **Key Events:**

- September 2020: Amendment approved for formal review.
- December 2021: The amendment was submitted to NMFS.
- June 6, 2021: Regulation changes effective.

### *Amendment 10 (Dolphin and Wahoo Management Measures)*

**Purpose of the Amendment:** This amendment implements catch level recommendations from the Council's SSC and revises sector allocations and ACLs for dolphin and wahoo, addresses deficiencies in the recreational AMs for dolphin and wahoo, and responds to public comments received on changes needed in the dolphin wahoo fishery.

**Action Summary:** Revise the total ACLs, sector allocations, and accountability measures for dolphin and wahoo. Also allow the retention of dolphin and wahoo when trap, pot, or buoy gear are onboard a vessel, remove the operator card requirement, and reduce the recreational vessel limit for dolphin from 60 fish to 54 fish.

#### **Key Events:**

- June 2021: Amendment approved for formal review.
- October 2021: The amendment was submitted to NMFS.
- May 2, 2022: Regulation changes effective.

### **Summary of Actions**

**Actions 1 and 2. Revise the total annual catch limit for dolphin and wahoo to reflect the updated acceptable biological catch levels**

The preferred alternatives revise the total annual catch limits for dolphin and wahoo and set them equal to the updated acceptable biological catch levels recommended by the Scientific and Statistical Committee (24,570,764 lbs ww for dolphin and 2,885,303 lbs ww for wahoo).

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

The preferred alternative revises sector allocations for dolphin to allocate 93.00% of the total annual catch limit to the recreational sector and 7.00% of the total annual catch limit to the commercial sector (previously 90% recreational: 10% commercial).

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

The preferred alternative revises sector allocations for wahoo to allocate 97.55% of the total annual catch limit to the recreational sector and 2.45% of the total annual catch limit to the commercial sector (previously 96.07% recreational: 3.93% commercial).

**Actions 5 and 6. Revise the trigger and post-season recreational accountability measures for dolphin**

The preferred alternative implements a post season accountability measure in the following fishing year if the total (commercial and recreational combined) annual catch limit is exceeded. If triggered, the AM would reduce the length of the following recreational fishing season by the amount necessary to prevent the annual catch limit from being exceeded in the following year.

**Actions 7 and 8. Revise the trigger and post-season recreational accountability measures for wahoo**

The preferred alternative implements a post season accountability measure in the following fishing year if the recreational annual catch limits are constant and the 3-year geometric mean of landings exceeds the recreational annual catch limit. If triggered, the AM would reduce the length of the following recreational fishing season by the amount necessary to prevent the annual catch limit from being exceeded in the following year.

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

The preferred alternative allows a vessel that possesses both an Atlantic Dolphin/Wahoo Commercial Permit and valid federal commercial permits required to fish trap, pot, or buoy gear to retain dolphin or wahoo caught by rod and reel while in possession of such gears. Dolphin retained onboard such a vessel shall not exceed 500 pounds gutted weight. The current commercial trip limit for wahoo of 500 pounds also applies.

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

The preferred alternatives remove the operator card requirement in the Dolphin Wahoo fishery for both the commercial and for-hire sectors.

**Action 11. Reduce the recreational vessel limit for dolphin**

The preferred alternative maintains the daily bag limit of 10 dolphin per person and reduces the vessel limit to 54 dolphin per vessel. The vessel limit exemption for headboats remains in place, however there is a limit of 10 dolphin per paying passenger.

## Amendment currently being developed:

### *Regulatory Amendment 3 (Minimum Size Limits and Retention Limits for Dolphin)*

**Purpose of the Amendment:** This amendment will seek to extend the applicable geographic range of the minimum size limit for dolphin and modify recreational retention limits for dolphin.

**Action Summary:** This amendment will include actions that extend the applicable geographic range of the minimum size limit, modify bag and vessel limits, and remove or reduce captain and crew bag limits for dolphin.

#### **Key Events:**

- June 2021: Amendment initiated to examine extending the geographic coverage of the minimum size limit for dolphin, reducing or removing captain and crew bag limits onboard for-hire vessels, and specifying different retention limits for dolphin and wahoo onboard private vessels and charter vessels.
- September 2021: Council reviewed information paper and directed to staff to continue developing options that would extend the applicable geographic range of the minimum size limit, modify bag and vessel limits, and reduce or remove for-hire captain and crew bag limits for dolphin only.
- March 2022: The Council approved the amendment for scoping. Scoping hearings likely to take place after the Council's June 2022 meeting.

## Planned or Postponed Amendment:

### *Pelagic Longlines in the Dolphin Wahoo Fishery*

**Purpose of the Amendment:** This amendment would consider implementing changes to the commercial longline fishery for dolphin and wahoo to better align with HMS pelagic longline requirements and potentially respond to recommendations from the forthcoming updated Biological Opinion for the dolphin wahoo fishery.

**Action Summary:** TBD

#### **Key Events:**

- September 2020: The Council moved, from Amendment 10, actions that would modify gear, bait, and training requirements in the commercial longline fishery for dolphin and wahoo to better align with HMS pelagic longline requirements to a new amendment. The Council also added an alternative that would prohibit the use of pelagic longline gear in the dolphin wahoo fishery unless a vessel has the limited entry HMS permits that allows the use of this gear.
- June 2021: Guidance to examine this potential amendment once the updated Biological Opinion for the Dolphin Wahoo fishery is available, likely in late 2022.

## Other Relevant Actions:

### *Recent Florida Fish and Wildlife Conservation Commission action*

**Action Summary:** At their March 2022 meeting, the Florida Fish and Wildlife Conservation Commission took final action on rules that would:

- Reduce the bag limit from 10 to 5 dolphin per person in Atlantic state waters.
- Reduce the private recreational vessel limit from 60 to 30 dolphin in Atlantic state waters.
- Clarified that for-hire captain and crew are prohibited statewide from retaining a bag limit of dolphin.

These rule changes will apply in state waters of Florida and will become effective May 1, 2022.