

SOUTH ATLANTIC FISHERY MANAGEMENT COUNCIL

DOLPHIN WAHOO COMMITTEE

Webinar

June 16-17, 2021

Transcript

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Other observers and participants attached.

The Dolphin Wahoo Committee of the South Atlantic Fishery Management Council convened via webinar on Wednesday, June 16, 2021, and was called to order by Chairman Anna Beckwith.

MS. BECKWITH: I bring the Dolphin Wahoo Committee to order, and the first item is Approval of the Agenda. Is there any accommodations to the agenda that anyone would like to see? Seeing none, the agenda is approved. The second item is Approval of the March 2021 Dolphin Wahoo Committee Meeting Minutes. Are there any adjustments to those minutes? Shep.

MR. GRIMES: Thank you, Madam Chair. Two things. First, page 10, and it's my only statement on the page, and insert the word "not" between the words "will" and "address". Then, on page 62, and this is actually your statement, Ms. Beckwith, but there is a solo letter "s" in the middle of your first paragraph, and it should be an "a". That's all I have. Thank you.

MS. BECKWITH: That is fantastic, Shep. I thank you very much for reading those minutes in that level of detail.

MR. GRIMES: You're going to miss it.

MS. BECKWITH: Yes, but are you going to miss me? Okay. I am going to apologize in advance, because I am babysitting my mother-in-law's two dogs that like to bark at the Post Office guy and the UPS people, and so we will all know if I get a package this afternoon. The next item on the agenda is Status of Amendments Under Formal Review, and I presume that Rick DeVictor will provide us that.

MR. DEVICTOR: Sure thing, and this will be quick. The final rule published on May 10 for Dolphin Wahoo 12, and it was effective a week ago, June 9, and this final rule adds bullet mackerel and frigate mackerel to the Dolphin Wahoo FMP and designates them as ecosystem component species.

MS. BECKWITH: Okay. Perfect. Thank you. That will bring us into the Dolphin Wahoo Amendment 10, and I will turn it over to John to start us off, and we have thirty minutes.

MR. HADLEY: All right. Thank you, Anna. I will go ahead and kick off our discussion of Amendment 10, and we'll see how far we make it before the hard stop at 3:45. Just to orient everyone and get everyone back in the mindset of Amendment 10 and the refresher of the amendment, it's currently a twelve-action amendment.

The first four actions revise the ACLs, the total ACLs and the sector ACLs, for both dolphin and wahoo. The next set of actions, the next four actions, cover the recreational accountability measures for both dolphin and wahoo, first looking at the trigger for the accountability measure and then specifying what the accountability measure will be, and then the last set of actions is sort of a various catchall, various management revisions, to the dolphin wahoo fishery. We'll certainly get into the details of each action, but that's kind of a general overview.

As far as the objectives for this meeting, we'll review and approve some minor edits to the purpose and need statements, which I will go over in just a minute, and we're really looking to get approval of all actions and basically go over the actions themselves, your preferred alternatives, consider the effects analysis and the draft council rationale that has been provided, and, really, just make

sure you're okay with the current preferred alternative and then some of the rationale that has been put forth in the amendment for each action.

Additionally, as a reminder, the revised fishery management plan goals and objectives will also be going into place via Amendment 10. The council and the committee has reviewed those multiple times, and so those seem to be in a fairly final format, but just a reminder that those will be going into place with the amendment.

You do have the codified text, or the draft codified text, rather, for Amendment 10. It is included in your late materials folder, and, last, but certainly not least, if the committee is comfortable with taking a final vote on the amendment, we'll be looking for a motion at the very end that is approving the amendment for formal review. Looking at the general timeline, assuming that the council does move this amendment forward at this meeting, you're likely looking at implementation of regulations sometime in 2022, and so, before we get into the purpose and need and the actions, I will be happy to answer any questions.

MS. BECKWITH: I am not seeing any hands.

MR. HADLEY: With that, there's a minor change to the purpose and need statement that needs to be approved by the committee. In the purpose statement, there was some language there that included the action that would have allowed filleting of dolphin at-sea onboard for-hire vessels in the Mid-Atlantic region. At the March meeting, the committee removed this action from Amendment 10, and so the purpose needs to be revised accordingly, and so you can see the struck-out language there that's highlighted in yellow, and that's the only edit that the IPT suggested, and so we're looking for an action that would look at the IPT's suggested edit.

MS. BECKWITH: Mel.

MR. BELL: **Madam Chair, I move that we accept the IPT's recommended edits.**

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

MR. DILERNIA: Madam Chairwoman, as a member of the committee, I object to that motion. Thank you.

MS. BECKWITH: So noted. Thank you. **The motion passes with one objection.**

MS. BYRD: Anna, Rick Bellavance has his hand up as well.

MS. BECKWITH: Rick, would you also like to --

MR. BELLAVANCE: Yes, please. Thank you.

MS. BECKWITH: Okay. **So there's two objections. The motion passes with two objections.**

MR. HADLEY: Okay. With that, we'll move along to the actions and alternatives. Here again, the first four actions cover the annual catch limits for both dolphin and wahoo. Actions 1 and 2

cover the total annual catch limits, and then Actions 3 and 4 cover the sector annual catch limits and sector allocations.

With that, for Action 1, your current preferred -- This action would revise the total annual catch limit for dolphin to reflect the updated acceptable biological catch level, which the council received from the SSC. Your current preferred alternative is to set the total annual catch limit for dolphin equal to the updated acceptable biological catch level.

As a little bit of an overview of some of the effects, Alternative 1, no action -- For the biological effects, Alternative 1, no action, is not a viable alternative, since it would retain the total ACL for dolphin, which is not considered the best scientific information available, BSIA. Preferred Alternative 2 would set the ACL equal to the ABC. Alternatives 3 and 4 would include a buffer, and so, from a biological perspective, the biological benefits to the dolphin stock would be expected to be greatest under Alternative 4, followed by Alternative 3 and Preferred Alternative 2, and that is assuming as long as the total landings are below the total ACL.

As a reminder, looking at -- We'll jump down to some of the tables and figures, and dolphin tends to have a fairly low PSE associated with it, at least relative to other species that the council manages, and then a figure -- You've all seen this before, but looking at how the new Preferred Alternative 2, and really the new ACLs, will compare to the landings stream, and this is inclusive of FES estimates, and, really, you're looking at a pretty good buffer, in most years, between the ACL, the total ACL, and landings, at least recent landings, with the exception of 2015, and landings were well below what will be the new ACL.

Looking at a projection analysis, really, if you examine the average landings over the past five years, or the past three years, the ACL is not expected to be met, under that maximum landings scenario, and so the 2015 spike -- The ACL could be met, but likely later in the year, looking at sometime in the fall.

Shifting over to the economic effects, the economic effects really look at the buffer between the ACL and the average landings, and so, the larger the buffer, the reduced likelihood of restricted AMs being triggered that will lead to short-term negative economic effects, and so, looking at the size of the buffer, we'll jump down to some of the tables here. Really, Preferred Alternative 2, outside of -- It has a larger buffer, compared to Alternative 3 and 4, and, looking at some of the economic effects, we're looking at a pretty good -- When you try to quantify that buffer, in terms of dollars, we're looking at an expected increase in net economic benefits of approximately \$10.7 million.

Looking at the social effects, adjustments to the ACL are necessary to ensure continuous social benefits over time. Alternative 1 would not do that, since you're not updating for BSIA. Preferred Alternative 2 would be most beneficial for fishermen, followed by Alternative 3 and Alternative 4, from a social perspective. That's a quick overview of some of the overall effects of Action 1.

Moving over to some of the AP recommendations, the AP endorsed the council's current preferred alternative, Alternative 2, as their preferred alternative as well, and some of the public comments received -- There was general support for the council's preferred alternative, but there were also some other comments in favor of including a buffer, and so either Alternatives 3 or 4, and then, taking a look at some of the draft council rationale, based on previous discussions of this action,

revising the total ACL for dolphin to reflect the updated ABC from the SSC incorporates the best scientific information available into the management of the fishery for dolphin. This ABC includes recreational landings from Monroe County, Florida, and it uses the MRIP-FES method, which is considered more reliable and robust compared to the CHTS survey method, and so the Coastal Household Telephone Survey method, the previous method that MRIP was using.

In selecting a preferred alternative, council members have noted that setting the ACL equal to the ABC follows the precedent that was established in the Comprehensive ACL Amendment, and it was noted, in discussion of this action, that, based on the last twenty years of landings, it appears unlikely that harvest will consistently exceed what will be the new ACL or the ABC and that commercial landings are well tracked, through electronic dealer reporting requirements, and that there is a commercial trip limit that goes into place once 75 percent of the commercial sector ACL is met, and that recreational landings for dolphin exhibit relatively low PSEs. Overall, this reduces the need for a step-down between the ABC and ACL.

Looking at the committee action, there is nothing required, and you have selected your preferred alternative, but I just wanted to make sure that you're okay with that preferred alternative, and, if there's any additional -- If there's a change to the draft council rationale or additional points, I certainly welcome those at this time.

MS. BECKWITH: Thank you, John. Is there any desire for discussion or a change in this action? I do not see any hands.

MR. HADLEY: All right. That takes care of Action 1. We will move on to Action 2. This is very similar to the previous action. However, we're switching gears and covering wahoo and revising the total annual catch limit for wahoo to reflect the updated acceptable biological catch level for the species. The council's preferred alternative is to set the total ACL equal to the updated ABC for wahoo.

We're looking at very similar biological effects overall. Alternative 1 is not considered a viable alternative, because it would not implement BSIA. Preferred Alternative 2 would set the ACL equal to the ABC, and Alternatives 3 and 4 look at a buffer, and so, from a biological perspective, the benefits, the potential biological benefits, to the wahoo stock would likely be greatest under Alternative 4 and 3, compared to Preferred Alternative 2.

Moving over to PSEs, looking at the PSEs for wahoo, they're a little bit higher than dolphin. However, overall, they're relatively low, there again compared with many of the other species that the South Atlantic manages, and so there's a low PSE with wahoo, similar to dolphin.

As noted, and this is something to think about, kind of through the amendment, as we get into the other wahoo actions, but, just as a reminder, the figure in front of you, Figure 2, shows landings of wahoo since the 1980s. In most years, wahoo landings would be below what would be the new ACL. However, there was a spike in landings, looking at the 2015, 2016, and 2017, where those would have been above what will be the new ACL. However, landings have dropped down below sort of that two-million-pound range, one-to-two-million-pound range, where the landings typically kind of fluctuate, at least based on recent years.

Going backwards in time, really, the only other year that the new ACL would have been exceeded is likely in 2007, overall, and again I believe in 2003, but there's not many years where the ACL would have been exceeded, but, there again, we did have that recent spike from 2015 through 2017, and so that's something to keep in mind going forward.

Looking at projections on whether or not the ACL would be reached, if you used the average landings over the past five years, the ACL would be reached, but very late in the year, likely in late November or sometime in December. If you used the average landings over the past three years as your baseline, the ACL would not be met, and if you used an elevated, and so a maximum landings scenario, the ACL would have been met likely sometime in the late summer or early fall.

Switching gears over to the economic effects, here again, examining the potential buffers between landings and the total ACL, it's estimated that, essentially, the larger the buffer, there is a reduced likelihood of restricted AMs being triggered, and that would lead to short-term negative economic effects. As you can see in Table 6, this is the buffers in comparison to average landings, and so what would be the new ACL compared to the five-year average landings, and you can see that Preferred Alternative 2 would be slightly below the five-year average. Looking at the potential net economic benefits, you're looking at a reduction of approximately \$380,000, on an annual basis.

Moving over to the social effects, Preferred Alternative 2 through 4 would be based on the most recent ABC recommendation and updated MRIP estimates, and so BSIA. That would lead to help ensure continuous social benefits over time. Alternative 1 does not implement BSIA, and so, therefore, it would not provide the related social benefits. Looking at the different alternatives from a social perspective, Preferred Alternative 2 would be most beneficial for fishermen, followed by Alternative 3 and Alternative 4, overall.

Moving over to the AP recommendations, as a reminder, the AP also endorsed the council's Alternative 2, and so Preferred Alternative 2, as their preferred as well, and the summary of public comments -- There weren't many on wahoo, in particular, for the total ACL. However, there was some general support expressed for the council's preferred alternative, Preferred Alternative 2.

Looking at the draft council rationale, it's noted that the total ACL -- Revising the total ACL for wahoo to reflect the updated ABC from the SSC incorporates BSIA into the management of the fishery for -- That should say wahoo. This ABC includes recreational landings from Monroe County, and it also updates, essentially, the ACL using the MRIP-FES method. In selecting Preferred Alternative 2, it was noted that setting the ACL equal to the ABC follows the precedent that was established in the Comprehensive ACL Amendment, and it was also noted, in discussion of this action, that commercial landings are well tracked, due to the electronic dealer reporting requirements. There is a commercial trip limit of 500 pounds, and that recreational landings for wahoo exhibit a relatively low PSE, and this reduces the need for a step-down between the ABC and the ACL.

Again, here is there no action required by the committee. However, certainly, please discuss the preferred alternative and make sure that that is still your preferred alternative, and, if there's any comments of the draft council rationale, we can certainly update that, as appropriate.

MS. BECKWITH: Thank you, John. Is there anyone that would like to provide input on this action? I see no hands.

MR. HADLEY: All right. Moving right along, the next two actions will jump into -- The first two actions looked at the total ACL, and the next two actions will look at sector ACLs, or sector allocations. Action 3 covers sector allocations for dolphin. The council's current preferred alternative is Alternative 3 for this action, and that would allocate 93 percent of the revised total annual catch limit for dolphin to the recreational sector, and then it would allocate the remaining 7 percent of the revised total annual catch limit for dolphin to the commercial sector. Overall, this based on the council's intent to explore alternatives that would not result in decreased poundage available to either sector.

Looking at an overview of the summary of environmental effects, looking at the biological effects, overall, the biological effects are not expected to vary greatly among the alternatives, since they do not change the total ACL that was specified in Action 1. However, it is noted that the commercial sector for dolphin has an effective in-season AM in place, to prevent the commercial ACL from being exceeded. Without an effective AM for the recreational sector, recreational landings could have adverse biological effects on the dolphin stock in years with elevated landings that may fall above, essentially above, the ACL. However, that AM is going to be addressed in subsequent actions in this amendment.

I will jump down to some of the tables, very quickly. The Table 8 shows the different allocation alternatives, on a percent basis, and also on a pound basis, and you can see highlighted the council's Preferred Alternative 3. Then Table 9 shows a comparison of what will be the new commercial ACL to the current commercial ACL, and you can see there is a slight bump there of approximately 186,000 pounds, an increase to the commercial ACL on a pound basis. A similar comparison really isn't proper for the recreational sector, since there is that large change from going from the Coastal Household Telephone tracking method to the Fishery Effort Survey, and so CHTS to FES method. However, you can compare the commercial ACLs fairly easily.

Looking at whether or not the various ACLs will be met for dolphin, looking at either the three-year average or five-year average, it's not expected that the ACL will be met for either sector, regardless of the alternative chosen, and this applies for the commercial ACL across-the-board, even in an elevated landings scenario. Looking at elevated landings for the recreational sector, it is possible -- Really, this is picking up on that spike in landings that we saw in 2015, and so a maximum landings scenario over the past five years, and the recreational ACL could be met, likely sometime in the fall.

Switching gears to the economic effects, looking at the recreational sector, Alternative 1, no action, would maintain the current 90 percent allocation of the total ACL to the recreational sector. The Alternatives 2 through 4 would represent comparatively higher recreational allocations and ACLs. Therefore, there are increased economic benefits to the recreational sector from examining these different alternatives. Looking at Preferred Alternative 3, when compared to the no-action alternative, we're looking at an increase of approximately \$1.2 million in net economic benefits to the recreational sector from this alternative.

Switching gears to the commercial sector, this is kind of the inverse of what was just stated for the recreational sector. Alternative 1 would maintain the current commercial allocation of 10 percent

of the total ACL, and so Alternatives 2 through 4 would result in comparatively lower allocations and sector ACLs.

When you look here, keeping in mind on a total pound basis the sector allocations are going up for both sectors. However, compared to the no action alternative, the commercial sector -- Under Preferred Alternative 3, the commercial sector allocation would result in reduced net economic benefits of approximately \$813,000, on an annual basis. In net terms, looking at the difference for both sectors, for Preferred Alternative 3, you're looking at an estimated net economic benefit of approximately \$362,000, on an annual basis.

Moving over to the social effects, Alternative 1 would maintain the current allocation percentages, and it may have few social effects, as both sectors would see an increase in available poundage. It's noted that Alternatives 2 through 4 would decrease the commercial percentage, in comparison to Alternative 1, no action, which could have some negative social effects if commercial fishermen have a negative perception of this change. However, it's also noted that the increase in poundage to the commercial sector, as well as the recreational sector, may result in positive social benefits associated with potential increased overall harvest.

Switching gears over to the AP recommendations, when the AP discussed this action, they endorsed Alternative 2 as their preferred alternative in Action 3. Looking at some of the summary of public comments, there was general support for the council's preferred alternative, which is Preferred Alternative 3, and there was also support for maintaining commercial ACLs on a pound basis, which is Alternative 2, as well as support for Alternative 4.

Looking at the draft council rationale, Preferred Alternative 3 was selected, in accordance with the council's stated intent to revise sector allocations and ACLs to reflect the modified total ACL for dolphin, and really balance the needs of the dolphin fishery. In doing so, the council wanted to recognize the needs of the recreational sector, which would exhibit higher landings than previously estimated, due to the new accounting of recreational landings that are inclusive of the FES method.

At the same time, the council did not want to reduce the sector ACL, on a pound basis, for the commercial sector, and it was noted that Preferred Alternative 3 would strike a balance between the needs of both sectors and also increase both sector ACLs on a pound basis. Additionally, it was noted that the revised commercial sector ACL would remain relatively close to the 1.5-million-pound soft cap that was originally put in place with the initial adoption of the Dolphin Wahoo Fishery Management Plan. Here again, there is no action required. I do want to make sure that you're okay with the preferred alternative, and, if there's any comments on the draft council rationale, I certainly would welcome them.

MS. BECKWITH: Thanks. Is there anyone that would like to discuss Action 3? Seeing no hands, Mel, I suggest that we stop here, since it's 3:40. I don't think we can make it through Action 4 in five minutes. There might be a bit of discussion under Action 4.

MR. BELL: John is doing a great job of talking quickly, but I don't think he can talk that fast, and so I would agree with you. We've got those three knocked out, and so I appreciate him getting us that far.

MS. BECKWITH: Okay. I look forward to tomorrow morning then.

MR. BELL: What we'll do is we'll recess Dolphin Wahoo here, and then we will do what we need to do to shift everything over to set up for public comment, which we will start at 4:00. Thanks, everybody.

(Whereupon, the meeting recessed on June 16, 2021.)

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JUNE 17, 2021

THURSDAY MORNING SESSION

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The Dolphin Wahoo Committee of the South Atlantic Fishery Management Council reconvened via webinar on Thursday, June 17, 2021, and was called to order by Chairman Anna Beckwith.

MS. BECKWITH: Good morning, everyone. I hope that everyone has had their coffee, and I'm in a fantastic, bright mood today. It's a beautiful North Carolina day, and I've got the bird feeder right outside of my window to keep me sane, and so I'm looking forward to wrapping up Amendment 10, and I'm going to turn it over to John to get us back on the road with Action 4.

MR. HADLEY: Sounds good. Thank you, Anna. Just to kind of refresh where we left off yesterday, we made it through Actions 1 through 3, looking at the total ABC for dolphin and wahoo and sector allocations for dolphin. For Action 4, we're looking at sector allocations and sector ACLs for wahoo.

I'm going to slow down on this action just a little bit, because it sounded like there was potentially a bit of discussion on the action, and so, as a reminder, the current allocation is 96.07 of the total ACL to the recreational sector and 3.93 percent of the total ACL for wahoo to the commercial sector.

You're looking at four alternatives in total, and Alternative 4 looks at setting the allocation based on the total catch between 1994 and 2007, which is the time series that the SSC examined for the ABC. Alternative 3 looks at maintaining the commercial annual catch limit approximately at the same level on a pound basis and then allocating the remainder of the total ACL to the recreational sector. Then Preferred Alternative 2 kind of falls in between Alternative 2 and 3, where it would allocate 97 percent of the total ACL to the recreational sector and 3 percent to the commercial sector, and so that's your current preferred alternative, at the moment.

As an overview of the environmental effects, from a biological perspective, there are not major biological effects expected between Alternative 1, no action, through Preferred Alternative 4, since they do not change the total ACL, which was specified in Action 2. It is noted that the commercial sector for wahoo has an effective in-season accountability measure in place that prevents the commercial ACL from being consistently exceeded. However, without an effective accountability measure for the recreational sector, it is possible that recreational landings could have adverse biological effects on the stock in years of elevated landings.

Moving down to the tables, looking at the potential sector allocations on a percent basis and the result on a pound basis, you have Table 14 shows that, and so the different percentages followed by the resulting pounds, based on the new ACL for wahoo, and then Table 15 shows a comparison of the current commercial ACL to what would be the potential new ACL on a pound basis. Based on Preferred Alternative 2, you're looking at an approximate increase of about 16,000 pounds towards the commercial ACL, and so the current commercial ACL, on a pound basis, is approximately 70,000 pounds, and so you're looking at a little bit of a bump there, up to 86,000 or 87,000 pounds.

When examining whether or not these ACLs will be reached on a sector basis, the commercial sector ACL is not expected to be reached, regardless of the baseline used, whether you use a five-year average or a three-year average of landings or the maximum landings scenario, and it gets pretty close under the maximum landings scenario, but it doesn't quite reach it, and so there is no expected -- The commercial sector is not expected to reach its ACL.

The recreational sector is a little different. If you recall, yesterday, there was the figure that showed the recent spike in landings that was exhibited from 2015 through 2017, and so that spike in recreational landings really bumps up any sort of average that is used, based on at least the five-year average, and so, using the five-year average of landings, the recreational sector ACL is expected to be met, but really late in the year, likely later in the winter, mid to late December, essentially. For Preferred Alternative 4, you're looking at approximately December 22, and so very late in the year, of meeting the ACL.

Based on the three-year average landings, the recreational ACL is not expected to be reached, and, if you use that maximum landing scenario, so that the top of that spike from 2015 through 2017, really, if the fishery were to perform that way again, you would look at reaching the recreational ACL likely in the fall, looking at about the middle part of September.

Moving over to the economic effects, from the recreational sector perspective, Alternative 1 would maintain the current sector ACL on a percent basis, and Alternatives 2 through 4 would result in comparatively higher sector allocations for the recreational sector, and so, when you look at the potential economic effects of this action, in comparison to the no action alternative, Preferred Alternative 4 is expected to increase net economic benefits by approximately \$102,000 on an annual basis.

From the commercial perspective, you have the kind of opposite layout of alternatives, where Alternative 1 would maintain the current sector allocation, on a percent basis, of 3.93 percent. Alternatives 2 through 4 would result in comparatively lower sector allocations and sector ACLs for the commercial sector.

Looking at the expected economic effects of this, Preferred Alternative 4 would result -- Again, this is a comparison to the current allocation applied to the new ACL, but there would be a decrease in net economic benefits for the commercial sector by approximately \$25,000 on an annual basis. Looking at the net change in economic benefits, Preferred Alternative 4 is expected to increase economic benefits by approximately \$77,000 on an annual basis.

Moving down to the social effects, Alternative 1 would maintain the current sector allocation percentages and may have few social effects, as both sectors would see an increase in available poundage for each respective ACL. With Alternatives 2, 3, and 4, there would be, as noted, a decrease in the commercial percentage of the ACL compared to Alternative 1, and this could have negative social effects, if commercial fishermen have a negative perception of this change. However, it is noted that there is an increase in poundage, and this increase in poundage may result in positive social benefits associated with increased harvest under Preferred Alternative 4.

When the Dolphin Wahoo AP examined this action, they expressed support for Alternative 3, and they noted that the alternative would not encourage increased harvest of wahoo, while maintaining adequate harvest levels for both sectors, and there wasn't a great deal of public hearing comments on this action. There were some comments expressing general support for the council's preferred alternative, and there were also comments supporting maintaining the commercial ACL on a pound basis, which would be Alternative 3.

The draft council rationale, based on your discussion of this action and your preferred alternative, is it was selected in accordance with the council's stated intent to revise sector allocations and ACLs to reflect the modified total ACL for wahoo and looking at the various needs of the fishery. The council wanted to recognize that the recreational sector would exhibit higher landings than previously estimated, due to the new accounting of recreational landings that is inclusive of the FES method.

At the same time, the council did not want to reduce the sector ACL on a pound basis for the commercial sector, and Preferred Alternative 4 would strike a balance between the needs of both sectors, by increasing both sector ACLs on a pound basis, and so, as far as the committee action, there is nothing required, and certainly we can take another look at the preferred alternative, to make sure that you're still comfortable with that, and, if there's any comments on the draft council rationale, I would certainly welcome them as well.

MS. BECKWITH: Thank you, John. I was asked to have the council reconsider changing our preferred to Alternative 3. As a reminder, Alternative 3 approximately maintains the current commercial ACL, rather than giving it a bump. It was pointed out that the commercial ACL is not expected to be met under any of the alternatives, while the recreational ACL is likely to be bumped up against the quota sometime between September and December, depending on the effort scenario, as you just pointed out.

While we are not moving forward with an in-season closure, they can be subject to a shortening of the season in the following year, based on our current preferred under the accountability measure action, and we're also contemplating a bag limit or a vessel limit reduction for the recreational wahoo in Action 12, to try and avoid a shortening of that season from occurring. Based on this, I would support changing our preferred to Alternative 3, and I would open it up to the committee, to see if someone was interested in making that motion, and I see Steve and Jessica. Steve.

MR. POLAND: Thank you, Madam Chair. I think, in light of the new bag limit analysis, and the fact that our current preferred in Action 12 really doesn't reduce -- It's not projected to reduce recreational landings all that much, and the fact that the commercial sector has maybe reached their ACL for wahoo since they increased to the current 70,542 pounds, I would be in support in changing our alternative to Alternative 3, and I'm ready to make that motion.

MS. BECKWITH: Go ahead.

MR. POLAND: **I move that we de-select Preferred Alternative 4 and select Alternative 3 as our preferred alternative.**

MS. BECKWITH: Jessica, is that a second?

MS. MCCAWLEY: It is, and, if you would like a little bit more discussion, I can add to it.

MS. BECKWITH: Yes, please.

MS. MCCAWLEY: I agree with everything that you and Steve said. You all brought up pretty much the same points that I was going to bring up, the fact that we have this new analysis that indicates what we were looking at doesn't really keep us from probably hitting the recreational ACL, like we thought it would, and so there would be an early closure. Alternative 3, the AP discussed it, and it's their preferred, and I think it's their preferred partly because it's really holding commercial harmless, and so they would remain the same, and then allocating the remaining over to the recreational side, and so, especially in light of the new analysis on the later action on wahoo, I really think that this is the way to go.

MS. BECKWITH: Thank you. I see Tim up next. Go ahead.

MR. GRINER: Thank you, Mr. Chair. I kind of hear where you're coming from, but I would have to vote against this. I don't think that 16,000 pounds is going to make or break the recreational sector, and, when you talk about accountability measures, the commercial has accountability measures, and we have in-season accountability measures, and I think, if the recreational were to go over by a mere 16,000 pounds, then the Regional Administrator has the ability to not shorten the season the following year as well, and so there is some leeway there, and it doesn't automatically mean that your season is going to be shortened the following year.

The second part of it, the part that really gives me a little bit of heartburn here, is that you're totally discounting the fact that there's more fish out there and that, if the commercial sector had not been constrained all these years, and the true assessments had taken into account all these extra fish, from way back when, then the commercial quota would be larger to begin with, and I just -- I don't like this idea of starting going down this road where we're making a statement that MRIP has changed and so that recreational gets all fish.

I don't think that's fair, and I don't think that's an accurate depiction of what's going on, or what did go on, but, going back to the accountability measures, I really can't see where one or two days in December is going to make a big difference one way or the other, and so I don't really see anything different than when we talked about this the last time, and so I would vote to stay with Alternative 4 as our preferred. Thank you.

MS. BECKWITH: Okay. Thanks, Tim. Tony.

MR. DILERNIA: Thank you, Madam Chairwoman. I'm a little embarrassed, and I've been sitting at your table long enough that you would think I would know the answer to these questions, but I

have a couple of questions. The first question is your percentage allocations -- They are not frameworkable, and you have to pass an amendment every time you change the percentage allocations, and is that correct?

MS. BECKWITH: Yes.

MR. DILERNIA: Okay. Secondly, do you folks -- I don't see -- In the Mid, we often put the words "bidirectional transfers", and that's one of the tools that we like to include in our amendments, and is there a bidirectional transfer included in this amendment? Actually, the answer, I think, is no, because you have to pass an amendment every time you change the allocation, and so I am correct in assuming there is no use, or no ability to use, a bidirectional transfer in this fishery?

MS. BECKWITH: We have discussed it in this fishery and others, and, because of the MRIP waves, and sort of way we would get the information and the timing of it, it has never been seen as a viable option for us down here.

MR. DILERNIA: Okay. All right. I don't have anything further, and I just had those two questions. All right. Thank you very much, Madam Chairwoman.

MS. BECKWITH: Thanks, Tony. Andy.

MR. STRELCHECK: Good morning. Apologies if I didn't hear it, but I'm interested in just learning a little bit more about the AP recommendation, and was it consensus-based, or was it a close vote between recreational and commercial AP members? What were the positions, obviously, with regard to the recommendation?

MS. BECKWITH: John, can you touch on that?

MR. HADLEY: Yes, absolutely. If I recall correctly, the AP recommendation was consensus, and I don't recall a great deal of discussion that was not in support of the AP recommendation. I will note, at that meeting, I believe it was largely -- I mean, the AP makeup for dolphin and wahoo has a lot of recreational representation on it, and I believe it was largely recreational representation at that meeting.

There are several AP members that participate in both the commercial and recreational fishery, but, if you had to characterize it, I would say it was largely recreational representation, but I don't recall a great deal of dissention towards the AP recommendation, but it was a consensus recommendation.

MS. BECKWITH: Andy, did you have a follow-up?

MR. STRELCHECK: No, I don't. Thank you.

MS. BECKWITH: Okay. Dewey.

MR. HEMILRIGHT: Thank you. The AP is made up, or attendance was large recreational, and so I would not be in favor of this. I think it should just be left alone, and I think, also, that there is

also a way to gauge what's going to happen, given that the charter boats, I believe, have to report their catch -- Is it every week, or is it every month?

MS. BECKWITH: It's every week.

MR. HEMILRIGHT: Every week, and so you can get a gauge of what's going to happen throughout the year, I would think, by the charter boats, but, given MRIP's wild uncertainty as best available science that the council is embracing, that might not be possible. Thank you.

MS. BECKWITH: Thanks, Dewey. Art.

MR. SAPP: I am with Tim on this one, and Dewey. As it turns out, I can't support this one, either. Taking away from the commercial sector in any way feels wrong, especially on a species that is - - It's an open-water species, and it's not just up on the edge like the kings, and to claim that we have any idea of how many of these things are out there, it just seems ludicrous to me, and then to potentially devastate people's livelihoods for a portion of the year, by shutting a season down, recreationally or commercially, on what is not good science -- Again, it gives me heartburn, as the term has been used.

MS. BECKWITH: So, Art, just to be clear, this Alternative 3 does not take anything away from the commercial. What we're suggesting is going to 3 from 4, and 4 gives them a bump, and 3 holds them steady, and I'm not sure what your other point was, but I just wanted to make sure that that point was clear, that we're not taking anything away from -- The commercial are not expected to close, while the recreational season is expected to be shorted. Okay. I'm going to go to Kerry.

MS. MARHEFKA: Thanks, Anna. I just want to make sure that I'm being clear. On Table 16, or maybe it's 17, but on page 21, the table on top of page 21, we're talking about extending the recreational season two days, whether it's in September with the max landings or in December with the average landings, for a permanent reduction -- The lowest permanent reduction we can make in the commercial allocation for two days of fishing, and I just want to make sure I'm clear on that.

MS. BECKWITH: Yes, and that is really based on the sort of projections, which are not always 100 percent accurate, but one of the other points that was made is this is really sort of a half percent, and, in Action 12, when we're discussing vessel limit changes, or bag limit changes, we're really talking about a 2 percent reduction in harvest, and so I think the point that some of the charter guys pointed out to me was you guys are asking us to potentially go down to a one per person, or a vessel limit, and the savings is going to be 2 percent, but you're giving, potentially, a bump of a half a percent to the commercial quota, and so I think what really sort of jazzed the guys was how little the bag limit and the vessel limit reductions was going to be. We were asking them to make a change, but giving a bump to the commercial.

It all sort of mixes together, and it doesn't seem like a lot, but, based on MRIP and these wild swings, and maybe those 16,000 pounds is the difference between one intercept or two intercepts, showing a potential need for a closure, and so take it for what you will, but, yes, based on the table, that is an accurate assessment, and those are projections, and we find those are guidance, but not always accurate in the real world. Tim.

MR. GRINER: Thank you, Madam Chair. Just to clarify a couple of things here, and, as Art was saying, this is a reduction to the commercial. If you go from Preferred Alternative 4 and pick Alternative 3 as the preferred, it is a reduction. It's a reduction of 16,000 pounds, and so it absolutely is a reduction. It's a reduction any way you look at it.

If you left the allocation numbers just like they are to begin with, then it would be a much bigger portion going to the commercial, and so anything less than that is a reduction to the commercial, and, again, I want to go back to -- You start talking about the numbers, and 16,000 pounds is 0.0006 of the total recreational quota, and, regardless of the bag limit, if the fishery does not shut down until the end of December, and it reaches its quota because of a 16,000-pound difference, I cannot see the Regional Administrator imposing any restrictions the following year, and it just wouldn't make any sense for a species that is not overfished and not experiencing overfishing and doesn't have a stock assessment.

As Art pointed out, we really don't know how many of these animals are in the water, and I think we're -- I think it sounds like we're trying to do something feel-good for the charter guys that really and truly is not going to have any effect on them whatsoever, at the end of the day. Thank you.

MS. BECKWITH: That's fine, and it sounds like we can start wrapping this discussion up. I'm going to take everybody through Chris, and then we'll just take it to a vote, because I think folks have their minds pretty well made up. Mel, go ahead.

MR. BELL: One thing I'm trying to do is -- We're talking about an allocation here, but we're, obviously -- Over a number of species, we're going to be talking about allocations and reallocations, and so is it Table 15 on page 20 -- That's the commercial, and so, if I'm reading this right, no action, which is where we are now, that's the 113,392, and 4 takes us to 86,559, which is still less than -- It seems like our approach has been to try to move through this reallocation process where we know we've had to adjust percentages, but -- Because, if we don't adjust percentages under the new MRIP numbers, then that becomes a reallocation. It seems like our attempt has been to try to hold the actual real commercial landings as close to current as possible, and so 3 takes you a little farther away from that, if I'm reading it -- With 4, we would be at --

MS. BECKWITH: No, Mel. Alternative 1 would be reallocating based on the current percentages, without the --

MR. BELL: Okay, and so what are the current commercial landings then?

MS. BECKWITH: Alternative 3.

MR. BELL: That's the closest to the pattern we've been following?

MS. BECKWITH: Correct.

MR. BELL: Okay. All right. That's what I just needed to make certain, because that would be -- Consistency in our approach in all of these allocations, with reallocations, would be wise, I think, maintaining a consistent approach.

MS. BECKWITH: Okay. I'm going to go to Dewey and Chris.

MR. HEMILRIGHT: I thought the consistent approach, with these reallocations and with the new MRIP numbers, was to give a tad of a bump, compared with the mahi and then the same here, and so I would --

MS. BECKWITH: Yes, and we did that with mahi in the previous one, is we gave a bump, and that was the original discussion, is keeping -- Making sure that the commercial quota was not reduced, and, at least in mahi, we gave a bump. Here, the current preferred is to provide a bump to the current commercial landings, and so Alternative 3 would keep it at the closest to the current landings. Alternative 4 is providing a bump.

In mahi, we kept Preferred Alternative 4 and provided a bump to the commercial. Here, we're having a discussion, but dolphin and wahoo are sort of the first ones that we're doing this reallocation process to, and so I'm not sure that we have a direction yet, and I think that direction is still creating itself, but I'm got Chris and Jessica and Tim, and please stop it, because I think everyone has made their decision. Chris. We can't hear you, buddy. We'll go to Jessica while Chris gets unmuted.

MS. MCCAWLEY: Thank you, Anna. I just wanted to speak to what Mel said, and I guess I would caution us using the words "consistent approach". The reason I would caution us from using those words is what we're really doing, in all of these allocation discussions, is we're bringing in the new FES, and not for dolphin and wahoo, because we don't have a stock assessment, but, in those stock assessments, we're looking at other factors that might cause us to reallocate to commercial or recreational, and I don't necessarily think that, in every single case, the council, for every species, is going to take, and I am using air quotes that you guys can't see, but the same approach.

I just felt uncomfortable hearing those words, because I don't know that that's accurate, and I really think that we are taking a hard look at these, as we should, on a case-by-case basis, now that the FES numbers are brought in, and we're really looking at -- Once we bring the numbers in, what does that do, and is the season shortened for commercial or recreational, and, also, I think that the commercial folks have brought up a good point that the commercial landings have been constrained, because of the way that they report, et cetera.

I just felt very uncomfortable with that discussion about a consistent approach, because I don't know that, each time, the council is going to choose the same type of decision and make the same decision each time. To me, it's species specific, and so I just wanted to get that in there, and I apologize, but I didn't feel comfortable with that discussion.

MS. BECKWITH: Jessica, I couldn't agree with you more. I think a one-size-fits-all, in general, doesn't always make a lot of sense, and so Chris.

MR. CONKLIN: I'm kind of with Tim on this. I mean, just for the record, I don't believe these FES numbers, and, if you're going to rewrite history on one side of the fishery, somebody has got to do it on the other. I'm not going to sit here and argue over two days or whatever with you guys, and I'm certainly not going to fret over it, and I know we've got a job to do, but, until somebody looks at the commercial side and what they could have caught, or would have caught, and maybe,

in wahoo, it's not the case, but, until a federal judge looks at this, I'm going to take the same stand every time, and I just don't think it's fair, and I don't think it's right.

The commercial guys could have caught more fish in both scenarios, while they're sitting there maintaining the federal law, and the recreational were allowed to overfish, in a lot of scenarios, and this is setting a bad precedent. Somebody is going to come up and challenge this, and probably a large group of people, and I just want to say that I'm not going to side with anybody until somebody makes a decision on this, because I don't believe it, and I don't think it's fair. Thank you.

MS. BECKWITH: Okay. Sounds good. I'm going to go to Tim and Steve, and then I'm going to cut it off, and we're going to take a vote. Tim.

MR. GRINER: Thank you, Madam Chair, and I will be quick. I just wanted to echo what Jessica said. I definitely don't want the thought going around that this is standard operating procedure for a reallocation, is just to keep the commercial where it is. I did not like that wording whatsoever, but Jessica pretty much summed it up. Thank you.

MS. BECKWITH: Excellent. Steve.

MR. POLAND: Thank you, Madam Chair. I just wanted to agree with what Jessica was saying, and I don't want to move forward under the guise of just being consistent across-the-board, because, as a council member, and as a fishery manager, I don't want to give up that discretion and flexibility to look at all of our fisheries on a case-by-case basis, and I wanted to comment to Tim's comments earlier about giving more to the commercial sector because the new MRIP numbers showed that the stock was more productive than we originally thought.

With that, I do agree, and especially for our assessed species. Once we get start getting more and more assessments with the new FES numbers, if there is the support to show that, yes, there was more productivity in the stock than we originally thought, then I'm comfortable having those discussions about allocating more to the commercial sector, especially in those fisheries where the commercial fishery had been constrained in the past, due to closures, but this fishery is not one of those.

There's been one closure in the commercial sector for wahoo, and that was back in 2012, and that was under a lower ACL than the current ACL, and that closure date was not until December 19, and so I don't think this is one of those fisheries where the commercial sector was really constrained, by any means, and they weren't benefitting from this new understanding of increased productivity, because, again, we don't have a stock assessment for this species, and so, with that, I conclude my comments.

MS. BECKWITH: Tony, you don't listen to me. Go ahead.

MR. DILERNIA: Thank you. I just wanted to explain. I'm going to be abstaining on this, and the reason I am is I don't see the two days as being that much of a benefit to the for-hire fleet, and I think that it -- What it will do, passing this, is it will just be divisive, and I think it sends the wrong message, but I'm not going to mess with your decision-making here, and so I'm going to abstain on this vote, but I don't --

MS. BECKWITH: Thank you, Tony. We did our job, and we had the discussion on the record, and it is what it is, however the vote comes out. John, can you take us to a vote, because I think it's going to be a bit divided.

MR. HADLEY: Absolutely. I'm going to run down the list of committee members that are present, and I will call your name, and if you could give a yes or a no to the motion at hand. I'm going to start off with Art.

MR. SAPP: No.

MR. HADLEY: All right. Chester.

MR. BREWER: Yes.

MR. HADLEY: Chris.

MR. CONKLIN: No.

MR. HADLEY: Tim.

MR. GRINER: No.

MR. HADLEY: Steve.

MR. POLAND: Yes.

MR. HADLEY: Spud.

MR. WOODWARD: Yes.

MR. HADLEY: All right. Carolyn.

DR. BELCHER: Yes.

MR. HADLEY: Mel.

MR. BELL: Yes.

MR. HADLEY: Kyle.

DR. CHRISTIANSEN: No.

MR. HADLEY: Andy.

MR. STRELCHECK: Abstain.

MR. HADLEY: Jessica.

MS. MCCAWLEY: Yes.

MR. HADLEY: Kerry.

MS. MARHEFKA: No.

MR. HADLEY: Lieutenant Copeland.

LT. COPELAND: Abstain.

MR. HADLEY: Tony.

MR. DILERNIA: Abstain.

MR. HADLEY: Dewey.

MR. HEMILRIGHT: No.

MR. HADLEY: Is Rick Bellavance on today? I don't think so. I don't think Rick is in attendance, and neither is Bob Beal, and so those are the two that would not be voting. Anna.

MS. BECKWITH: Yes.

MR. HADLEY: Okay. **The motion passes. There are seven yes, six no, and three abstentions.**

MS. BECKWITH: Okay. I see Chris and Jessica have their hands up, and so, Chris, did you have something that you still wanted to say?

MR. CONKLIN: Thanks. You know, another thing I've got that gives me heartburn with doing this kind of thing with a commercial fishery that has open-access permits is anybody who is recreational and closes down can just get their commercial permit for twenty-five dollars and become a commercial fisherman and keep on fishing, if that was supposedly the scenario, or it's just -- It's difficult for me to draw the line anywhere when you have open access permits in a fishery. I think it's a problem, and it's something we need to address as well. Thank you.

MS. BECKWITH: Noted. Jessica.

MS. MCCAWLEY: I didn't mean to put my hand up. I was struggling to unmute.

MS. BECKWITH: Okay. All right. Sounds good. I think we are ready for the next action then.

MR. HADLEY: All right. We'll move down to Action 5, and so we're jumping into the accountability measure actions. As you may recall, the kind of general format for this is to look at the trigger for the accountability measure and then specify what the accountability measure will exactly be. As a refresher, the current accountability measure for dolphin -- As part of the trigger, it includes that the species must be deemed overfished, and that's one of the main issues that is trying to be addressed through Action 5. Since there is no stock assessment, it's unlikely to become

overfished, or deemed overfished, and so we're looking to really address that language in the accountability measure.

One thing I will point out -- I'm not going to go over each one of the alternatives in detail, and I do want to remind you that, as part of this action for the trigger for dolphin, as well as wahoo, there is the alternative that would use the either three-year geometric mean or three-year arithmetic mean as a trigger for the accountability measure. The SSC did discuss this, which I will get into in just a minute, but the council's preferred alternative for dolphin is currently Alternative 5, which would implement the post-season accountability measure in the following fishing year if the total annual catch limit is exceeded, and so the total annual catch limit is the commercial plus the recreational annual catch limit combined. That's the preferred trigger for the recreational accountability measure for dolphin.

There is a summary table here, if you're interested. I don't want to take up too much time going over each alternative, since you have selected a preferred, but, looking at the -- You saw this figure last time, and this was in the discussion of the triggers for the AMs and using various means, whether it's a point estimate, an arithmetic mean, or a geometric mean, and the blue line, I just wanted to clarify, is the landings table, or is the recreational landings over time, and the yellow line is what will be the new ACL for the recreational sector, and you can see, in most years, there's a pretty good buffer there, with the exception of 2015, where you did see a spike in landings.

Looking at whether or not the AM would have been triggered under the Preferred Alternative 5, based on landings from 2010 through 2019, it would have only been triggered one year, and that would have been in 2015, where, there again, there was that spike in landings.

Looking at the summary of the environmental effects from our biological perspective, Alternative 1 is deemed not a viable alternative, because the recreational AM is unlikely to be triggered, since there is no stock assessment for dolphin, and there is that, as I have pointed out, that measure that the species must be deemed overfished before the AM would be triggered, and so the biological benefits would be expected to be greater under Alternative 2 and its sub-alternatives, Alternative 2 through Alternative 6.

The biological benefits would be greater for the alternatives that provide the most timely trigger for the post-season AM, and the corrective measures would only occur the following year or years after the recreational ACL is exceeded. Under this notion, positive biological benefits would be greater under Alternative 6, followed by Preferred Alternative 5, Alternative 4, Alternative 3, and then Alternative 2 and its sub-alternatives.

From the economic perspective, the trigger for the AM does not directly affect the actions taken under the AM, but it does affect whether corrective measures are put in place, and so, thus, the economic effects of the trigger for the AM are indirect rather than direct. In terms of foregone potential short-term negative economic effects that would take place from the AM being triggered, Alternative 1 would have the lowest potential economic effects, followed by Sub-Alternative 2a, 2b, Alternative 3, Preferred Alternative 5, Alternative 4, and Alternative 6.

Moving over to the social effects, again, the trigger itself should not have any negative social effects, but it could impose negative social effects indirectly if the trigger initiates management actions. It's noted that more conservative triggers, such as Preferred Alternative 5 and Alternative

5, could impose negative short-term social effects if the AMs are triggered due to volatile landings in a single year. Alternatively, if management action is necessary, these conservative triggers may ensure that harvest remains sustainable, safeguarding long-term social benefits.

From an administrative perspective, how straightforward the accountability measures, or the trigger for the accountability measures are, it really does have some administrative effects. Alternative 1 would be least burdensome, since it's unlikely to be triggered, but it's not viable. Alternatives 2 through 6 are viable, and the administrative effects would be greater under Alternative 2 and its sub-alternatives, followed by Alternative 3, 4, Preferred Alternative 5, and Alternative 6, Alternative 5 and 6 being fairly straightforward, in as far as whether or not they are triggered in monitoring.

Looking at the advisory panel recommendations, the AP did not have any direct recommendations on this action, but they did recommend choosing -- They noted that multiyear triggers that take into account variability in landings are preferred, and the SSC -- I have the SSC report pulled up, and we can certainly go over to it, if need be, but, in summary, the SSC discussed the use of geometric mean as a trigger for recreational AMs for both dolphin and wahoo and presented much of the similar information as you were presented at your March meeting, and there was certainly a rigorous discussion that focused on the properties of geometric mean in relation to point estimates and the arithmetic mean, and there was really no direct recommendation, as far as use geometric mean or do not use geometric mean.

The SSC really discussed kind of the strengths and benefits of the different triggers. In the end, it was noted that the use of geometric mean to trigger the AM could be a beneficial tool, but there were also some concerns noted for the use of geometric mean and considerations for potentially improving its future application, if the council were to consider this again in different amendments. Overall, there was less concern for highly-productive, low-vulnerability stocks, such as dolphin or wahoo, and so that's kind of a summary of the SSC discussion on the topic.

There weren't a great deal of public hearing comments on this action. There was some general support for the council's Preferred Alternative 5, and, looking at the draft council rationale, based on the discussion of this action, the council had selected Preferred Alternative 5, noting that the alternative allows the recreational sector to slightly exceed its sector ACL without triggering the AM, as long as the commercial sector is underharvesting its sector ACL.

The trigger would help ensure sustainable harvest, by preventing the total ACL from being exceeded on a consistent basis through the AM, and it also implements an adequate AM trigger and addresses the deficiency with the current AM trigger that requires dolphin to be deemed overfished before the AM would go into place, and so you're addressed that noted issue and deficiency in the accountability measure for dolphin. As far as committee action, nothing is required. You can certainly go back and confirm the preferred alternative, and, if there's any additional comment on the draft council rationale, and I will turn it over.

MS. BECKWITH: Okay. Thanks. Is there any desire to discuss this action further, or are we comfortable with our preferred? Chester, go ahead.

MR. BREWER: Thank you, Anna. I have got a little bit of heartburn with regard to our preferred, just because I am not a proponent of mixing commercial and recreational quotas, and I've spoken

before about quota creep, which I am not in favor of, and it was always though when it looked like it was going to be quota creeping from recreational over to commercial. This time, it's kind of the opposite.

I think that the AP is right that we go to a three-year running average, whether that's geometric mean or whatever, but I think that might be a better alternative to ensure that we don't have like a 2015, where you've got this huge spike in one year and then you've got lower harvest on both sides of that year, and so I would -- I will bow to the preference of the council, but I really kind of like going to the three-year average, and I will be quiet.

MS. BECKWITH: Does anyone else have any thoughts to share? I am not seeing any hands, and so I think the majority of the committee feels comfortable with the current preferred. Unless there's something else, I would suggest that we move on, and, if there's any desire to re-discuss this, we'll have another opportunity at Full Council. Okay. All right, John. Go ahead.

MR. HADLEY: Okay, and so Action 5 covered the trigger, and Action 6 will be covering the specification of the post-season recreational accountability measure itself. I'm going to jump down to a summary table, because I think this helps with comparing the alternatives in general, but, under Alternative 1, there is a reduction of the sector ACL by the ACL overage and a reduction of the fishing season accordingly, to ensure that the reduced sector ACL is not exceeded, and so, essentially, there's a payback provision within the recreational AM for dolphin. Preferred Alternative 2 would reduce the fishing season, to prevent the sector ACL from being exceeded, and so that's the council's current preferred alternative.

Looking at the summary of environmental effects, the biological effects, it's noted that Alternative 1 is not a viable alternative, because of the issue with the trigger, and that dolphin must be deemed overfished before the AM would be put in place, and Preferred Alternative 2 through 5 would be expected to have greater positive biological effects than the Alternative 1 current AM.

Since there is no in-season AM being considered, it's imperative that a functional and effective post-season accountability measure is selected to prevent possible adverse biological effects if the recreational ACL is exceeded. Under Preferred Alternative 2, the length of the following recreational fishing season would be reduced. This is one of the most effective ways to ensure that the recreational ACL is not exceeded.

I wanted to take just a second, and I'm going to present a figure in just a minute, and it's not necessarily germane to dolphin, per se, but I did want to address it, since it's not the council's preferred alternative anymore, and you're looking at a reduced season, rather than potentially changing the bag limits, but it was an issue that came up at the last meeting. As you may recall, there was the figure that showed what would be potentially landings above the bag limit, and this was a draft figure, and it was noted during that discussion, and I did want to just address this, really quick, on the record, because it does also come into play for wahoo as well.

In a nutshell, those comments were definitely taken by the IPT, and the analyses were re-run, and, essentially, there's a much lower -- It shows a much lower distribution of dolphin and wahoo on a per-person basis, and the previous figure for dolphin showed -- I believe it's in the range of 15 to 20 percent above the bag limit, and that's now been lowered to approximately 3 percent. It's noted in this decision document, as well as the amendment itself, that this does not necessarily represent

illegal harvest, but is rather more an artifact of analyzing MRIP data. With the records of the number of anglers of a trip, it does not record captain and crew, and so that could very much explain some of that. When you examine the MRIP data directly, the harvest above -- On a per-person basis, above the bag limits, that isn't necessarily what's occurring on the ground, since captain and crew retain a bag limit of dolphin, provided that the vessel limit is not exceeded.

A limited number of trips may appear to have exceeded the bag limit, when analyzed for their number of anglers present, but, in reality, the captain and crew may not have been accounted for for the intercept data, and so I wanted to just take a second, and I'm going to scroll down to the figure and to note this, that that has been revised, and I will note that all of the bag limit and vessel limit analyses were revised, and we double-checked the numbers and re-ran the analyses, and, really, there's not a notable change for any of the vessel limit figures that were presented.

However, the estimated -- Since you have a lower distribution on the harvest per person for both dolphin and wahoo, there is a lower reduction from lowering the bag limit, which, there again, is not necessarily germane to dolphin, but we'll come around to it in Action 12, where you will see -- I will point out that there's very much a very different estimated reduction from going to a lower bag limit for wahoo, and so I just wanted to take a second to note that, since it was an issue that came up at the March meeting, and it has since been addressed and revised. I see Steve's hand going up.

MS. BECKWITH: Go ahead, Steve.

MR. POLAND: Thank you for that, John. I just wanted to express our appreciation for the IPT and the agency reevaluating that analysis, and our director sent a letter to the agency, expressing his concerns over the analysis and how it was presented at the March meeting, and I'm glad to see that the agency went back and redid the analysis and has corrected the record, and so thank you.

MS. BECKWITH: Okay. Thank you. Art, go ahead.

MR. SAPP: I just want to make it clear that, to the fishermen who saw this and said, well, what you're telling me is there was a number that came out that people weren't confident in, and didn't appreciate, and so they just went back and changed some stuff, and now it's a whole new number, and, to a fisherman, and to a layman, that just looks like you're messing with numbers and there is no real science to it, but that's it. Thank you.

MS. BECKWITH: Andy.

MR. STRELCHECK: Steve, thanks for the comments, and certainly it's not an ideal situation to present numbers to the council and have to retract them and revise them, and I think it speaks to some of the challenges we face at times just getting data before the council, but, just for the council's benefit, and kind of in response to Art's comment, as you all know, MRIP and MRFSS, its predecessor, has gone through a number of iterations, and we worked with our science and technology team that works on that survey design, and we had found a flaw in the bag limit analysis that we were conducting, and it was just a statistical flaw that needed to be corrected, and, as a result, the numbers are different, and the data and the information now coming out of the models is accurate and correct, and so I'm glad that that was discovered, and apologies to the council for,

obviously, some of the confusion that it created, but, going forward, we should have consistent methodology that's accurate. Thanks.

MS. BECKWITH: Thank you. Is there any other comments? I am not seeing any hands, and so, John.

MR. HADLEY: All right, and so we'll move on to the economic effects. Looking at the economic effects, in years when the recreational AM is not triggered, there really are no economic effects, since the recreational ACL for dolphin is not anticipated to be reached, at least based on the most recent five-year average recreational landings. There are no anticipated realized economic effects, at least in the near term, from any of the alternatives in Action 6.

In terms of potential short-term negative economic effects to the recreational sector, essentially from the recreational AM going into place, Alternative 5 would have the lowest potential negative economic effects, followed by Alternative 4, 3, Preferred Alternative 2, and Alternative 1, no action.

From a social perspective, looking at the social effects, overall longer seasons would result in increased fishing opportunities for the recreational sector and increased revenue opportunities for the for-hire sector. Reducing the fishing season, under either Preferred Alternative 2 or Alternative 5, is anticipated to result in direct negative social effects associated with a loss of access to the resource.

Alternative 5 includes close monitoring of the fishery, and so there may be some social benefits if management is able to respond in a timely manner to keep the season open. The timing and importance of different species can vary considerably by state. The social effects would really depend on the likelihood of harvest being open during the times in the year when dolphin are available to access or profitable to target.

Moving over to the administrative effects, Alternative 1 would be the least administratively burdensome, compared to Preferred Alternative 2 through Alternative 5, and some of these burdens include data monitoring, rulemaking, outreach, and enforcement, and they could really be similar between Preferred Alternative 2 through 4. They would likely be most burdensome under Alternative 5.

Looking at some of the advisory panel recommendations, the Dolphin Wahoo Advisory Panel discussed this action, and they noted that a vessel limit reduction would be slightly preferable, compared to other alternatives being considered, especially a closed season. If vessel limits are reduced, try to maintain limits that are viable for the for-hire component of the fishery. The Law Enforcement AP also discussed this action, and they noted that in-season adjustments are generally less desirable than regulation changes that are set for the beginning of a fishing season, or fishing year, from an enforcement standpoint. The in-season measures are certainly enforceable, but there is a lag time to educate fishermen, and communication is important to get the notice of a regulatory change to stakeholders in a timely manner, and this includes law enforcement personnel.

There were not many public hearing comments received on this action, and there was some support for Alternative 5, which was the council's preferred alternative at the time, with the reduced vessel limit, and, looking at the draft rationale for choosing this alternative, in discussing this action, the

council members noted that there appears to be a low likelihood of the AM being triggered, as the ACL is based on the ABC, which is set at a relatively high level of landings that is not often observed in the fishery.

Specifying an AM that would shorten the recreational fishing season is less administratively burdensome, and it's relatively simple to implement and communicate, should any change in the season be necessary. Additionally, there's the stipulation within Preferred Alternative 2 that the season would not be reduced if the Regional Administrator determines, using the best available science, that it is not necessary.

This specification would allow for the monitoring of landings the following season and really be able to evaluate whether those landings from the previous year are going to continue to persist in the fishery, and that could help inform the decision on whether or not the AM would need to occur. As far as the committee action, there is none required, and we can certainly go back and look at the preferred alternative, or other alternatives, and I certainly welcome any comments on the draft council rationale.

MS. BECKWITH: Okay. Does anyone have anything to add? Okay. I am not seeing anyone, and so it sounds like we might be ready to move on to Action 7.

MR. HADLEY: Okay, and so we're going to switch gears over to wahoo now, and we're going to first look at the trigger for the AM and then look at what the AM will actually be. Currently, as a reminder, as far as the trigger for the accountability measure, you do have that same issue, where the AM is not triggered unless the species is deemed overfished. Much like dolphin, wahoo do not have a stock assessment, and it is relatively unlikely that the species would be deemed overfished without a stock assessment, and so it is relatively unlikely that the AM would be triggered.

The council's preferred alternative is Alternative 2, which would implement the -- It essentially would implement the post-season recreational accountability measure, and so essentially set the trigger based on a three-year geometric mean, in comparison to the ACL, and so that's the council's preferred alternative, and there also is a sub-alternative that would use the arithmetic mean instead of the geometric mean. I can certainly go into the other alternatives, but I just wanted to note -- We can certainly discuss those, but, for time's sake, I will just stick with the preferred alternative, noting that it is the three-year geometric mean of recreational landings in comparison to the sector ACL.

This is a similar figure, and you saw this at your March meeting, when we discussed the use of geometric mean for both dolphin and wahoo. The blue lines -- Something to note is the recreational landings -- It shows the recreational landings from 2010 through 2019. As noted, there was a general spike in landings from 2015, 2016, and 2017, and landings have since gone down to what is kind of a normal range, typically in the one-to-two-million-pound range, which you see largely throughout the time series.

Looking at whether or not the various alternatives would have triggered the accountability measure, outside of Alternative 1, all of the alternatives being considered would have been triggered, due to that spike in landings, that three-year spike in landings, and it is noted that Sub-Alternative 2b would have triggered the AM in only two years, while all the other sub-alternatives

would have been triggered in three years. However, those years would have been different, depending on the alternative being examined.

Looking at the summary of environmental effects, Alternative 1, as noted, is not a viable alternative, since there is no stock assessment. Therefore, it is unlikely that the stock status would change for wahoo, and so there would be biological benefits expected from Preferred Alternative 2 through Alternative 6, and, really, biological benefits would be greater under alternatives that provide a timely post-season accountability measure, and, under this notion, positive biological effects would be greater under Alternative 6, followed by Alternative 5, 4, 3, Preferred Alternative 2, Sub-Alternative 2a, and Preferred Sub-Alternative 2b.

Looking at the economic effects, in terms of the potential short-term negative economic effects to the recreational sector from the AM being triggered, Alternative 1 would have the lowest potential negative economic effects, followed by Preferred Sub-Alternative 2b, Sub-Alternative 2, Alternative 3, Alternative 5, Alternative 4, and Alternative 6.

From a social perspective, it's noted that the less-conservative triggers, such as the Sub-Alternative 2a and Preferred Sub-Alternative 2b, could be beneficial if landings in one or more years were artificially high or low, due to anomalies in harvesting behavior or stock status. Alternatively, less-conservative triggers may indirectly result in negative long-term social effects, if they delay any necessary management action.

From an administrative perspective, Preferred Alternative 2 and Preferred Sub-Alternative 2b, in particular, would be slightly more administratively burdensome than the different alternatives, since there is a multiyear running average, and a little bit more monitoring that would go along with that alternative.

The Dolphin Wahoo Advisory Panel discussed this action and, again, did not choose a single alternative, but noted that multiyear triggers that take into account variability in landings are preferred, and I noted the SSC discussion of geometric mean that I discussed for dolphin would apply to this as well, as far as the general summary.

Then, as far as the summary of public hearing comments, there were some comments that expressed support for the council's preferred alternative, and so Sub-Alternative 2b, and, as far as draft rationale, Sub-Alternative 2b would potentially prevent the recreational AM from being triggered due to the ACL being exceeded in a single year, but it would be triggered if the ACL was exceeded on a consistent basis. It was noted that using a three-year geometric mean helps smooth volatile landings data to potentially avoid implementing a restrictive accountability measure unnecessarily if there were an anomaly in landings.

In discussion of this alternative, it was noted that geometric mean is less sensitive to being affected by abnormally large spikes in landings than the arithmetic mean or using a single-year point estimate, and, given the extreme variability, particularly in recent years, for wahoo landings, the use of a three-year geometric mean was determined to be appropriate for setting the AM trigger. As far as committee action, nothing is required, and we can certainly discuss the action and the draft council rationale.

MS. BECKWITH: Okay. Thank you, John. Is there any desire to discuss this action further? I see Andy.

MR. STRELCHECK: Thanks, Anna. Just a similar comment that I made at the last meeting, and this, to me, seems to be in contrast, obviously, to dolphin, in that wahoo has, at least based on historical landings data, a higher likelihood of exceeding the catch limit than, for example, dolphin, but yet we're selecting a much less conservative accountability measure.

In terms of, obviously, the accountability measure, we can't take in-season action if there's an overage that appears to be occurring, and then, with a geometric mean approach, you potentially delay kind of that action for another year, in order to respond to any sort of overage, and so I certainly would prefer the council to go in a different direction, but I would like to hear further discussion, obviously, from other council members before making any recommended motion.

MS. BECKWITH: Jessica.

MS. MCCAWLEY: I am going to try to respond to what Andy was saying. I thought that we chose something different for wahoo here on purpose, and I think that the geometric mean maybe helps smooth landings, especially if you have a big spike in one year, because this geometric mean is less sensitive to being affected by these really abnormally large spikes, which it seemed like there might be some, especially once we converted to FES, and so they might not be real, because of the MRIP sampling, and it just might be an anomaly in the data, and so I thought that the geometric mean was helping to smooth that and really smooth out that extreme variability in the landings.

To me, I thought we were doing this on wahoo and not dolphin partly because dolphin and it being a pulse fishery, and landings aren't exactly the same as how they are coming in for wahoo, and I think that, the way that this is listed here for wahoo, the geometric mean approach, then that might prevent the recreational AM from being triggered as often, I guess, which seems pretty good here, since these spikes in these landings might not be real and that they would be smoothed out more.

MS. BECKWITH: Thanks, Jessica, and we did have a similar discussion, in a fair bit of detail, during our last meeting, and some of these points were previously brought up, and I didn't know if anyone else had anything to add to Jessica's points. Andy.

MR. STRELCHECK: Thanks, and, Jessica, you're correct. I mean, certainly, that's the rationale for why you would want to use a geometric mean approach. As I mentioned in the previous meeting, if you look at the kind of history of wahoo landings, which obviously aren't a predictor of what future landings look like, you don't necessarily see that spike that you talked about and kind of the justification for using a geometric mean, and you see a ramp-up of landings from 2013 to 2016, as well as then a precipitous fall-off of landings in the following two years, and so there doesn't seem to be those kind of peaks and valleys occurring kind of from year to year, at least in the trends in data over the last nine or ten years that are presented to us, and so I just point that out, in terms of kind of a limitation of this approach and the fact that the geometric mean could, obviously, persist out in time, in terms of influencing seasons well beyond when that overage occurs.

MS. BECKWITH: Okay. Thank you. I think my sense is that the committee is currently comfortable with their preferred, unless I see a hand go up, but -- No hands. Okay. It sounds like we are going to move forward with this and see how it goes.

MR. HADLEY: Okay. Moving along to Action 8, we're looking at the action that will specify the accountability measure itself, and it is noted that the accountability measure, outside of the trigger for wahoo, is also lacking, in that there's a reduction in the ACL if the accountability measure is triggered, but there is no, quote, unquote, teeth to that, in that the ACL is reduced, but there is no harvest restriction that is associated with that, and so there's kind of two issues with accountability measure for wahoo that's being addressed in this action.

The council's preferred alternative is Alternative 2, and that would reduce the length of the following recreational fishing season by the amount necessary to prevent the ACL from being exceeded, and it's also noted that there is the language within this alternative that the recreational season will not be reduced if the RA determines, using the best available science, that it is not necessary.

Looking at the summary of the environmental effects, from a biological perspective, Alternative 1 is not a viable alternative, because there is that noted deficiency in the AM. From a biological perspective, Preferred Alternative 2 through 4 would be expected to have positive biological effects compared to Alternative 1. It's noted that, since there is no in-season AM being considered for the recreational sector, it's imperative that a functional and effective post-season AM be selected, to prevent possible adverse biological effects, if the recreational ACL were exceeded.

From an economic perspective, in terms of potential short-term negative economic effects occurring due to the AM going into place, Alternative 1 would have the lowest potential for those negative economic effects, followed by Alternative 4, Alternative 3, and Preferred Alternative 2.

The social effects are noted, in that the social effects of reducing a bag limit or a vessel limit depend on how the fishermen are affected, and so that's the Alternative 3 and 4, by either a higher bag or vessel limit and shorter season or lower bag limits and longer seasons. Overall, longer seasons result in increased fishing opportunities for the recreational sector and increase revenue opportunities for the for-hire sector. Reducing the season length under Preferred Alternative 2 is anticipated to potentially result in direct negative social effects associated with the loss of access to the resource, there again if the AM is triggered.

From an administrative perspective, Alternative 1 is the least administratively burdensome, compared to Alternative 2 through 4. However, the administrative burden, such as data monitoring, rulemaking, outreach, and enforcement, would be similar for the different alternatives being examined. When the Dolphin Wahoo Advisory Panel reviewed this action, they noted that a vessel limit reduction would be slightly preferable compared to other alternatives being considered, particularly a closed season. If the vessel limits are reduced, try to maintain limits that are viable for the for-hire component of the fishery, and it was noted that an eight-fish vessel limit would be recommended as a minimum limit for wahoo through the accountability measure.

Similar comments to dolphin from the Law Enforcement AP applied for wahoo, in that in-season adjustments are generally less desirable than regulatory changes that are set at the beginning of a

fishing season, and in-season measures are enforceable, but there is a lag time in educating all stakeholders of the regulatory change in the season.

As far as a summary of public hearing comments for the wahoo recreational AM, there were comments in favor of reducing the vessel limit rather than a harvest closure. Also, there were comments in favor of the no action alternative and Preferred Alternative 2.

Looking at the draft council rationale for this action, in discussing this action, it was noted that specifying an AM that would shorten the recreational fishing season is less administratively burdensome and relatively simple to implement and communicate, should any change be necessary. Additionally, there's the stipulation that the RA would -- That the season would not be reduced if the RA determines, using the best available science, that it is not necessary, and so, there again, the specification would allow for monitoring of landings the following season to evaluate whether there is a persistence in the increased landings, and this would help inform the decision on whether a late-season harvest closure would still need to occur.

It was noted, in discussion of this action, that there is a relatively equitable nature and equally-distributed effects throughout the region of shortening the recreational season for wahoo, as wahoo are often targeted and caught late in the year in many areas of the Mid-Atlantic and South Atlantic region. There is no committee action required, much like the other actions. If we want to discuss the alternatives, we can certainly do that, and I certainly welcome any comments on the draft council rationale.

MS. BECKWITH: Thanks. Does anyone have any comments on this? I didn't think there would be. Wait. I got some text message requests to take a five-minute bathroom break, and so let's come back at 9:55.

MR. HADLEY: That sounds good.

MS. BECKWITH: Okay. Thanks.

(Whereupon, a recess was taken.)

MS. BECKWITH: Okay. I think most of our stragglers are back in, and so let's go to Action 9.

MR. HADLEY: Okay. Thank you, Anna, and, before I jump into these actions, we're kind of in the final stretch here, and I do want to note -- I do have the PowerPoint pulled up that was presented to you on Monday, that the Science Center presented on the dolphin wahoo participatory workshop work. In case you want to bring up any of those slides, that's kind of on-hand, and so I just wanted to note that, before we get to the discussion of the other management topics in Amendment 10.

Without further ado, I will jump into Action 9, and this action would allow properly-permitted commercial vessels, fishing vessels with trap, pot, or buoy gear onboard, which are not authorized gears for use in the dolphin wahoo fishery, to possess commercial quantities of dolphin and wahoo. As noted, currently, if those gears are -- Well, essentially, the allowable gears in the fishery include automatic reel, bandit gear, handline, pelagic longline, rod-and-reel, and spearfishing gear, and so anything that falls outside of that list of authorized gears -- If it is onboard the vessel, dolphin and wahoo may not be possessed.

The council is looking at two alternatives, one for dolphin and one for wahoo, that would allow dolphin and wahoo to be retained onboard properly-permitted vessels with trap, pot, or buoy gear onboard, and this is inclusive -- I want to note that this is inclusive of spiny lobster traps as well, and so that falls within that list of gear, and it's specified in the alternatives. Essentially, allow these vessels to possess dolphin or wahoo, provided they are caught by rod-and-reel.

The council's Preferred Alternative 2 would allow -- It covers dolphin, and so, essentially, vessels that meet these qualifications would be allowed to retain dolphin caught by rod-and-reel up to 500 pounds gutted weight, and so, if the vessels fell under this specification, there would be a 500-pound trip limit for dolphin, in gutted weight, and so that's the council's Preferred Sub-Alternative 2b. Alternative 3 covers wahoo, and so, under the council's Preferred Alternative 3, wahoo would be able to be retained onboard such vessels, provided that they are caught by rod-and-reel, and the current commercial wahoo trip limit of 500 pounds would also apply to these vessels.

As a little bit of a reminder, the origination of this action was in response to a request from the Atlantic Offshore Lobsterman's Association that the South Atlantic Council modify regulations to allow the historic practice of harvesting dolphin while in possession of lobster pots to continue. In discussion of this, the council has taken a slightly wider approach in specifying, in general terms, trap, pot, or buoy gear. It's noted -- There are figures in here that show dolphin and wahoo harvested on trips on commercial vessels, and, for the most part, vessels that are harvesting dolphin and wahoo by rod-and-reel typically harvest 500 pounds or less.

Looking at a summary of environmental effects, from a biological perspective, given that the commercial sector ACLs for dolphin and wahoo are being increased in Actions 3 and 4, and as well as in Actions 1 and 2, and the current AM will continue, or the current commercial AM, I should specify, will continue to have an in-season closure if the commercial sector ACL is reached or projected to be reached, and there were really no notable biological effects for dolphin or wahoo from this action.

Moving over to the economic effects, essentially, Alternative 1, no action, would continue to disallow landings of dolphin or wahoo on trips that have trap, pot, or buoy gear onboard. Preferred Alternatives 2 and 3 would result in net economic benefits, by allowing long-term potential elevated revenue on commercial trips where trap, pot, and buoy gear are onboard the vessel and dolphin or wahoo landed by rod-and-reel are retained.

Looking at the higher trip limits for dolphin, they do have the potential for elevated economic benefits. Therefore, Sub-Alternative 2d would have the potential for the highest potential economic benefits, followed by Sub-Alternative 2c, Preferred Sub-Alternative 2b, and Sub-Alternative 2a.

Overall, moving over to the social effects, allowing harvest of dolphin and wahoo by vessels with the necessary commercial permits required to retain dolphin and wahoo, as well as harvest fish and/or other organisms with trap, pot, or buoy gear, is anticipated to result in direct positive social effects to the fishermen and communities. Overall, under Alternative 1, no action, these social effects, or social benefits, essentially would not be accrued.

The Dolphin Wahoo AP discussed this action, and they endorsed the notion of allowing vessels with pot, trap, or buoy gear onboard to possess dolphin or wahoo, as long as they are permitted vessels and the fish are caught by rod-and-reel, and so that follows along with what the council's preferred alternatives are.

As far as the summary of public hearing comments, there was support for allowing a 500-pound dolphin trip limit and also including wahoo in this action, and it was also noted -- It was noted that this action could promote competition and conflict in the Mid-Atlantic and New England regions between recreational and commercial vessels fishing pot buoys for dolphin in the same area, and these buoys operate as fish aggregating devices, and there was some support for a slightly lower trip limit for dolphin of 250 pounds, to mitigate these concerns, which would be Sub-Alternative 2a.

Looking at the draft council rationale, as noted, the council is responding positively to the request from the Atlantic Offshore Lobstermen's Association that the historical practice of harvesting dolphin while in possession of lobster pots continues. The council, notably, took a slightly broader approach, to allow vessels generally fishing trap, pot, or buoy gear, including spiny lobster traps, to possess dolphin or wahoo, as long as the fish are landed by rod-and-reel. The specification of gears to only encompass the trap, pot, or buoy gear, and that dolphin must be landed by rod-and-reel, is intended to continue to disallow new gears from direct use in the fishery.

In doing so, the council determined that allowing the retention of constrained amounts of dolphin and wahoo onboard vessels with trap, pot, or buoy gear onboard would have positive economic effects, while also limiting the potential for unforeseen major increases in commercial landings, which could put some pressure on the sector ACLs, and potentially trigger the AM, and so kind of striking a balance there. There is no committee action required, but, there again, you could certainly discuss the draft council rationale and the alternatives, if desired.

MS. BECKWITH: Okay. Great. Thanks. Is there any comments or concerns with this action? Shep.

MR. GRIMES: Thank you, Madam Chair. No comments or concerns, but I do just want to reiterate, or flag, one thing that John already mentioned, and that is there is a 200-pound trip limit in place for vessels that don't have the dolphin wahoo permit, but are still authorized to harvest dolphin wahoo, and that's the way things were set up originally.

Now, you will have these vessels with the other types of gear that are fishing in the northern areas, and they will be authorized to keep 300 pounds more. Now, they do have the dolphin wahoo permit, and they have made that investment and are more engaged directly in the fishery, but there will be that discrepancy between what those vessels can harvest, and I just wanted to make sure that everyone was aware of that and that that's what you intended. Thank you.

MS. BECKWITH: Thanks. I am not seeing any more hands, and so I think we can move on.

MR. HADLEY: All right. Moving on to Action 10, this would remove the operator card requirement in the dolphin wahoo fishery. Currently, in order for a commercial or for-hire dolphin wahoo permit to be valid, a vessel operator or crew member must hold a valid operator card issued by either the Southeast Regional Office or the Greater Atlantic Regional Fisheries Office.

Under the council's Preferred Alternative 2, it would remove this operator card requirement in the for-hire fishery, and then, under Preferred Alternative 3, it would remove the operator card requirement in the commercial fishery. There are really no biological effects expected for dolphin or wahoo under the council's preferred alternatives, when compared to Action 1.

Looking at the economic effects, really, removing the operator card requirement would result in direct economic benefits to captain and crew members that operate for-hire and commercial vessels permitted to fish dolphin and wahoo, largely through foregone costs. There is an estimate of the benefits of Preferred Alternative 2 and 3, and you can see, at the very bottom of Table 26 here, kind of the cumulative -- The estimated cumulative benefits of Preferred Alternatives 2 and 3 combined, and this is approximately \$370,000 on an annual basis.

From a social perspective, it was noted that public testimony from dolphin and wahoo fishermen has indicated that operator cards are rarely checked by law enforcement and are burdensome to renew annually. Additionally, law enforcement officials have indicated that operator cards are no longer regularly used to aid in enforcement efforts or gathering data and distributing information.

Preferred Alternative 2 would remove the burden of obtaining and renewing operator cards for the for-hire sector, and Preferred Alternative 3 would remove this burden on the commercial sector, and it's also noted that consistency in regulations between dolphin wahoo permits and other at least regional federal permits that do not require an operator card would be expected to reduce confusion among fishermen and aid in compliance.

Really, from an administrative perspective, it's expected that Preferred Alternatives 2 and 3 would reduce the current administrative burden and cost on NMFS to free up -- It could free up some staff resources to be used for other purposes.

When the Dolphin Wahoo Advisory Panel examined this action, they supported the council's Preferred Alternatives 2 and 3, and it was noted that the -- This has been discussed at several meetings. At the October 28, 2020 meeting, the AP endorsed their previous motion, and so they have been pretty steadfast in this endorsement of removing the operator card requirement.

The Law Enforcement AP also discussed this action, as you may recall, and it was noted that, in the Code of Federal Regulations, operator cards are referred to as operator permits, and so just to make sure that this is clear again, on the record, this has been specified. If you look at the CFR, which I will go to, it is specified as an operator permit. When you look at the actual application, it's specified as an operator card, and so, really, operator permit and operator card, in this case, are used interchangeably, and so that was a point that the Law Enforcement AP brought up and they wanted to point out.

There was concern raised by a member of the public over the action, noting instances when the operator is not the owner, and there may be considerable incentive for that person to report under -- There may not be considerable incentive for that person to report under the new for-hire reporting requirements, and the potential to remove or revoke an operator card could provide this incentive and improve compliance.

In this discussion, it was noted that the NOAA Office of General Counsel Enforcement Section may have concerns with removal of the operator card requirement as a potential tool, and, while the Law Enforcement AP initially noted that the operator card requirement could be removed without notable loss to law enforcement capabilities, since it has largely been unused for enforcement purposes, it would -- The discussion noted that it could be an effective -- It would be an effective tool to help increase compliance for the for-hire reporting requirements.

Additionally, during Other Business, it was noted that the requirement could be kept for the for-hire fishery but removed for the commercial fishery, and the Law Enforcement AP provided a recommendation to consider extending the operator card requirement to other fishery management plans, to help with the for-hire reporting requirements, and so that's an important point, as far as the South Atlantic Council managed fisheries. This requirement only covers the fishery management plan for dolphin wahoo, and also the rock shrimp fishery, and so those are the only two fisheries that are covered by the operator card requirement in the South Atlantic, or for species managed by the South Atlantic Council.

The summary of public hearing comments, there were several comments in favor of removing the operator card requirement, and so the council's Preferred Alternatives 2 and 3. It was also noted that the operator card could encourage compliance with the new for-hire reporting requirements, particularly for captains that do not own the vessel, and so that could be Alternative 1 or Preferred Alternative 3, and it was also noted that the operator card was previously burdensome to apply for and renew, and there is the ability to apply online, which has streamlined the original process.

As far as the draft council rationale, there's certainly been a good deal of discussion on this. The council has noted that the operator card requirement is only included in two council-managed fisheries, dolphin wahoo and rock shrimp. The council has noted that there is some potential value in aiding in law enforcement efforts, but, really, the inconsistent requirement between fisheries greatly diminishes this utility, and public testimony has indicated that operator cards are rarely checked and are burdensome to renew.

Additionally, at the March 2016 meeting, the council received a presentation from the NOAA Office of Law Enforcement, noting that operator cards were currently not used for gathering data or distributing information or enforcement, to a large extent, and, in the end, the council determined that the limited use that operator cards are exhibiting does not outweigh the cost and burden to the fishermen to obtain the card. No action required, again, and I welcome any comments on the alternatives as well as the draft council rationale.

MS. BECKWITH: Thanks, John. I am so personally excited to see this actually move forward, finally. This is one of those weird things that, when I first came on the council nine years ago, I wanted to see happen, and so it's my last meeting, and, yay, it's happening. Is there any other comments, or shall we move on? I am not seeing any hands.

Mel suggested that we skip Action 11 and move to Action 12 first and deal with the wahoo limit, since we most recently discussed wahoo, and then to finish up this party by discussing Action 11, and so let's go ahead and do that.

MR. HADLEY: Okay. Absolutely. We're going to jump down to Action 12, and this looks at potentially reducing the bag limit and establishing a recreational vessel limit for wahoo. Currently,

there is a recreational daily bag limit of two wahoo per person, and there is no recreational vessel limit for wahoo. The council's current preferred alternative, which is Alternative 2, would set the daily bag limit for wahoo at one wahoo per person. Alternative 3, and its sub-alternatives, looks at setting -- Basically, it's establishing a recreational vessel limit for wahoo ranging between two and eight fish per vessel.

I will note, before I get into the summary of environmental effects, the way that this is written, it is -- The way it was accepted at the March meeting, this is meant to cover the recreational sector in a blanket fashion, and specifically, by that, there is no exception for headboats, as we'll get into in Action 11, and, as you may recall, there is an exception for the vessel limit for headboats, about covering the dolphin, and so this action covers private vessels, charter or six-pack vessels, as well as headboat vessels, as it is currently written.

On that note, I will move on the summary of environmental effects. From a biological perspective, the biological benefits would be greater with Preferred Alternative 2 and Alternative 2, compared to Alternative 1, because they consider a reduction in harvest for wahoo, and I'm going to jump down, really, into some of the figures and tables in the analysis, to further discuss these effects, and Figure 11 is the first one that I wanted to cover, and this looks at the distribution of wahoo harvest per person.

Much like dolphin, this figure has been revised, where the harvest per person was notably shifted over towards one per person. As you may recall, at the last meeting, there were a few observations in the four and five category, and those were not necessarily correct, and they have since been corrected in this analysis. For the most part, based on the MRIP data, most of the trips harvesting wahoo were around one fish per person, and there are some observations at two fish per person, however.

Looking at the distribution of wahoo harvest per vessel, and this looks at the -- I will remind you that this covers the entire Atlantic as well, the Atlantic coast, essentially from Maine down through Key West, Florida, and the distribution of wahoo harvest per vessel -- There's a relatively kind of skewed distribution over towards the lower end, and so one to three fish. However, there are some notable observations in the nine-plus category, as far as wahoo harvested per vessel.

The next table looks at the expected reductions in catch from the different alternatives, and one thing of note is the council's Preferred Alternative 2 would be expected to reduce recreational landings by approximately 2.9 percent. As alluded to earlier, this is considerably different than the analysis that was presented in March. The previous analysis estimated a 27.1 percent reduction, and this analysis is clearly much lower, at 2.9 percent. There again, that has to do with that change in estimated distribution per person, of harvest per person.

The vessel limits, the vessel limit reduction, and so all of the analysis for Alternative 3 and its sub-alternatives, largely have not changed, for the most part, from what you saw in March, and those are relatively the same, and you can see the distribution of expected changes there.

Looking at the economic effects, I will scroll down to this table, but, really, from a short-term -- Essentially, the sub-alternatives -- Preferred Alternative 2 and Alternative 3 are expected to lower total landings. Thus, there is a projected reduction in estimated economic benefits for the

commercial sector derived from harvest of wahoo, and so, if you reduce harvest, you are reducing, essentially, consumer surplus and estimated economic benefits.

Looking at the council's preferred alternative, this would result in approximately a reduction of about \$319,000 on an annual basis, and you can see, for the most part, the other alternatives can jump up considerably, looking at the lower vessel limits. However, it's similar for some of the higher vessel limit estimates.

From a social perspective, it was noted that a reduction in the bag limit or vessel limit may help slow the rate of harvest, to lengthen the season and prevent the ACL from being exceeded, but bag and vessel limits that are too low may make fishing trips inefficient or lower angler satisfaction. Preferred Alternative 2 may have a negative effect on the fishing opportunity for private recreational fishermen and charter businesses, as well as headboats, as there would be a reduction in landings of approximately 2.9 percent and 3.2 percent, respectively.

Sub-Alternative 3a proposes the lowest vessel limit and may result in negative social effects associated with lower angler satisfaction. Alternative 3g proposes the highest trip limit and results in relatively fewer negative social effects, and the absence of a vessel limit under Alternative 1, no action, would likely have little effect on recreational fishermen in the short term, but it could have negative effects in the future, if the recreational ACL is exceeded, and so, essentially, slowing the rate of harvest and ensuring the sustainable harvest of wahoo could provide long-term -- Or would provide long-term social benefits.

Looking at the summary of public hearing comments, if you will recall from the March meeting, there were quite a few comments on this action, as well as the Action 11 that covers dolphin. There was a notable regional theme to many of these comments, with some exceptions. Those in favor of changing the retention limits were largely based in Florida or South Carolina, and those in favor of maintaining the current retention limits were often based out of North Carolina.

Most commenters, many commenters, stressed the importance of maintaining the current bag limit and maintaining no vessel limit for wahoo, and so essentially Alternative 1, no action, as a reduction would greatly harm the for-hire fishery in North Carolina, particularly in the Outer Banks and southern Outer Banks. It was noted that the current retention limits are important to justify the cost of the trip for many participants, and there was concern over notable economic hardship from reducing retention limits at a time when the for-hire industry has faced challenges due to COVID-19. Reducing retention limits would lead to pressure on other species, potentially, such as snapper grouper.

If you do want to consider retention limit reductions, consider potentially a regional approach, rather than covering the entire Atlantic. Consider holding off on retention limits until information can be brought forth for several years from the for-hire logbook, and there are really varying opinions on whether vessel limits should cover the entire Atlantic or apply to only certain states. It was noted that wahoo are an important species in the late summer and fall, particularly in the southern Outer Banks region, and a harvest closure in the fall would be very detrimental. Wahoo, it was also noted, are an important recreational species in northeast Florida.

Many commenters, particularly from North Carolina, were not in favor of a vessel limit. However, it was noted, if a vessel limit were to be implemented, consider a twelve-fish limit, and comments

in favor of a vessel limit for wahoo ranged from two to eight fish per vessel, with many focusing on the six to eight-fish range. Of those comments in support of a vessel limit for wahoo, and there were some comments in support of a vessel limit for wahoo that would apply in Florida only, and this was expressed by both commenters from Florida and North Carolina, and there were limited and varied opinions on the different retention limits between -- Having different retention limits between private and for-hire vessels.

However, those that did comment were in favor of a higher limit onboard for-hire vessels, and there were some comments expressing support for a reduced bag limit. However, there were relatively few comments that covered a size limit for wahoo, and, when we get into dolphin, there were several other comments covering that.

As far as the draft council rationale, in discussion of this, it was noted that the recreational landings, and so, really, that spike in landings from 2015 through 2017, were above the potential new recreational ACL, and so that seems to be -- That's certainly an area of concern, and that could potentially trigger the AM, if that were to occur again, and so, in doing so, the council felt that a one-fish limit would help ensure the recreational ACL is not exceeded and the season would not be shortened due to the AM being triggered.

The council felt that a reduction to one wahoo per person was preferable and more equitable than a vessel limit, and then, in discussion of this action, it was noted that a vessel limit would allow some flexibility in retention limits, depending on the number of passengers onboard, and so, here again, I imagine that the committee will -- There is no action required, but the committee may want to discuss the preferred alternative, given the change in the analysis, and I certainly welcome any questions on the rationale, or comments. Thank you.

MS. BECKWITH: Thank you, John. Yes, for sure, during the last meeting, we had discussed a one per person, based on an assumed 27 percent reduction, which would have clearly assured, or almost certainly assured, that no shortening of the season would occur, but now, with the revised estimates, I'm expecting a bit of conversation on this action, and I see Steve first in the queue.

MR. POLAND: Thank you, Madam Chair. John, could you, or maybe someone from the Science Center, whoever is appropriate, just provide a little bit more commentary on the bag limit analysis and why we saw this drastic change in the percent reductions? Was it a similar issue that we discussed earlier with the dolphin vessel limit, where captain and crew weren't included, or was it a combination of including headboats, and I'm just curious what caused this drastic change.

MR. HADLEY: Sure, Steve. I'm happy to address that. Essentially, I will go down to the distribution, the figure here that shows the distribution of harvest per person. The difference between what was presented in March and what is being presented now is the same for both dolphin and wahoo, and so, essentially, it boils down to the estimated distribution of harvest per person.

The analysis that was run in March, or that was presented in March rather, largely focused on the, quote, unquote, landings variable that was an output from MRIP that looked at landings per angler. However, the way that this distributed catch -- It did not take an average catch per trip, based on how many anglers were present on the trip divided by the total catch on that trip. It sometimes assigned catch based on observed and unobserved harvest, and so, essentially, if you were the

person being interviewed during that intercept, you may be assigned a good portion of the unobserved catch, when, in reality, the vessel was totally in compliance with regulations.

Basically, a quick example is, if you and I went fishing, and we caught our two wahoo per person, and we were interviewed back the dock, and there was one wahoo laying on the dock and three under ice, that would be unobserved catch under ice, and I was interviewed, and I may be assigned three wahoo, and you may be only assigned one wahoo, under that variable, and so what the -- As part of the going back, basically, to the very beginning of this analysis and rerunning it, they used a totally different data series and looked at the average catch per trip, and so essentially dividing -
- Looking at the total number of wahoo caught on a trip divided by the number of anglers, and so that would show -- In that case that I just said, it would have two per person, totally within the limits, the legal limits, retention limits.

I hope that explains how -- You saw some observations above what would be the legal retention limit, or what would appear to be above the legal retention limit, during the previous analysis, whereas that was not the case in reality, and then, when this was revised, that showed that in this analysis.

Coming back to the captain and crew, that was not necessarily included in this, largely due to the -- One of the reasons is that, if you always included captain and crew, it would bias the bag limit analysis artificially downward, and so captain and crew are not addressed through the MRIP intercept data, and so it's hard to tell whether or not the captain and crew should necessarily be included. You can certainly make some inferences where that would be appropriate, but you're kind of not making the same inference across-the-board. I hope that explains a little bit of the difference here.

In a nutshell, since that distribution shifted much lower, on a harvest-per-person basis, when you look at the estimated reductions, that's why you saw that major change in the estimated reduction in harvest, when you look at this change in the bag limit, whereas the vessel data has been examined on a vessel level throughout the process, and so you really didn't see a change in these estimated reductions.

MS. BECKWITH: Thanks. I'm going to go to Art, and then I'm going to come back and ask a question about that percent reduction for headboats. Art.

MR. SAPP: I am just still irked by the fact that we're talking about potentially cutting a month or two out of a season on an unassessed stock, simply because people are successfully catching these things, and that scares us, that we're overfishing them, though I know they're not overfished or undergoing overfishing, but we're certainly acting like we're afraid they're going to be, and I wanted that to go back on the record one more time. Thank you.

MS. BECKWITH: So my question on the percent reduction in the headboats is -- I guess we didn't really pay too much attention to this when we discussed it, about exempting headboats or not, but my assumption is that this percent reduction is occurring on the inspected vessels that happen to report under the headboat survey, because a traditional headboat would typically not be catching wahoo, and so is there any clarification on that, because some of these seem rather high for sort of our traditional larger headboats.

MR. HADLEY: Looking at the headboat data, you're correct that that was based on the reported headboats, and so that Southeast Regional Headboat Survey data. I will note that the -- Some of the reductions are fairly high. When you look at the total landings onboard headboats, they tend to be fairly low, and then, if we look at the distribution of catch, even onboard headboats, a lot of times, as you mentioned, they're not necessarily targeting wahoo, and so, when you look at headboat trips, Figure 12 here, the yellow bar represents headboat trips in the dataset, and there tends to be a fairly low level of harvest per vessel.

MS. BECKWITH: Okay. Does anybody have any other questions right now? Okay. I don't see any hands. Thinking through the letters that we have received, and the public comment that is on the comment form, it seems like most folks were hoping to keep a two-per-person limit, and maybe consider -- At least the letter that we received from the Beaufort/Morehead City charter fleet requested retention of the two per person, and, if a vessel limit had to occur, then twelve was their desired, and ten was manageable, and, obviously, eight is sort of our maximum ability to do a vessel limit here.

I guess I'm looking for some direction from the committee, and I think Spud had mentioned that he would prefer to see a two per person, and I think Steve maybe had mentioned that he wasn't 100 percent sure that this was worth moving forward with, based on the estimated reductions, and so I'm going to go to Jessica and just sort of see where we're at.

MS. MCCAWLEY: I can provide that, but, first, I had a question, and I couldn't get my hand up fast enough. I assume that there is no analysis of the combo of reducing to one plus the recreational vessel limit, and let me start with that question.

MR. HADLEY: No, there is not. I will scroll down to the table here, and they're set up in a fashion where they're independent of one another.

MS. MCCAWLEY: Thanks, John. I guess I'm going to throw this out there. I have mentioned before that I have concerns about a recreational fishery closing early, and I feel like access in as many months of the year that we can offer something is my preference, and I'm a little stumped now about what to do about our preferred. I'm wondering if we keep the preferred and then add something like the eight-wahoo vessel limit on top of that, and I don't want to make a motion yet, but I'm going to just throw that out there for discussion. Thanks, Anna.

MS. BECKWITH: I think, with the -- It sort of ends up being the same thing. Well, I see your point, because, on a private vessel, they could potentially have much more than six people, plus captain and crew, and so I see the vessel limit. I think, under that -- Since we don't have that combination of analysis, we would likely have to delay this, and so let's see what everyone else has to say, and let me think on that and double back in a minute. Spud.

MR. WOODWARD: Thank you, Anna. The State of Georgia, we're a minor player in both the dolphin and wahoo fisheries. I mean, if you look at the MRIP estimates, we're essentially a minor player, but I guess my thinking on this is more based on principle, and that is, if we stay with Preferred Alternative 2, we're going to be asking the for-hire sector, and the private recreational sector, to take a reduction, when they're already facing reductions in other federally-managed fisheries, and we're looking at going from all year to maybe a two or four-month fishery for red

porgy, with a one-fish limit, and we don't know what we're going to do on gag yet, and there doesn't seem to be any foreseeable relief on red snapper.

If we're going to ask folks to take a reduction -- Because a big part of the satisfaction of recreational fishing is anticipation, when everything comes together, and you get that opportunity to have that good catch and make a great memory, and we take that away sometimes with some of our management measures, and sometimes it's justified, but, in this situation, we're talking about such a small change between a no action alternative and a preferred alternative, and, as has already been said, we're dealing with an unassessed stock.

I mean, we set -- An ABC and an ACL have been set on a landings stream, which we don't know necessarily relates to stock status, and so, with all that combined together, I'm in support of leaving things at status quo, and the for-hire sector is going to have a much greater reporting requirement, and that's been stated in some public comment. Anyway, that kind of sums up my feelings, and so thank you.

MS. BECKWITH: To Spud's point, the council certainly has the ability to use an abbreviated framework if an additional change would need to occur in the future, based on whatever happens, if we're not comfortable with our options here and choose to go with status quo or choose to move forward something, and a one-action abbreviated framework can occur pretty quickly through the council process. I'm going to go back to Jessica and then work my way down the list.

MS. MCCAWLEY: Sorry, but I forgot to say last time -- I know it's not in this amendment, but I wish we could talk about the captain and crew limits, and maybe that can go into another amendment.

MS. BECKWITH: Noted. Mel.

MR. BELL: I was thinking similar to Spud. Going back to what we just covered, again, as sort of our rationale for the approach we were taking, it was we were trying to make sure that we provided opportunity and we didn't hit the ACL early, but what we're seeing now is a particular alternative doesn't really give us as much bang as we thought we were going to get out of it, and so is it worth the negative consequences that Spud covered?

Then, in Action 4, earlier this morning, we built in a little bit more buffer, by having the larger ACL, and so I would just question whether or not it's now worth pursuing -- Jessica is right that we don't really have the analysis of kind of putting both things together and seeing where we land, I guess, but it just seems to me that maybe it isn't really worth it at this point, and so we might be better off just holding what we've got for right now.

MS. BECKWITH: Okay. Chester.

MR. BREWER: Thank you, Anna. I agree. For the little, little, little bit of reduction that we're getting, the perception that we do not want to create is that we're just cutting people -- We're just reducing, reducing, reducing, sometimes for no really good reason. **For that reason, I would move that we choose Alternative 1 as the preferred.**

MS. BECKWITH: Okay. There is a motion on the table. Is there a second? Steve, would you like to second that motion?

MR. POLAND: Yes, Madam Chair, I will second that.

MS. BECKWITH: Okay. Do you want to go ahead and make your comments?

MR. POLAND: Thank you, Madam Chair. I was actually prepared to make that motion, but I do have some additional comments. Looking at the accountability measure trigger that's our current preferred for wahoo, it's based off of a three-year geometric mean, and so, theoretically, and staff can jump in if I'm interpreting this incorrectly, we'll have the ability to monitor landings of wahoo in the recreational sector, because the way I'm interpreting this is that trigger wouldn't be hit until potentially year-three, and so we could work it in as part of our just landings update, to just get a report at the end of the year, probably in March, or maybe even June, of what's the rolling three-year geometric mean for wahoo.

If it appears that it may be approaching a trigger, and trigger a season shortening measure the following year, if we've got the ability under abbreviated framework, then we could potentially take action to reduce bag limit and/or vessel limit, and I see Andy has his hand up, and so I'm sure he'll speak to that.

MS. BECKWITH: Okay. Andy.

MR. STRELCHECK: Thanks, Anna. A few comments. I've been hearing reference to an abbreviated framework, and my team is telling me there is not one for dolphin wahoo, and so I just wanted to acknowledge that. In terms of changing the preferred alternative, I don't see an issue with moving to no action at this point. I think, given the small reduction in harvest from the bag limit, or for that matter the vessel limit, if we run into a situation where we're triggering accountability measures, it's not really extending the season considerably by having these lower vessel limits or bag limits, and I agree with Steve's comments to kind of come back and revisit this if this becomes a reoccurring problem, where accountability measures are being triggered frequently and we need to have additional reductions to help limit maybe the trigger.

MS. BECKWITH: Okay. Tim.

MR. GRINER: Thank you, Madam Chair. When I hear all this, then I go back to why did you need to take 16,000 pounds away from the commercial? This is exactly where we were in the beginning, and here you are talking about you wanted the 16,000 pounds extra, to mitigate any accountability measures, but here we are with the real accountability measures are we're going to look at this every three years, or whatever, and there's no need to reduce a bag limit or start a vessel limit, yet the 16,000 pounds was so darned important, and so I just wanted to put that out there on the record, that I think we ought to go back and revisit the 16,000 pounds. Thank you.

MS. BECKWITH: Okay. Is there anyone else who would like to comment? Dewey.

MR. HEMILRIGHT: I kind of agree with Tim, with the consistent message. It seems like that the actions taken earlier might have a different outcome had this been done first. Thank you.

MS. BECKWITH: Okay. All right. I don't see any more hands, and so --

MR. GRIMES: May I please?

MS. BECKWITH: Sorry, Shep. I didn't even see you there under "Other". My apologies. Go ahead.

MR. GRIMES: Thanks. Well, I'm a big fan of consistency, and so, as I advised last time when we talked about Action 3, I would advise that, if you want to not take action on this action, that you move it to Considered but Rejected. If we include actions in amendments where we're not ultimately taking action, but we leave them there, we're merely presenting something where someone could challenge us on it when we're not doing anything. Thank you.

MS. BECKWITH: Okay. So noted. Let's keep it clean, and we'll go ahead and vote on this one, and then, if this passes, then we'll go ahead and take a motion to move this action into the Considered but Rejected, if that sounds like a plan. We have a motion on the table, and we've had some discussion. **The motion reads: De-select Alternative 2 and select Alternative 1 as preferred in Action 12. Is there any opposition to this motion? Seeing no opposition, that motion carries.** Now I would be looking for a motion to move Action 12 to the Considered but Rejected. Steve.

MR. POLAND: **Madam Chair, I move to move Action 12 to the Considered but Rejected.**

MS. BECKWITH: Chester, is that a second, sir?

MR. BREWER: It is. That's the motion I probably should have made in the first place, but, yes, second.

MS. BECKWITH: We'll get there eventually. Okay. There is a motion on the table to move Action 12 to the Considered but Rejected section, and it's open for discussion. I don't see any desire to discuss. **Is there any opposition? Seeing no opposition, that motion carries.** Okay. That moves us back into Action 11.

MR. HADLEY: All right. Jumping back up to Action 11, which is the last action that we still need to discuss in this amendment, this would reduce the recreational vessel limit for dolphin. Currently, just as a refresher, there is a recreational daily bag limit of ten fish per person, not to exceed sixty dolphin per vessel, whichever is less, and, also, as I alluded to earlier, there is an exemption for headboats, where this does not apply, where the vessel limit does not apply. However, the ten-fish-per-paying-passenger limit does apply. I will note that none of the alternatives affect that headboat exemption, and so that's in place across the different alternatives.

Preferred Alternative 2 would reduce the vessel limit between thirty and fifty-four fish, depending on the sub-alternative that is chosen. Of note, Preferred Alternative 2 covers the entire management unit, which is essentially the U.S. Atlantic east coast, and so this is a coast-wide change in the vessel limit. The council's current preferred alternative is Sub-Alternative 2d, and so, under this alternative, there would be a forty-eight-dolphin-per-vessel limit.

Alternative 3 has the same sub-alternatives for the vessel limit. However, Alternative 3 covers Florida only, and then Alternative 4 has the same sub-alternatives for the vessel limit, but it would cover South Carolina, Georgia, and Florida only, and so, essentially, from North Carolina north, the sixty-fish vessel limit would remain, under Alternative 4.

Looking at some of the biological effects, biological benefits would be greater under Alternatives 2 through 4 compared to Alternative 1, no action. I am going to jump down into some of the figures that are included, as well as the tables with estimated reductions. Figure 8 covers Atlantic dolphin harvest per vessel. As you can see, the majority of trips harvest less than forty. However, I will note that there is a kind of scattered distribution out here, all the way up to the sixty-fish range. When we get into the Florida and the South Carolina through Florida alternatives, that is not necessarily quite the case.

Figure 9 looks at the distribution of dolphin harvest per vessel in Florida only. For the most part, the trips intercepted through MRIP include essentially dolphin harvest at forty or below fish per vessel, and the same thing is the case for South Carolina through east Florida. The majority of the trips are harvesting less than ten fish, and there are some trips that were intercepted in the ten to thirty-nine range, and there are relatively few above that.

Table 27 shows the estimated reduction in total recreational landings on a percent basis, as well as a pound basis. Of note -- Essentially, as I mentioned, Alternative 2 covers the entire Atlantic region. Sorry. Alternative 3 covers Florida only, and Alternative 4 covers South Carolina through Florida.

Looking at the council's current preferred sub-alternative, Sub-Alternative 2d, forty-eight dolphin, that would result in approximately a 2.3 percent reduction in total harvest, looking at approximately a reduction of 384,000 pounds, on an annual basis. Of note, the different sub-alternatives that cover Florida only, or South Carolina through Florida only, exhibit a much lower reduction in landings.

Looking at the economic effects under Sub-Alternatives 2 through 4, they're expected to lower total landings, and, thus, likely lower the economic benefits derived from these dolphin landings, and then, looking at the estimated change in consumer surplus, and this is essentially an estimated change in net economic benefits, Preferred Sub-Alternative 2d is estimated to reduce the total consumer surplus by approximately \$293,000, and this is on an annual basis.

From a social perspective, Preferred Alternative 2, 3, and 4 could restrict recreational fishing opportunities, in the harvest limits. However, the harvest limits may help extend the recreational fishing season, by slowing the rate of harvest, if landings were to greatly increase. The different levels of fishing opportunities under each alternative could affect recreational anglers and for-hire businesses targeting dolphin. In general, it was noted that Alternatives 3 and 4 are unlikely to result in decreased trip satisfaction, as recreational data indicates the majority of private recreational and for-hire charter trips do not land more than thirty or forty fish per trip.

However, it is noted, under Preferred Alternative 2, which covers North Carolina and the states further north, that it may result in negative social effects on recreational fishing opportunities in North Carolina, as data and public comment indicates that catches from the area do regularly exceed thirty fish per vessel.

Looking at the advisory panel recommendations, when they covered this, and this has been discussed, in general, from different aspects, and the AP originally discussed this through a potential step-down, if the recreational ACT were to be used, and so it really had more of an accountability measure aspect. They discussed it again at their 2019 meeting, noting that lowering the retention limits could be acceptable for some, but others felt that it wasn't necessary, and they offered caution that reducing bag limits -- They offered caution that reducing bag limits -- Once you give up the bag limit, you may not get it back.

Additionally, it was noted that cutting retention limits too far could have a notable negative economic impact, or negative economic effect, on the ability to book charter trips. Therefore, there should be some caution exercised in changing the retention limit.

Last, but certainly not least, the Dolphin Wahoo AP discussed this action at their 2020 meeting. In discussion of this action, there was support for Alternative 1, no action, particularly from those fishermen from North Carolina, or to take action just in Florida, which would be Alternative 3. At the time, I will note that Alternative 4 was not on the table in the amendment, and so that was added later.

It was noted that the sixty-fish limit is very important to the for-hire fishery in North Carolina, particularly when bailer dolphin are abundant, and so it was noted that, if the limits are reduced, try to make sure that they are divisible by six, and this largely relates to charter vessels, often referred as six-pack charters, and so that makes splitting up fish a little easier. The AP did pass a motion in support of Alternative 3b or 3c as preferred in Action 11.

The Law Enforcement AP discussed this action, and they had no issues with enforcement of vessel limit changes. However, it was noted that a consistency within the regulation, from a regional perspective, is helpful for compliance, and implementing a vessel limit change, through this action, could also mitigate the concerns they expressed when they discussed the accountability measures, since this would be in place year-round, rather than potentially seasonally.

Going over public hearing comments, again, this was similar to some of the comments mentioned for wahoo, but there was largely a regional theme to these comments, where those in favor of changing the retention limits were largely based in Florida or South Carolina, whereas those in favor of maintaining the current retention limits were often based in North Carolina. As far as the commenters in favor of Alternative 1, it was noted that a reduction would greatly harm the for-hire industry in North Carolina, particularly the Outer Banks and southern Outer Banks, and that the current retention limits are important to justify the cost of a trip for many for-hire participants, as well as private anglers.

There was concern over notable economic hardship exhibited during COVID-19, and reduced vessel limits could lead to more pressure on other species, such as the snapper grouper complex, and, if vessel limits are reduced, consider a regional approach, rather than the entire Atlantic. It was also noted to hold off on changes to the fishery until the data could be examined from the for-hire logbook.

Several commenters in support of reducing the vessel limit for dolphin noted support for a thirty-fish limit, and, to a lesser extent, the forty-fish limit. Commenters in support were largely based

out of Florida and South Carolina, with some exceptions, and there were varying opinions on whether reduced vessel limits should cover the entire Atlantic or only apply to certain states. Overall, there were limited and varied opinions on retention limits between the private and for-hire vessels. However, most that did comment on this particular aspect were in favor of higher limits onboard for-hire vessels.

Looking at draft council rationale, in choosing the preferred alternative, it was noted that a goal of the Dolphin Wahoo FMP is to maintain a precautionary approach in management, and there is no stock assessment for dolphin. However, the council has heard a great deal of public comment, particularly from anglers in south Florida, that dolphin abundance appears low and that there was concern over the health of the dolphin stock and fishery among some participants.

The council decided to implement a coast-wide reduction in the vessel limit, via Preferred Alternative 2d, to maintain consistency of regulations across regions in the retention limits for dolphin. It was also noted that such a change in retention limits would lead to a more substantial harvest reduction than Florida-specific or a regional approach. Nothing is required of the committee, but I imagine there will be some discussion on the preferred alternative, and I certainly also welcome any comments, again, on the draft council rationale.

MS. BECKWITH: Thank you, John. Okay. Here's my plan. I'm going to provide a summary of the North Carolina position, and then I'm going to pass it over to Jessica for a summary of the Florida position. When she is done, I will come back and suggest a compromise, in the hope of moving this action along. I am going to go ahead and start with the North Carolina position, and, like I said, I will pass it to Jessica afterwards.

Let me begin by saying how incredibly proud I am of the North Carolina charter fleet for organizing and trying to make themselves heard. We received a letter from the Oregon Inlet/Hatteras area with about 140 signatures and a letter from the Morehead City/Beaufort area with about forty signatures. At last count, we also had about twenty-one or so written comments on the online form from North Carolina fishermen related to bag limits.

While Florida harvests the vast majority of the overall recreational mahi, any potential reductions come almost exclusively from the North Carolina for-hire fleet. The dolphin wahoo participatory workshop presentation, as well as the North Carolina Marine Fisheries Commission letter, did a nice job of explaining why these instances of North Carolina's ability to achieve the current limit are important.

In North Carolina, our charter fleet is less opportunistic. We have targeted seasons, with each fish, mahi, tuna, wahoo, mackerel, carrying that particular season. Our typical length of trips is greater than twelve hours, and typical distances traveled are between forty-five and sixty miles from shore. Charters are often cancelled due to weather, producing limited seasons. These factors lead to very high expenses and a large price tag for clients. We don't get to do half-day offshore trips.

The Morehead City area is typically where the full vessel limit is achieved for both mahi and wahoo. Depending on the season, it is often a one-fish show at the dock, rather than a mixed bag, making a higher bag limit imperative to the charter fleet, due to fewer targeted species.

In the northern Outer Banks, clients must make a decision to travel to this remote area and spend money on renting houses and hotels. There is not much else to do there except get sunburned, fish, and eat some great seafood. Current limits are needed to market these trips, even if the limits are not always achieved.

Because the ACL is not projected to be met in years of average catch, even under a sixty-fish vessel limit, we consider this action to add additional burden of regulation for limited benefits, but with significant impact to one sub-sector in one region. We find that the North Carolina charter fleet will experience unnecessary and inequitable economic damage. While we are sensitive to changes in patterns occurring in south Florida, we find no clear biological need for this action region-wide. We have received no scientific-based recommendation from the council's science advisors that a reduction in harvest is needed.

Our North Carolina Marine Fisheries Commission unanimously opposed any modification to the current vessel limit for our charter fleet. This position should hold equal weight to any position taken by the Florida Commission. The North Carolina Commission was open to a reduction in the private recreational limit or regional limits. It is unrealistic to assume that a one-size-fits-all approach will always be appropriate for the entire east coast. These fisheries are nuanced, and individual fishing communities and their needs should be properly considered.

Finally, it is very rare that the council receives this much feedback from the North Carolina charter industry. In my nine years on this council, I think we've done a great job of acknowledging the public's effort and input. About 200 voices spoke out from North Carolina on this issue, and I find it notable, to say the least, and remarkable even. These voices come from a group that is beginning to participate in the logbook and from a state that has no joint enforcement agreement. I believe it will be better for the council's conservation efforts, in the long run, to make partners of this group and to assure that they feel heard. Okay. That's our position, and I will pass it to Jessica.

MS. MCCAWLEY: Thanks, Anna. First, I wanted to talk a little bit about how dolphin are migratory, and their movements are wide-ranging, and we also have very little information about the magnitude of the international fisheries that are targeting this same population of dolphin. FWC has written letters to NOAA Fisheries and the State Department expressing our concerns about this fishery, especially this international component, and trying to get more information and get this data, get it from countries that are not reporting on the commercial side, and they're definitely not reporting numbers on the recreational side, and so this is not just a U.S. fishery, and we recognize that.

For FWC, and Atlantic-wide, a vessel limit reduction is very important. We don't think that the vessel limit reduction is really the only tool to get at this, as I've mentioned, and these problems that we're seeing in Florida -- We are kind of the canary in the coal mine here, and I think that there are environmental factors affecting the stock, but there are likely other factors as well, as I mentioned, things occurring in these international fisheries on dolphin.

We think that this region-wide vessel limit reduction would be important, and this is why, at the last meeting, I made the motion to go to the forty-eight dolphin per vessel, and this is not as low as FWC would like, but I do believe it's a compromise, in order to get a vessel limit reduction in place that would make an impact and kind of put something in the bank here for the future. It

provides a precautionary approach and helps in thinking about some of these concerns about the dolphin stock and the fishery.

I also, as I have stated before, think it's really important that we don't have another closure in this fishery, and it is important not just to the State of Florida, and you heard Anna mention that it's important in North Carolina as well, and so we would be seeking to ultimately not have that in the future, but, based on what we think is happening and concerns about the health of this stock, concerns from Florida stakeholders that have come to the council, and they have come to the FWC, and our commissioners have been expressing these opinions for more than a year, their concerns about what's going on here, and so I would continue to support the forty-eight dolphin per vessel, partly because I think that's a good compromise.

I don't support the sub-alternatives under Alternative 3 or 4, and I just don't think that that gets us where we need to be, and I think that the Atlantic-wide limit, region-wide limit, is really key here, and so I'm going to stop there, and thanks for coming to me, Anna.

MS. BECKWITH: My pleasure. Okay. In the true art of compromise, everyone walks away from the table unhappy. I see an east-coast-wide vessel limit of fifty-four as a viable compromise. This action was not structured in a way that allowed full consideration for the for-hire sector's uniquely regional needs. A future amendment would have the time and the ability to fully consider those needs and further contemplate the appropriateness of regional management scenarios. Based on this, I would be looking for someone to consider making a motion to change our preferred to a fifty-four vessel limit coast-wide, and I see Steve is up in the queue. Steve.

MR. POLAND: Thank you, Madam Chair. I'm prepared to make that motion, but I would like to provide a little comment before I make that motion. I appreciate, Madam Chair, your overview of the issue, from the perspective here of North Carolina, and I agree that is what I have heard from the stakeholders that have reached out to me about this issue, and I am sensitive to the concerns raised out of Florida and what they're seeing in their fishery.

From at least my perspective of the current state of the science on dolphin, it seems fairly clear to me that what we're dealing with is an issue of range shift, or environmental factors, most likely changes in water temperature affecting the distribution of dolphin throughout our range, and I haven't seen much evidence to support that there is a stock productivity issue, and so, in absence of that, I have a hard time really supporting any modification to this fishery, given that our stakeholders here in North Carolina, and especially our charter industry, have spoken out and really laid out the potential economic impacts to their industry.

Without a clear biological rationale to point to to justify that, I really have a hard time asking them to take a reduction, when, really, I don't think this is a management issue, or I don't think it's an issue that management can really address with what we're seeing with the dolphin stock. I think this transcends management, and it's certainly issues that we're dealing with in a lot of our other fisheries, with increasing water temperatures and shifts in stock ranges and stock distribution, and I certainly recognize that, if that trend continues, we will probably start to see declines in abundance or sizes here in North Carolina, and we've already heard that a little bit from a few public comments that have come out of North Carolina, but, again, that's not something that management can address at this time.

I'm in full support of any effort to better understand this stock, better understand the dynamics of this stock, and I would love to see a stock assessment for this species, or really just anything that will help us elucidate what is going on and what can we expect in the future. **With that, I move that we de-select Sub-Alternative 2d and select Sub-Alternative 2e for Action 11.**

MS. BECKWITH: In the art of compromise, I am going to go to Jessica, to see if she's willing to second this motion. If not, I will open up the second to the committee.

MS. MCCAWLEY: Go ahead and open it up.

MS. BECKWITH: Okay. Do I have a second from anyone on the committee?

MS. MARHEFKA: I'll second.

MS. BECKWITH: Thank you, Kerry. We have a motion on the table, and it's been seconded. I've got some folks in the queue. Chester, go ahead.

MR. BREWER: Thank you, Anna. I've got a question for John. John, do we know how many trips, and I guess they would be charter boat trips, out of North Carolina bring back more than forty-eight dolphin per vessel?

MR. HADLEY: Chester, I don't have that analysis, but it certainly could be found out. It would just take looking at the distribution of the MRIP intercepts for for-hire vessels in North Carolina, but I don't have that on hand.

MS. BECKWITH: Okay. Art and then Tony and then Jessica.

MR. SAPP: I feel like the compromise has already been made in going to forty-eight, as many of the folks I'm speaking to down here are looking for twenty or thirty as a vessel limit through the region. Even at a forty-eight-fish vessel limit, we're talking about saving 380,000 pounds of reproductive-sized fish, as shown by Jon Reynolds there at the South Atlantic Fishing Environmentalist Group, the research that they've done through the tagging programs, larger, highly-reproductive fish that are in the North Carolina area there during that time, 380,000 pounds of them, and what we really want is nearly a million pounds saved, at forty fish per vessel.

That said, the compromise can sit at forty-eight, and we'll live with that for now, but the reality is that North Carolina is going to see what we are seeing in the future, and maybe they won't if we get ahead of the game now. Real financial devastation is when you're running sixty miles offshore and catching two fish, and every floater you come across has nothing but bar jacks and maybe a triple tail or two on it, and so, no, I cannot, in any way, shape, or form, support going to fifty-four fish. You're barely winning anything back at that point.

You don't get your holy grail of science, Steve, because there's no stock assessment. There is simply the science of the fishermen seeing what they're seeing, and you do have North Carolina fishermen saying that we're not seeing the numbers, and we're not seeing the size we used to see, already, and so there's your science, Steve. Listen to the fishermen that are doing it every day. That's my holy grail, and that's a fisherman's holy grail, is what we see, and the fishermen are

asking for reductions, and you better believe there needs to be reductions, because we don't ask for reductions.

We want to be able to catch what we see, and, in this scenario, we're begging for reductions, and the whole divisible by six thing is silly, guys, because we're cutting these fish up and bagging them, and it's easy to portion out bagged fillets of fish to people. If we're coming off of forty fish simply to be divisible by six, I don't get that, and I can't understand it. Again, the fish aren't even the same size that you're cutting, and they're all different sizes, and so a fish isn't a fish, in that scenario.

Please stay with the compromise of forty-eight dolphin per vessel, and maybe, hopefully, with that 380,000 extra pounds of fish staying in the ocean during a highly-reproductive time, and the better-sized fish, perhaps we actually are successful and get ahead of this potential problem in the fishery. Thank you.

MS. BECKWITH: Tony.

MR. DILERNIA: Thank you, Madam Chairwoman. First, I would like to say that I agree with much of what Jessica was saying, particularly regarding the international fishery and the issues regarding the stock assessments. As she was speaking, I found myself sitting here nodding my head yes, as she was speaking.

Now, regarding -- I also heard it said that the law enforcement had reviewed this issue, and I find it curious that law enforcement, when they commented on the proposed fillet rule, suggested -- They basically said, oh no, don't do it, because, if you give an exemption to the boats from North Carolina north, the folks from the southern region are going to come back and ask us for an exemption, and we don't want to have to deal with that. Yet, it seems to me that somehow law enforcement doesn't feel the same way regarding a possible exemption for North Carolina, and, to me, that's difficult to understand.

Also, I heard range shifts being mentioned here, and I agree that a range shift is occurring, and you've heard me often speak about the mahi fishery, the dolphinfish fishery, and we call them mahis up north, in the Mid-Atlantic and southern New England region, and, yes, that fishery is there, and it is developing, and, as we all know, a developing fishery is easier to regulate than one that is fully established, because, once it's fully established, if you do have to make a cutback later on, folks come in and say, oh no, you're going to hurt us, whereas, if we put in regional possession limits at this point, I think that the necessity, perhaps going forward in the future, to have to make reductions, if necessary -- It's less likely to occur, and so I'm very happy to have those for-hire vessels operate on a forty-eight-fish limit.

To Art's point of divisible by six, yes, you're right, and what happens if you don't catch a multiple of six or whatever per person, and do you stay home, or stay at-sea until you do that, and I think the multiple of six issue is a red herring, and so I'm going to continue to support the original motion of the forty-eight. Thank you very much, Madam Chairwoman.

MS. BECKWITH: Jessica.

MS. MCCAWLEY: Thanks. Just a couple of things. The thing I like about the motion that we have on the board is the fact that it's an Atlantic-wide limit. I do agree with Art that, to me, forty-eight was the compromise, and Art is right that people in Florida have asked for twenty to thirty, and I might have heard thirty a little bit more than I heard twenty or twenty-five, and so I felt like forty-eight was the compromise, and fifty-four is a little too high for me.

Even going down to fifty, and so I might be willing to go up from forty-eight to fifty, but fifty-four, which is just a six vessel reduction, six-fish vessel reduction, is just -- It's close, but it's not all the way to where I was hoping that we could get to, and so I could support forty-eight, where we are right now, and I could also support fifty, but I appreciate the part of the motion that is Atlantic-wide. Thank you, Anna.

MS. BECKWITH: Jessica, just to touch on some of the points that you made, I mean, you guys have been asking for thirty since the beginning, and North Carolina has been saying that we could not support any reduction, period, for our region, and that's why we structured this action to have the different options for east-coast-wide, South Carolina south, and Florida only. The opportunity is there for Florida to take a larger reduction, or to look at regions in this scenario, but, for North Carolina, fifty-four is as low as we can go, and even that is, as Steve mentioned, is something that we have issues with.

I will note again that this action was not structured to allow full consideration of the for-hire sector and their unique needs, and certainly, if we take this first step forward at fifty-four, in some future amendment, if the council decides to continue discussion on adjusting bag limits, that would provide the opportunity for the council to look at a potential exemption for the charter industry, because of their unique needs and the financial economic damage that would occur to them in our area, and maybe take a lower reduction on the private recreational and make some accommodations for the charter fleet.

If the east coast vessel limit is more important right now, to keep it standardized, then fifty-four is the absolute lowest that North Carolina can go, and, again, you guys will continue to have opportunities to further hash this out in the future, while giving full and proper consideration to necessary and potential exemptions and considerations for the charter fleet and all the other discussions that we just did not have the ability to do in this amendment. I'm going to go to Kerry and then Andy.

MS. MARHEFKA: Thanks, Anna. I wish we could look at this differently, because I do believe, as a council, we should be considering the charter guys and the headboat guys. They're businesses, and they're run differently, and it's very different than a guy going out and catching out, or a girl going out and catching, for their own personal use. They have to run a business, and the business has to be profitable, and I am very sensitive to that.

I also -- I am in support of this motion. The biological reasons I'm in support of this motion is based a lot on what we saw on Monday, and I do believe what we're looking at is a range shift. We're increasing the ACL, and it's very hard to look at an increasing ACL and then tell these businesses that they are then going to have to take a reduction, and I want to be more eloquent in support of this for the North Carolina people, but I believe very strongly that we need to look out for these guys, make some provisions for these guys.

As Anna said, if it's more important that it's consistent throughout the east coast, then what I would like to do today is the fifty-four dolphin per vessel, and maybe come back and look at separating out the charter guys from the private recreational, and I wish we could do that now, and I think I proposed that last time. Again, another reason that I'm in favor is these guys are reporting. I mean, these guys are running businesses and reporting, and I don't understand why they need to be penalized right now, I really don't, and so I feel very strongly in favor of this motion.

MS. BECKWITH: Thank you, Kerry. Andy.

MR. STRELCHECK: Thanks, Anna. First, I wanted to thank both you and Jessica for talking through this and trying to strike a compromise. I think it's really important, given the broad geographic area that the council manages, and differences, obviously, in geographic needs, to have important conversations like this.

I guess a couple of things I will point out, and I have spent a lot of time kind of thinking about this issue, and certainly there are very different dynamics with regard to how North Carolina operates versus Florida, and I hear Jessica and the south Florida crowd loud and clear, that they potentially want to even be more aggressive, from a conservation standpoint, but you look at the data and statistics, and it kind of bears out that reductions in the vessel limit impact North Carolina differentially than Florida, and so it's a lot easier for Florida anglers to agree to a lower vessel limit, because they're not largely catching most of those vessel limits that we're considering.

With all that said, I don't feel strongly one way or another about the vessel limits that we're debating, but I will say that is rare that we have a situation where we're not being reactive, and we're trying to be proactive with a fishery, and so I do appreciate the fact that the industry has come to us and started flagging concerns with this fishery, and one of the things that maybe we can discuss, after taking a vote on the amendment, is any sort of research needs and priorities and collaboration that can occur between the State of North Carolina and between the State of Florida with our Science Center, because it seems like there's going to be some additional information that we're going to want to see before us in the coming years, to see how this fishery continues to change, or maybe bounce back, depending on where things are at, and so thanks.

MS. BECKWITH: Thanks, Andy. I'm going to go to Spud and Mel next, because we haven't heard from them yet, and Chris, and then I will come back to Art. Spud.

MR. WOODWARD: Thanks, Anna. This is, again, similar to comments that I made with wahoo. I mean, we're a minor player in the fishery. In fact, I just pulled up the MRIP estimates for Georgia for dolphinfish, and, in 2020, it was 450. The year before, it was sixteen, and a person that's interested in catching dolphinfish off of Georgia has to go run sixty or seventy miles, or even further, and we don't have a lot of effort prosecuted directly on dolphinfish, and so we're contributing very little to the fishing mortality in the whole South Atlantic region.

Anyway, it goes back to what I said earlier, and I struggle with limiting opportunity when we don't have a firm science-based basis for doing that. Our fishermen, I'm sure, could live with forty-eight, and it's probably not common for those fishermen to catch more than forty-eight fish when they fish off of Georgia, but, again, it's -- You are reducing the opportunity, and there always needs to be a good reason for that.

I could support the fifty-four, if that's the majority will, and I think there's a lot that needs to be done to help us better understand what's going on with dolphinfish in the South Atlantic, and perhaps even in the Gulf of Mexico, and, I mean, we're operating out of an abundance of caution here, and sometimes that's prudent, but sometimes it causes us to perhaps overreact, when those reactions are not warranted, and so thank you.

MS. BECKWITH: Thank you. Mel.

MR. BELL: Thanks. This is a bit of a struggle. I was fine with the forty-eight as a compromise, and it seemed to be towards some measure of applied precaution. When we had those discussions, I think we even started out at fifty-four, but we ended up at forty-eight, and that was fine, but, you know, having received the lot of input that we have, I'm really struggling with a lot of the things that have already been brought up.

It's not an assessed stock, and it's extremely migratory in nature, and the fishery itself is an international fishery, and, as Jessica pointed out, there is a desire to understand that better and what is the impact of the overall fishery, and so things that are going on, and I in no way doubt what fishermen are seeing. They know what they're seeing, but, in terms of drawing direct correlation with what some folks are seeing with assumptions on harvest, or where harvest is taking place, we're lacking the actual data there.

The one thing I have realized, since we've been discussing this, is the action itself -- When we started down this road a while back, the action itself just doesn't accommodate the ability to address this nuanced fishery. There are so many differences, as we heard Monday in the presentation we had on the interactions with the fishermen. From North Carolina to Florida there are differences, and there are differences in terms of how the for-hire sector prosecutes versus private and what their experiences are.

As folks have pointed out from the for-hire sector, they are technically businesses and all, and so they have a different approach to things, and I also agree with Jessica that Alternatives 3 and 4 are not viable, because I think it does need to -- Whatever approach we take does need to be coast-wide, but it needs to be able to accommodate these differences in the fishery, so we're not disproportionately affecting one particular state or group, and so we really kind of don't have the perfect suite of options to choose from, given everything that's going on.

I think Andy's point, in terms of what data supports -- In terms of what data do we actually have, and so we're not dealing with an issue with the stock right now that we can put our finger on, but the data we have does indicate that, with the forty-eight, or anything that we do, there's going to be a disproportionate effect on one state, at least numbers. Now, whether or not that translates into what customers do or not, I don't know their customers, and they know their customers, and they know how that will work out, and we're just taking that, but the data we have, the limited data we have, are related to who will be impacted by this.

I would be -- Based on all of that, and a number of things that have been said, I would be fine in supporting fifty-four, because I appreciate the fact that there seems to be an attempt to compromise additionally here, but I'm in a position where, if fifty-four doesn't work, I would be ready to go back to Alternative 1, I mean, just because we would be making a decision based on an action that's perhaps not -- It doesn't give us all the options we need, and we do -- We will have another

dolphin-related amendment coming up in the future, but I'm fine with supporting the fifty-four right now.

MS. BECKWITH: Thank you, Mel. I'm going to go to Chris, and then Art, and Kyle, because I haven't heard from him, and then we're going to see if we can wrap it up and take a vote. Chris, go ahead.

MR. CONKLIN: Thanks. I have said all along that this screams sector separation, to me, and you've got one group that's got a business plan, and they're grouped in with the private recreational sector, and the average Joe Schmo and his little Grady White zooming out there doesn't need -- He isn't going to try to catch sixty dolphin. The people with the business plan, whatever it is, and it's all opportunity costs and advertising and whatnot, and we've seen the data about longer --

MS. BECKWITH: Chris, we lost you. All right. Let me go to Art, while we get Chris back on the line.

MR. SAPP: Thank you, Anna. All this talk about the disproportionate effects on one state from another --

MR. CONKLIN: Can you hear me?

MS. BECKWITH: Yes, we can hear you now, and so backtrack your comments a little bit, because we lost you after something about a business plan.

MR. CONKLIN: Big Brother must be listening. It just screams sector separation, to me. You've got one group of people that aren't trying to catch sixty fish, but another group that is marketing their trips on this. The dolphin everywhere are not as big, and they're not as plentiful close to shore, like they used to be, and I get that, and we're having to go a lot further here to get the bigger fish, and it's not as much fun. I would rather go fifty miles instead of eighty, but there's nothing we can do about that. I don't think it has anything to do with who is catching the fish where or at what rate, and I think it's a water temperature and an international issue, with other countries putting more pressure on these fish and not us.

With what Kerry said about we're giving more quota, and then we're going to tell these guys that we're going to screw them over on the bag limit, even on any reduction, it doesn't make any sense to me, and, like Mel said, if I had to choose anything, I would just leave this alone and wouldn't touch it at all.

MS. BECKWITH: Okay. I've got -- Back to Art.

MR. SAPP: Like I said, there's precedent in this, and the concern with groupers, back in the day, was that we have to limit them during their spawning season. Well, it just so happens, in south Florida, we catch gag groupers during the spawn. That's when they're here, and generally they show up in December, and they're gone by the end of March.

It was necessary, and we accept it, right, but we don't have a gag grouper season to speak of at all in south Florida anymore, because of the closure. We're not even looking to close the fishery entirely up there when these fish are spawning. Again, there's some science, through the tagging

programs, that states that the bigger fish are up there then, and, at forty-eight fish -- Again, 380,000 pounds is a lot of spawning fish, and that's a lot of eggs going back in the water, and so there's some real value there, and, even though, yes, this is a for-hire fishery that we're concerned about, it's still individual people on that charter trip, no different than recreational people, and those individual people don't need to be killing sixty fish.

I can't separate that, and I don't see how it's any different, and perhaps this group thinks we're trying to be proactive, and so everybody I talk to -- We're not being proactive in trying to reduce this vessel limit. We're being reactive to what we've seen here over the last ten years in a greatly reduced dolphin fishery.

You all can talk all you want about the water temperatures changing and that affecting it, and it's not. These fish live in the hottest of waters down through the Caribbean, and they're still plentiful in areas of that, and it's got nothing to do with the water temperature changing. These fish have been here in hot water before, and they should still be here in hot water, and they are, but they're just minute, and so I'm interested in forty-eight fish. I would like to see less, but, to me, forty-eight is the compromise. Thank you.

MS. BECKWITH: Kyle, go ahead.

DR. CHRISTIANSEN: Just, real quick, when you listen to everything that the council says about we want to listen to the fishermen, we want to listen to the fishermen, and we have a chance here. Florida does sort of have their finger on the pulse with this dolphin fishery, and Georgia and Spud and I and Carolyn, and we've said this for years, but we're such a small player in this, but we do have to run the furthest than anybody on the east coast to catch these fish.

All the guys who I know that fish, for them to be able to fish, it's a \$2,000 trip, by the time you add 300 or 400 gallons of fuel, fuel and bait and ice and everything, and so I do support the forty-eight dolphin, and I think dropping to fifty-four really doesn't do it. As a person who has chartered boats up and down the east coast, I can't ever remember a time where me, or any of my associates or anybody, has not chartered a trip because of a limit that went from sixty to forty-eight. We go to fish.

For these guys, it's a business, but I can't see anybody not going to North Carolina to fish because they only can catch forty-eight dolphin and not sixty. I just can't imagine that, in my mind, that these guys are going to do that, because, when you talk about the size fish that they're talking about catching, when you add sixty of these fish up, you've barely got enough to make a sandwich, or a fish taco, because they're catching twenty-inch fish on this, which brings in a whole other thing that Chester mentioned.

How in the world did we as a council, whenever this happened, get North Carolina to be exempt from a size limit that the rest of the east coast has to go by? I'm not going to bring that up, and I'm definitely not going to kick that hornet's nest, but, to me, that is just unfathomable as a council, that we protect these fish with a size limit all the way to the north border of South Carolina, and then you guys can kill them, and how did that happen?

MS. BECKWITH: Separate conversation for a different day. Rick.

DR. CHRISTIANSEN: Yes, it is.

MR. BELLAVANCE: Thank you, Madam Chair. I did have quite a few conversations with some charter boat operators up here in the Northeast, and they're actually satisfied with the forty-eight-fish possession limit up here, and they felt like that was a fair amount. I'm trying to anticipate, potentially, a stock shift up this way, and I think -- Maybe some more availability, and I was surprised by that, but I just wanted to let the committee know that, up my way, the forty-eight dolphin per vessel was an acceptable number. Thank you.

MS. BECKWITH: Okay. All right. John, let's get ahead and take this to a vote. I think people are pretty well settled at this point.

MR. HADLEY: Okay. I will run down the names of the committee members. A yes is in favor of the motion, and a no is not in favor of the motion. I will start off with Art.

MR. SAPP: No.

MR. HADLEY: Chester.

MR. BREWER: No.

MR. HADLEY: Chris.

MR. CONKLIN: Yes.

MR. HADLEY: Tim.

MR. GRINER: No.

MR. HADLEY: Steve.

MR. POLAND: Yes.

MR. HADLEY: Spud.

MR. WOODWARD: Yes.

MR. HADLEY: Carolyn.

DR. BELCHER: Yes.

MR. HADLEY: Mel.

MR. BELL: Yes.

MR. HADLEY: Kyle.

DR. CHRISTIANSEN: No.

MR. HADLEY: Andy.

MR. STRELCHECK: Yes.

MR. HADLEY: Kerry.

MS. MARHEFKA: Yes.

MR. HADLEY: Jessica.

MS. MCCAWLEY: No.

MR. HADLEY: Lieutenant Copeland.

LT. COPELAND: Abstain.

MR. HADLEY: Tony.

MR. DILERNIA: No.

MR. HADLEY: Dewey.

MR. HEMILRIGHT: Abstain.

MR. HADLEY: Rick.

MR. BELLAVANCE: I am going to abstain.

MR. HADLEY: It's looking like Bob Beal is not on right now, and that leaves Anna.

MS. BECKWITH: Yes.

MR. HADLEY: **The motion passes eight in favor, six opposed, and three abstentions.**

MS. BECKWITH: Okay. Let's just roll with that. I think we're done. All right. I think what's next is a motion for secretarial approval.

MR. HADLEY: Yes, and I will just take one second. Moving along to the end, as a reminder, as I mentioned yesterday, the revised goals and objectives of the FMP will go into place by this amendment, and they are included in the decision document as well as the amendment, and there's been a good deal of discussion on the goals and objectives of the FMP on behalf of the committee, and so there's no action required, but, there again, just a reminder that these will be going into place with this amendment. The last remaining action, assuming the committee is comfortable with it, is to pass a motion for formal review, and there's a draft motion provided for you in front of you right now.

MS. BECKWITH: Okay. Awesome. Can I please ask someone to make that motion? Mel.

MR. BELL: I move to approve Amendment 10 to the Fishery Management Plan for the Dolphin and Wahoo Fishery of the Atlantic for formal secretarial review and deem the codified text as necessary and appropriate. Give staff editorial license to make any necessary editorial changes to the document/codified text and give the Council Chair authority to approve the revisions and re-deem the codified text.

MS. BECKWITH: Thank you. Do I have a second?

MS. MARHEFKA: Second.

MS. BECKWITH: Thank you, Kerry. Okay. Is there any discussion on this motion? **Is there any opposition to this motion? Seeing none, that motion carries.**

MR. DILERNIA: Madam Chairwoman, I will be abstaining on that motion. Thank you.

MS. BECKWITH: Okay. Noted. All right. I think that ends our current discussion on Amendment 10 until Full Council. I appreciate everyone's work on this, and I think it went about as well as it could have, and so we can move on to the next agenda item, which is Project Plan for Future Dolphin Wahoo Fisheries Management Plan Amendment. Do we want to take a five-minute break and shake it off, or do we want to just keep on rolling? I am not hearing any for a break, and so we'll just keep rolling.

MR. HADLEY: Okay. Before we leave this, I just want to thank everyone for working through the amendment. I do want to note that the draft codified text is available in the late materials folder of the briefing book, for those that are interested.

MS. BECKWITH: Yes, and it sounds like that codified text is going to have a couple of adjustments that are going to be needed to it.

MR. HADLEY: It will.

MS. BECKWITH: Chester, did you have a comment?

MR. BREWER: I thought we were getting ready to get into the future plans for dolphin, and I had raised my hand to speak to that, but I will put it back down.

MS. BECKWITH: Okay. I think he's going to present some stuff to us first. Thanks.

MR. BREWER: Okay.

MR. HADLEY: All right. Recognizing that we are a little short on time, I will try to be brief here in presenting this topic, and just the idea here is to get some direction on potential future amendments to the Dolphin Wahoo Fishery Management Plan, and this will likely be -- This is kind of ahead of the discussion during Executive Committee looking at the council's overall workplan, but, as a reminder and a little bit of background, the committee has identified three major topics that you would like to consider in a future amendment.

In general, the one that covers potential changes to the pelagic longline fishery for dolphin and wahoo and potentially changing or expanding the minimum size limit for dolphin, by expanding the range of the dolphin minimum size limit, and then looking at exemptions to vessel limits onboard for-hire vessels, and so those are the three major topics that the committee has identified.

Looking at the pelagic longline gear actions, as you may recall, this was discussed quite a bit in Amendment 10, and the committee had come up with a series of actions and sub-actions that would look at changes to gear and potentially a permit endorsement, and, really, many of the gear changes were looking at mirroring some of the HMS-related requirements, and so mirroring those in the pelagic longline fishery for dolphin and wahoo. This was removed, with guidance to come back to these actions potentially in a future amendment, and the details of this -- I won't go into it, because they're pretty extensive, but the actions that were being examined are in an appendix in this paper.

Additionally, the committee, at the March 2021 meeting, directed staff to -- They provided direction to staff to look at a potential framework action that would consider making the minimum size limit requirements currently in place for Florida, Georgia, and South Carolina to apply throughout the management zone for dolphin, and so, essentially, extend these for North Carolina and northward. Also, the committee wanted to look at a potential framework or other appropriate action to consider exempting the charter fleet from the dolphin and vessel limits.

Really, whether or not these will be a framework amendment or a plan amendment depends on the content of the amendment overall, but, looking at some of the potential frameworkable actions, it appears that changing minimum size limits and potential gear regulations could be addressed in a framework amendment, but, there again, I wouldn't get too caught up on that. Likely, at this point, we're looking for kind of a very high-level discussion on what sort of amendment, or amendments, you would like to see going forward and some of the timing of that.

Really, the request of the committee, given those three major topics that you said you wanted to come back to and look at in a future Dolphin Wahoo FMP amendment, looking at the content, and so is the -- We would like to make sure that the committee is still interested in pursuing amendments that focus on the pelagic longline fishery and changes to the minimum size limit for dolphin and exempting charter vessels, and so are those three still on the table, so to speak, and what sort of general structure you would like to look at. Do you want to look at all three of these major topics in one amendment, or potentially split them off into two amendments, one looking at -- As an example, looking at the pelagic longline fishery and the other looking at the minimum size limit and retention limits?

Last, but not least, is timing. Again, that will be an important part, and I imagine one that will be eventually settled during the Executive Committee, but I think this can help inform that discussion that will take place later today on what sort of the general start time would you like to see for any amendments that you identify to the -- Future amendments to the Dolphin Wahoo FMP.

Specifically, as it is now, and this is a very draft format, as you will see during the Executive Committee, the way it's placed on the total FMP workload from the council, there's a pelagic-longline-related amendment tentatively starting at the December 2021 meeting and another amendment that would look at the minimum size limit for dolphin and potential exemptions for the charter fishery starting at the September 2021 meeting, and so, essentially, these meetings

would be sort of the start of the amendment process, so to speak, an information paper on the topics, and that's what you will see again during the Executive Committee. I will turn it over, and, there again, looking at general requests for what sort of content, structure, and timing of the future amendments.

MS. BECKWITH: Okay. I'm going to go to Kerry, and then I'm going to assume that Chester wants to get back on the list, and so I will go to Chester after Kerry.

MS. MARHEFKA: Thanks, Madam Chair. You all are going to have to indulge me, because I was not on this council, or particularly paying attention to dolphin wahoo, I will admit, when the issue of pelagic longline gear first came up. I will tell you, right away, that my hackles are up, and I don't understand -- Let me put it this way.

I am nervous that we're going to be taking a gear that harvests 2 to 5 percent of the total allowable catch of both sectors, that does so for maybe two weeks out of the year, that in no way, shape, or form comes close to even touching even the commercial ACL, and does so based on -- I went and read the standardized bycatch reporting report, the amendment, that we're going to be discussing later, with no evidence of a high amount of bycatch, in a fishery where we just increased the allowable biological catch, and we're going to take our very precious time, when we have a lot of big things to be dealing with, and dealing with this gear, for like 2 to 5 percent of the entire catch is what they're catching.

I suspect maybe the argument might be the potential to be increased, and, if that's a discussion to have, as far as maybe putting in a control date, or looking at an endorsement, and I guess I understand that, but my fear, and what I see coming down the line, and what I have heard based on public comments, is we're getting ready to make these longline guys a scapegoat of something that I don't understand, and, again, I wasn't here, and maybe I'm missing something obvious.

I would like to tell you that that's an important part of our market, and we're going to keep ceding dolphin to the imports, and we're not going to have a domestic catch, if we continue down this line. The commercial sector has not reached its TAC, if you will, and so what difference does it make how we harvest it, if it is not having a significant amount of bycatch or other biological issues, and so I will leave it there, and maybe someone can tell me what the true either economic or biological reasons are that we would look at this gear right now, with everything else that we have on our plate. Thanks.

MS. BECKWITH: Thanks, Kerry. The original request actually came from the HMS-permitted longliners that had some concerns of what they called our council boats, i.e., boats that only had the dolphin wahoo permit and not any of the HMS additional limited-entry permits, and they were using longline gear, and they were under some different requirements. They were allowed to use cut bait and j-hooks, and they thought that was inequitable and wanted to see some of the regulations sort of brought up to some par, and so that was the original beginning of that discussion, and then it sort of worked into some additional thoughts, based on comments that we received primarily from folks in Florida. Chester might be able to speak to that specifically, but that, at a minimum, is the background of where the original request came from. Chester.

MR. BREWER: Thank you, Anna. Kerry, I will be happy to give you some history as to why this is an issue actually of some importance. In 2015, the commercial fishery for dolphin was shut

down in June of that year, and, as you know, we manage dolphin up and down the east coast, and so the entire dolphin fishery was shut down for commercial in June for the entire coast. That is an economic disaster, particularly for the hook-and-line guys who are supplying the mom-and-pop operations with fresh-caught dolphin, which is a premium product.

We tried to find out what had happened, and we got not a whole lot of cooperation on trying to find out who had caught all these dolphin and how it had come about. While we were having those discussions, Terri Biederman and another blue-water fisherman came to the council meeting and said it was these council boats that had done it and not them and that we needed to do something about these council boats, and that picks up where Anna was talking about they wanted to bring the council boats into compliance with the regulations that they had to meet, and they said that would probably take care of the problem, and so we went down that road.

Brian Chevront tried to find out, from NMFS, who was responsible, or what group of people were responsible, for blowing out the quota in 2015, and he got very, very little cooperation. Finally, I believe it was last year, John, who is the HMS liaison, was able to find out what had happened, and what had happened was the blue-water boats in fact had caught right at, or just in excess, of a million pounds of fish, almost the entire commercial quota, and we had been lied to.

When I got that information, I will admit that I was just furious, because we had been misled, and we were trying to or working on developing all these other programs that we talked about to bring the council boats into compliance, and it wasn't the council boats, and so, to go even further back, the --

MS. BECKWITH: Don't go too far back, because we're at lunchtime, and we're already two-and-a-half hours over.

MR. BREWER: Anna, you asked me to explain this, and that is what I am doing. So, to go even further back, when the original Dolphin Wahoo Fishery Management Plan was put in place, it was a trip limit, and the trip limit was 3,000 pounds. That was passed by the council, and the idea was that the dolphin and wahoo fisheries were primarily recreational, and they wanted them to remain as such. They did not want longlines directed on dolphin, and so they put this trip limit in place.

The trip limit -- The plan was passed, but the trip limit was taken out, because it was thought, at the time, that it wasn't necessary, and, in fact, it probably wasn't. It was proactive, but it didn't have to be in place right then, and now we've got a situation where we have seen that the pelagic longline folks -- When they direct on dolphin, they can blow it out, blow out the quota, really, really quickly, and that is why we are now looking at -- I mean, in 2015, we weren't looking at a situation where they caught 2 or 3 percent of the fish. They caught almost 100 percent, and so that's why there is a concern, particularly a concern with the guys who are commercial fishing hook-and-line.

I hope that answers your question, and I don't know whether you want me to continue on now, Anna, or suggest areas that I think need to be looked at for future amendments, and what is your pleasure?

MS. BECKWITH: Let me go through the list, real quick, and then I will come back to you, if it's not covered, but let me give these folks a chance.

MR. BREWER: Okay. Thank you.

MS. BECKWITH: Tim, go ahead.

MR. GRINER: Thank you, Madam Chair. Looking at the entire commercial dolphin fishery, it is a longline fishery, and that's where these fish are harvested. The longline fishery, regardless of what they catch, have zero impact on the hook-and-line commercial fishery for dolphin, because there is no true commercial fishery for dolphin with handlines. That sector catches 30,000 pounds of fish a year, and that doesn't supply any mom-and-pop, and it doesn't supply anything. It's almost meaningless, and so, without the pelagic longline gear, there is no dolphin fishery in the South Atlantic.

That fishery is dwindling every year, and it's dropping by 30 percent a year, and there's basically five boats that are catching fish. To date, this year, they have caught 200,000 pounds of fish, and we're halfway through the year, and they have missed their two-week opportunity, and so they're not going to catch fish again until fall. I can't understand how else we would harvest the ACL for commercial without the pelagic longline gear. It's a drop in the bucket. It's 200,000 pounds of fish on an overall quota of twenty-five-million pounds of fish. It's doing damage to no one, and it's certainly not affecting the stock.

Again, we have no assessment on this stock, and we really don't know anything about the stock, other than that there's a lot more of them out there than we thought there were, and we cannot control what the international community is doing to these fish, but, at the end of the day, regardless of what they're doing, and regardless of what water temperature is doing, our pelagic longlines, in the South Atlantic, are decreasing.

I am all for making all of the boats, whether they be a pelagic longline boat or a so-called council boat -- I do think they all should play by the same rules. If one has to go to turtle school, the other has to go to turtle school, and I don't believe in a disparity of that nature, and that's not fair to the guys that are doing it right, but to think that pelagic longline gear is an issue, or a problem, to the dolphin stock is misplaced. It is the only way that we can bring dolphin to market in the South Atlantic, and those are facts. Thank you.

MS. BECKWITH: Chairman Bell has requested to be recognized. Mel.

MR. BELL: Thanks, Anna. I appreciate everybody's comments, but what we really didn't want to get into now was a debate, or a discussion, over the specifics of the issue. I mean, Kerry asked a question, and we have it answered there, but we really need to kind of stay on task now. There will be plenty of time for a lot of the input that you were discussing later, but what we would like to do is focus on what it is we're going to move forward with, those areas, without getting into actually debating the details of it.

That will come later, where the issues are, and so we want to make sure that -- What we're trying to do is capture everything that we might want to consider as we move into additional amendments, and so, if we could kind of -- The other thing is, of course, we're running a little late now, and so, if we could kind of tighten up the discussion to just what it is that we're trying to do, without getting into a lot of the detail of specific items and debating, that would be a great thing, because

what I'm looking at now is I would like to be able to wrap this up fairly quickly and break for lunch, and we'll probably take a very shortened lunch, and then we'll come back, and we're already -- As Anna said, we're already behind significantly, and so, if we could make that happen, that would be great.

MS. BECKWITH: Okay. Sounds great. I was going to try and wrangle us back onto task, but thank you for doing it. All right. Again, just topics and no dramatic details. Spud, go.

MR. WOODWARD: Thank you. Just a question about the third bullet under content, and that's looking at exemption for vessels, and we're not talking about different personal limits for for-hire vessels, and is that correct?

MS. BECKWITH: Correct. That goes with the discussion that we just had in Action 11, and particularly in Action 11, that it was not structured in a way to fully recognize and account for the sort of regional uniqueness and needs of so and so forth. Does that answer your question?

MR. WOODWARD: Yes. Thank you.

MS. BECKWITH: Okay. Dewey, go.

MR. HEMILRIGHT: It's kind of a little bit hard for me to -- After Chester's comments, not to address a few things, given that that's out there and Kerry was asking. Terri Biederman, when she gave her comments, was the director of Bluewater Fishermen's Association, and all pelagic longline fishermen were not members of that organization, and so her information that she gave in the meeting minutes are correct on her reflection, and so that needs to be taken into account, and the meeting minutes reflect that.

Going forward, some of the things -- Well, I will leave it at that for the time, but, if anybody has any other further questions on the history of this, please reach out and contact me, and we can show you the meeting minutes or anything that you would like discussed, because some person's accounts aren't conducive to reality. Thank you.

MS. BECKWITH: Okay. Andy.

MR. STRELCHECK: Thanks, Anna. I just wanted to weigh-in on the structure and timing. I'm supportive of an action that would combine the minimum size limit and retention limit. For timing, I think I'll wait to weigh-in until the Executive Committee, and kind of take a look at what else is before us, with regard to priorities, before deciding whether September is reasonable or if we want to look at something else.

In terms of the pelagic longline fishery, one thing to keep in mind is the agency will be doing a biological opinion, and that will be tied to rulemaking on Dolphin Wahoo Amendment 10, and so we may want to hold off and address the pelagic longline fishery issue until after that biological opinion, because it certainly could inform some of the actions and decisions that come out of that, if measures are identified in that bi-op, and so that's just something to keep in mind.

MS. BECKWITH: Okay. Kerry.

MS. MARHEFKA: In respect to Mel, and based on what Andy just said, might I suggest to the committee that we say that the two highest priorities are changing the minimum size limit and exempting charter vessels in the next action, which I believe we could do both of those in a framework, and push the pelagic longline gear until after we get the biological opinion, in a different amendment.

MS. BECKWITH: I would definitely agree that the pelagic longline discussion should be its own amendment. Chris.

MR. CONKLIN: I am tired of dolphin. We have worked on dolphin a lot for a long time, and we went for a while without doing anything, and then we dedicated and exhausted our resources on it, and, I mean, I want to get back to where Brian used to take us in for Executive Finance and we would prioritize our amendments, and there is so much in there that we haven't even -- That keeps falling to the bottom of the list, because every time somebody cries, or complains, we've got to take up cobia, dolphin, this, that, blah, blah, blah.

I mean, we can't even get the crap done that we've already planned on for -- I've been on this thing for nine years now, and, I mean, it's getting old, and I would like to see some the low-hanging fruit get done before we start doing new amendments. I mean, we're looking at changing a size limit in here, and managing some frigging gear, and, I mean, that's two actions, and like I don't see any benefit to doing any more work until we get some stuff done that we've already committed to. Thank you.

MS. BECKWITH: Jessica.

MS. MCCAWLEY: I am supportive of looking at the size limit as well as the action to consider exempting the charter fleet, but I would also like to look at the captain and crew limit, and maybe a different limit for the charter fleet, instead of just exempting them from it, and don't hate me, but we had talked about the for-hire sales possibly coming back under this other item, and I get that we probably don't have time for that now, and I don't necessarily think it should go in that exact same vehicle. I do want the pelagic longline stuff to come back, and I'm fine with that coming back separately on a different timeframe.

MS. BECKWITH: You just said for-hire sales, and it made me twitch, Jessica.

MS. MCCAWLEY: It makes me twitch to talk about it too, but we have talked about it. To me, a lot of these things were discussions that came up when we were talking about this amendment that we've been working on for years, and we kept dumping things out of the amendment to keep that main amendment going, but, yes, these are like all the extra stuff.

MS. BECKWITH: Yes. Noted. Tim, go ahead.

MR. GRINER: Thank you. I was just going to say exactly what Chris said. We can't even get commercial electronic logbooks, and here we are wanting to talk about adding stuff like letting for-hire people sell dolphin. I really think we need to -- Like Chris said, let's get some of this low-hanging fruit, but these are important things, and they do need to be talked about at some point, but, right now, I just can't see that they're that pressing issues, and I certainly want to see the

pelagic longline gear and any potential discussions about for-hire sales in its own amendment, away from any minimum size limit for dolphin or charter vessel retention limits. Thank you.

MS. BECKWITH: I feel like someday, when I come back to the South Atlantic Council, I will still be working on some of these. Chester, go ahead.

MR. BREWER: Thank you, Anna. I just want to remind everybody that this got started because we were going to take a look at -- Well, at first, this pelagic longline issue was a part of Amendment 10, and we took it out and said, no, we think we'll do that in a separate amendment, and we actually committed to essentially a timeframe, and it's in whatever we call it, our priorities, that we would be looking at that issue, and so to say that, oh no, you're just bringing this up now, no, no, we're not. It's been on the table, and it's been something that we've actually committed to, and so to say, oh, well, now we're going to move it again, because we want it to be in a separate amendment, well, we already did that once, and so I really think that we need to keep that in -- What are we calling it? Well, in the different actions that -- Excuse me. Content. We need that to keep that in content. Thank you.

MS. BECKWITH: Okay. Steve.

MR. POLAND: Thank you. Since we're putting down kind of a crib sheet of future actions, I would really like to see a discussion of regional management, which maybe even includes things like regional allocations and that kind of stuff, and I know we've talked about it the past, and hinted around a little bit, but I would like to see that on the list.

MS. BECKWITH: Okay. Chris.

MR. CONKLIN: If all this do-gooding is going to be getting done, and you folks really have to do this, then we're going to need to put something in there about removing the open-access permit.

MS. BECKWITH: Okay. All right. I am having trouble not having an opinion on these things, because I won't be here, and so I'm going to restrain myself and let it go. Okay. We are done. I am cutting it off, and I'm going to turn it over, Mel, to break us for lunch and to tell us what time we need to get back.

MR. BELL: I hate to be cruel, but, to try to keep us on a reasonable schedule, can everybody live with a forty-five -- If we come back at 1:00, is that going to kill anybody? No hands. All right. Let's take a break until 1:00, and then we will come back, and we will be in Mackerel Cobia, I believe. Thank you.

MS. BECKWITH: All right. Dolphin Wahoo adjourned.

(Whereupon, the meeting adjourned on June 17, 2021.)

Certified By: _____ Date: _____

Transcribed By
Amanda Thomas
June 30, 2020

SAFMC June Council

Attendee Report: Meeting (6/14/21 -

Report Generated:

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06/16/2021 07:59 AM EDT

Duration

9 hours 2 minutes

Attendee Details

Attended

Yes

Last Name

Allen

First Name

Shanae

Yes

BROUWER

MYRA

Yes

BYRD

01JULIA

Yes

Bailey

Adam

Yes

Baker

Scott

Yes

Barbieri

Luiz

Yes

Bauer

Tracey

Yes

Baugess

Ken

Yes

Beal

Bob

Yes

Beckwith

00Anna

Yes

Belcher

00Carolyn

Yes

Bell

00Mel

Yes

Bellavance

10 - Rick

Yes

Bianchi

Alan

Yes

Blough

Heather

Yes

Bonura

Vincent

Yes

Brame

Richen

Yes

Brennan

Ken

Yes

Brooke

Sandra

Yes

Brown

Julie

Yes

Bruce

James

Yes

Bublely

Walter

Yes

Calay

Shannon

Yes

Carmichael

01 John

Yes

Carrodegua

David

Yes

Caycedo

Mario

Yes

Chaya

01Cindy

Yes

Christiansen

00kyle

Yes

Clarke

Lora

Yes

Collier

01Chip

Yes

Conklin

00 THE REAL Chris

Yes

Copeland

00 Bobby

Yes

Cox

Derek

Yes	Creely	Chris
Yes	DeVictor	Rick
Yes	DiLernia	00Anthony
Yes	Dover	Miles
Yes	English	Stephen
Yes	Fletcher	Brad
Yes	Flowers	Jared
Yes	Foor	Brandon
Yes	Foss	Kristin
Yes	Frazer	Tom
Yes	Gentry	Lauren
Yes	Glasgow	Dawn
Yes	Godwin	Joelle
Yes	Gore	Karla
Yes	Gravitz	Michael
Yes	Grimes	00 Shepherd
Yes	Gulbrandsen	Michael
Yes	Guyas	Martha
Yes	Hadley	01John
Yes	Hart	Hannah
Yes	Hawes	Rachel
Yes	Haymans	Doug
Yes	Heffernan	Katie
Yes	Helies	Frank
Yes	Hemilright	00 Dewey
Yes	Horton	Chris
Yes	Howell	Scott
Yes	Howington	Kathleen
Yes	Hudson	Rusty
Yes	Hull	James
Yes	Iberle	01Allie
Yes	Illig	Mike
Yes	Iverson	01 Kim
Yes	Jepson	Michael
Yes	Karnauskas	Mandy
Yes	Kellison	Todd
Yes	Klibansky	Lara
Yes	Knowlton	Kathy
Yes	Kyp	John
Yes	Laks	Ira
Yes	Lam	Elliott
Yes	Levy	Mara
Yes	Magan	N
Yes	Marhefka	00Kerry
Yes	Masi	Michelle
Yes	McCawley	00-Jessica
Yes	McCoy	Sherylanne

Yes	McGovern	Jack
Yes	Mehta	Nikhil
Yes	Meyer	Robert
Yes	Neer	Julie
Yes	Nesslage	Genny
Yes	Newman	Thomas
Yes	O'Shaughnessy	Patrick
Yes	Parker	Bill
Yes	Porch	00Clay
Yes	Prewitt	Brian
Yes	Pugliese	01Roger
Yes	Pulver	Jeff
Yes	Pumo	Alex
Yes	Ralston	Kellie
Yes	Records	David
Yes	Reichert	Marcel
Yes	Reynolds	Jon
Yes	Rhodes	01Cameron
Yes	Rock	Jason
Yes	Sanchez	Joseph
Yes	Sanchez	John
Yes	Sapp	00Art
Yes	Schmidtke	01Michael
Yes	Scott	Tara
Yes	Sedberry	George
Yes	Shertzer	Kyle
Yes	Smit-Brunello	00Monica
Yes	Smith	Duane
Yes	Spurgin	Kali
Yes	Stam	Geoff
Yes	Stemle	Adam
Yes	Stephen	Jessica
Yes	Stone	Christa
Yes	Strelcheck	00-Andy
Yes	Sweetman	CJ
Yes	Thomas	David
Yes	Travis	Michael
Yes	Turley	Brendan
Yes	Vara	Mary
Yes	Vaughan	Douglas
Yes	Volker	Dan
Yes	Walia	Matt
Yes	Wamer	David
Yes	Waters	James
Yes	Whitaker	David
Yes	White	Bobby
Yes	Wiegand	01Christina

Yes	Wiseman	adam
Yes	Woodward	00 Spud
Yes	berry	james "Chip"
Yes	brewer	00chester
Yes	colby	barrett
Yes	crosson	scott
Yes	emery	jeff
Yes	griner	tim
Yes	joyner	woody
Yes	moss	david
Yes	poland	00steve
Yes	sandorf	scott
Yes	sminkey	thomas
Yes	thomas	01suz

SAFMC June Council Meeting

Attendee Report: (6/14/21 - 6/18/21)

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06/18/2021 07:07 AM EDT

Webinar ID

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Actual Start Date/Time

06/17/2021 08:00 AM EDT

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9 hours 33 minutes

Attendee Details

Attended

Attended	Last Name	First Name
Yes	BROUWER	MYRA
Yes	BYRD	01JULIA
Yes	Bailey	Adam
Yes	Bauer	Tracey
Yes	Beckwith	00Anna
Yes	Belcher	00Carolyn
Yes	Bell	00Mel
Yes	Bellavance	10 - Rick
Yes	Bianchi	Alan
Yes	Bowlen	Joshua
Yes	Brame	Richen
Yes	Brennan	Ken
Yes	Brown	Julie
Yes	Bubley	Walter
Yes	Calay	Shannon
Yes	Carmichael	01 John
Yes	Carrodeguas	David
Yes	Chaya	01Cindy
Yes	Chesnes	Max
Yes	Christiansen	00kyle
Yes	Clarke	Lora
Yes	Collier	01Chip
Yes	Conklin	00 THE REAL Chris
Yes	Copeland	00 Bobby
Yes	Cox	Jack
Yes	Cox	Derek
Yes	DeVictor	Rick
Yes	Deaton	Anne
Yes	DiLernia	00Anthony
Yes	Donaldson	Mary
Yes	Fletcher	Brad
Yes	Flowers	Jared
Yes	Foor	Brandon
Yes	Foss	Kristin

Yes	Gentry	Lauren
Yes	Godwin	Joelle
Yes	Goodhue	David
Yes	Goozner	Zoe
Yes	Gore	Karla
Yes	Gravitz	Michael
Yes	Grimes	00 Shepherd
Yes	Gulbrandsen	Michael
Yes	Guyas	Martha
Yes	Hadley	01John
Yes	Harrison	BeBe Dalton
Yes	Hart	Hannah
Yes	Hawes	Rachel
Yes	Helies	Frank
Yes	Hemilright	00 Dewey
Yes	Hoke	David
Yes	Horton	Chris
Yes	Howell	Scott
Yes	Howington	Kathleen
Yes	Hudson	Rusty
Yes	Iberle	01Allie
Yes	Iverson	01 Kim
Yes	Johnson	Denise
Yes	Kaelin	Jeff
Yes	Karazsia	Jocelyn
Yes	Karnauskas	Mandy
Yes	Kellison	Todd
Yes	Killer	Ed
Yes	Klibansky	Lara
Yes	Laks	Ira
Yes	Lam	Elliott
Yes	Levy	Mara
Yes	Lewis	Savannah
Yes	Lyons Gromen	Pam
Yes	Marhefka	00Kerry
Yes	Masi	Michelle
Yes	McCawley	00-Jessica
Yes	McCoy	Sherylanne
Yes	McGovern	Jack
Yes	Mehta	Nikhil
Yes	Mendez-Ferrer	Natasha
Yes	Meyer	Robert
Yes	Murphey	Trish
Yes	Neer	Julie
Yes	Nesslage	Genny
Yes	O'Donnell	Kelli
Yes	O'Shaughnessy	Patrick

Yes	Porch	00Clay
Yes	Prewitt	Brian
Yes	Pugliese	01Roger
Yes	Pulver	Jeff
Yes	Ralston	Kellie
Yes	Records	David
Yes	Reichert	Marcel
Yes	Reynolds	Jon
Yes	Rhodes	01Cameron
Yes	Rock	Jason
Yes	Sanchez	Joseph
Yes	Sanchez	John
Yes	Sapp	00Art
Yes	Schmidtke	01Michael
Yes	Scott	Tara
Yes	Sedberry	George
Yes	Smit-Brunello	00Monica
Yes	Smith	Duane
Yes	Spurgin	Kali
Yes	Stemle	Adam
Yes	Stephen	Jessica
Yes	Strelcheck	00-Andy
Yes	Sweetman	CJ
Yes	Thompson	Mary
Yes	Thompson	Laurilee
Yes	Travis	Michael
Yes	Vara	Mary
Yes	Vaughan	Douglas
Yes	WHITE	GEOFF
Yes	Walia	Matt
Yes	Wamer	David
Yes	Whitaker	David
Yes	Wiegand	01Christina
Yes	Wiseman	adam
Yes	Woodward	00 Spud
Yes	berry	james "Chip"
Yes	brewer	00chester
Yes	campbell	calvert
Yes	colby	barrett
Yes	crosson	scott
Yes	emery	jeff
Yes	fabbri	jeffrey
Yes	griner	tim
Yes	joyner	woody
Yes	moss	david
Yes	poland	00steve
Yes	sandorf	scott

Yes
Yes

thomas
wilber

01suz
pace