

Existing South Atlantic Transit Provisions

- South Atlantic Shrimp – Cold Weather Closure

The Shrimp FMP allows NC, SC, GA and east FL to request a closure in federal waters adjacent to closed state waters for penaeid (brown, pink, white) shrimp following severe cold weather that results in 80% or greater reduction in the population white shrimp. During the closure, trawling is prohibited for those vessels with nets having less than 4” stretch mesh, and possession of penaeid shrimp on board is permitted while a vessel is in transit (direct, non-stop progression). Transit is allowed provided that the nets are in an unfishable condition, which is defined as stowed below deck.

Code of Federal Regulations:

§ 622.35 Atlantic EEZ seasonal and/or area closures. South Atlantic shrimp cold weather closure.

(2) During a closure, as specified in paragraph (d)(1) of this section--

(i) No person may trawl for brown shrimp, pink shrimp, or white shrimp in the closed portion of the EEZ (closed area); and no person may possess on board a fishing vessel brown shrimp, pink shrimp, or white shrimp in or from a closed area, except as authorized in paragraph (d)(2)(iii) of this section.

(ii) No person aboard a vessel trawling in that part of a closed area that is within 25 nm of the baseline from which the territorial sea is measured may use or have on board a trawl net with a mesh size less than 4 inches (10.2 cm), as measured between the centers of opposite knots when pulled taut.

(iii) Brown shrimp, pink shrimp, or white shrimp may be possessed on board a fishing vessel in a closed area, provided the vessel is in transit and all trawl nets with a mesh size less than 4 inches (10.2 cm), as measured between the centers of opposite knots when pulled taut, are stowed below deck while transiting the closed area. For the purpose of this paragraph, a vessel is in transit when it is on a direct and continuous course through a closed area.

- Marine Protected Areas

Snapper Grouper Amendment 14 created a system of 8 deepwater Marine Protected Areas (MPAs) in the South Atlantic to help further protect deepwater snapper grouper species and their associated habitat. Vessels may transit (direct, non-stop progression) through the MPAs with snapper grouper species on board with fishing gear appropriately stowed. Terminal gear used with an automatic reel, bandit gear, buoy gear, hand-line, or rod and reel must be disconnected and stowed separately from such fishing gear. A rod and reel must be removed from the rod holder and stowed securely on or below deck. A longline may be left on the drum if all gangions and hooks are disconnected and stowed below deck. Hooks cannot be baited. All buoys must be disconnected from the gear; however, buoys may remain on deck. A trawl or try net may remain on deck, but trawl doors must be disconnected from such net and must be secured. A gill net,

stab net, or trammel net must be left on the drum. Any additional such nets not attached to the drum must be stowed below deck. A crustacean trap, golden crab trap, or sea bass pot cannot be baited. All buoys must be disconnected from the gear.

Code of Federal Regulations:

§ 622.35 Atlantic EEZ seasonal and/or area closures. Marine Protected Areas

(i) MPAs. (1) No person may fish for a South Atlantic snapper-grouper in an MPA, and no person may possess a South Atlantic snapper-grouper in an MPA. However, the prohibition on possession does not apply to a person aboard a vessel that is in transit with fishing gear appropriately stowed as specified in paragraph (i)(2) of this section.

(2) For the purpose of paragraph (i)(1) of this section, transit means direct, non-stop progression through the MPA. Fishing gear appropriately stowed means– (i) A longline may be left on the drum if all gangions and hooks are disconnected and stowed below deck. Hooks cannot be baited. All buoys must be disconnected from the gear; however, buoys may remain on deck.

(ii) A trawl or try net may remain on deck, but trawl doors must be disconnected from such net and must be secured. (iii) A gillnet, stab net, or trammel net must be left on the drum. Any additional such nets not attached to the drum must be stowed below deck. (iv) Terminal gear (i.e., hook, leader, sinker, flasher, or bait) used with an automatic reel, bandit gear, buoy gear, handline, or rod and reel must be disconnected and stowed separately from such fishing gear. A rod and reel must be removed from the rod holder and stowed securely on or below deck. (v) A crustacean trap, golden crab trap, or sea bass pot cannot be baited. All buoys must be disconnected from the gear; however, buoys may remain on deck.

Fishery Access Area Provisions

- Shrimp and Golden Crab Fishery Access Areas

Under Comprehensive Ecosystem-Based Amendment 1 (CE-BA 1) Shrimp and Golden Crab Fishery Access areas were established to allow for continued fishing on historical grounds for deepwater shrimp and golden crab. An owner or operator of a vessel for which a valid commercial vessel permit for rock shrimp (South Atlantic EEZ) has been issued may trawl for shrimp in Shrimp Fishery Access Areas within the Stetson-Miami Terrace Coral HAPC. An owner or operator of a vessel for which a valid commercial permit for South Atlantic golden crab has been issued may use a trap to fish for golden crab and use a grapple and chain while engaged in such fishing in the Golden Crab Fishery Access Areas within the Stetson-Miami Terrace Coral HAPC. Access to these areas is contingent on that zone being authorized on the vessel's permit for South Atlantic golden crab.

Oculina Bank HAPC regulations

Within the Oculina Bank HAPC, no person may use a bottom longline, bottom trawl, dredge, pot or trap. If aboard a fishing vessel, no person may anchor, use an anchor and chain, or use a grapple and chain. No person may fish for rock shrimp or possess rock shrimp in or from the area on board a fishing vessel. No person may possess *Oculina* coral.

Code of Federal Regulations:

§ 622.35 Atlantic EEZ seasonal and/or area closures. Oculina Bank HAPC

(c) Oculina Bank--(1) HAPC. The Oculina Bank HAPC encompasses an area bounded on the north by 28°30' N. lat., on the south by 27°30' N. lat., on the east by the 100-fathom (183- m) contour, as shown on the latest edition of NOAA chart 11460, and on the west by 80°00' W. long.; and two adjacent areas: the first bounded on the north by 28°30' N. lat., on the south by 28°29' N. lat., on the east by 80°00' W. long., and on the west by 80°03' W. long.; and the second bounded on the north by 28°17' N. lat., on the south by 28°16' N. lat., on the east by 80°00' W. long., and on the west by 80°03' W. long. In the Oculina Bank HAPC, no person may:

(i) Use a bottom longline, bottom trawl, dredge, pot, or trap. (ii) If aboard a fishing vessel, anchor, use an anchor and chain, or use a grapple and chain. (iii) Fish for rock shrimp or possess rock shrimp in or from the area on board a fishing vessel. (2) Experimental closed area. Within the Oculina Bank HAPC, the experimental closed area is bounded on the north by 27°53' N. lat., on the south by 27°30' N. lat., on the east by 79°56' W. long., and on the west by 80°00' W. long. No person may fish for South Atlantic snapper-grouper in the experimental closed area, and no person may retain South Atlantic snapper grouper in or from the area. In the experimental closed area, any South Atlantic snapper-grouper taken incidentally by hook and line gear must be released immediately by cutting the line. without removing the fish from the water.