

**Action 1: Limit Participation in the Black Sea Bass Pot Fishery through an Endorsement Program.**

**Alternative 1 (No Action).** Do not further limit participation in the black sea bass pot fishery with the establishment of an endorsement program.

**Alternative 2. (Newly reorganized)** Limit endorsement and tag distribution to black sea bass pot fishermen with valid (Council needs to decide when the permit would need to be valid ie., upon implementation of this amendment?) commercial snapper grouper permits whose *average* black sea bass landings between 12/8/98 and 12/31/10 were at least:

**Sub-Alternative 2a** - 500 lbs whole weight. Exclude fishermen who had no reported commercial landings of black sea bass between January 1, 2008, and December 31, 2010.

**Sub-Alternative 2b** - 1,000 lbs whole weight. Exclude fishermen who had no reported commercial landings of black sea bass between January 1, 2008, and December 31, 2010.

**Sub-Alternative 2c** - 2,000 lbs whole weight. Exclude fishermen who had no reported commercial landings of black sea bass between January 1, 2008, and December 31, 2010.

**Sub-Alternative 2d** - 5,000 lbs whole weight. Exclude fishermen who had no reported commercial landings of black sea bass between January 1, 2008, and December 31, 2010.

**Sub-Alternative 2e** - 10,000 lbs whole weight. Exclude fishermen who had no reported commercial landings of black sea bass between January 1, 2008, and December 31, 2010.

**Alternative 3. (Newly reorganized)** Limit endorsement and tag distribution to black sea bass pot fishermen with valid (Council needs to decide when the permit would need to be valid ie., upon implementation of this amendment?) commercial snapper grouper permits whose *total* black sea bass landings between 12/8/98 and 12/31/10 were at least:

**Sub-Alternative 3a** - 500 lbs whole weight. Exclude fishermen who had no reported commercial landings of black sea bass between January 1, 2008, and December 31, 2010.

**Sub-Alternative 3b** - 1,000 lbs whole weight. Exclude fishermen who had no reported commercial landings of black sea bass between January 1, 2008, and December 31, 2010.

**Sub-Alternative 3c** - 2,000 lbs whole weight. Exclude fishermen who had no reported commercial landings of black sea bass between January 1, 2008, and December 31, 2010.

**Sub-Alternative 3d** - 5,000 lbs whole weight. Exclude fishermen who had no reported commercial landings of black sea bass between January 1, 2008, and December 31, 2010.

**Preferred Sub-Alternative 3e** - 10,000 lbs whole weight. Exclude fishermen who had no reported commercial landings of black sea bass between January 1, 2008, and December 31, 2010.

Table 1. Number of fishermen with snapper grouper permits who fished pots with minimum black sea bass landings of 500, 2,000, 1,000, 5,000, and 10,000 pounds ww between 12/8/98 and 12/31/09. Excludes fishermen who did not have landings in 2008, 2009, or 2010. Values are estimates. Note: Does not include 2010 data.

Landings	Alternative 2	Alternative 3
500 lbs	48	62
1,000 lbs	39	59
2,000 lbs	30	55
5,000 lbs	15	48
10,000 lbs	8	39

### **Action 2: Establishment of an Appeals Process**

**Alternative 1.** No action. Do not establish an appeals process for fishermen who believe they were incorrectly omitted from the endorsement program based on eligibility criteria.

**Preferred Alternative 2.** Establish an appeals process. This language tracks the preferred alternative for Gulfs reef fish IFQ appeals process. The Regional Administrator would review, evaluate, and render final decision on appeals. Filing of an appeal based on landings data must be completed within 90 days of the effective date of the final regulations implementing the black sea bass endorsement program. Hardship arguments will not be considered. The Regional Administrator will determine the outcome of appeals based on NOAA Fisheries Service logbooks. If logbooks are not available; the Regional Administrator may use state landings records. Appellants must submit NMFS' logbooks to support their appeal.

### **Action 3: Allow for Transferability of Black Sea Bass Endorsements**

**Alternative 1 (No Action).** Black sea bass endorsements (and tags) are not allowed to be transferred.

**Preferred Alternative 2.** Black sea bass endorsements and associated landings history can be transferred between any two individuals or entities that hold a valid federal commercial unlimited snapper grouper permit. The endorsement can be transferred regardless of whether or not the federal commercial snapper grouper permit is transferred.

**Preferred Sub-Alternative 2a.** Transferability allowed upon program implementation.

**Sub-Alternative 2b.** Transferability not allowed during the first 2 years of the program.

**Sub-Alternative 2c.** Transferability not allowed during the first 3 years of the program.

**Sub-Alternative 2d.** Transferability not allowed during the first 5 years of the program.

**Alternative 3.** Black sea bass endorsements and associated landings history can be transferred when an individual's federal commercial snapper grouper permit is transferred.

**Action 4: Limit Effort in the Black Sea Bass Pot Fishery Each Fishing Year**

**Alternative 1 (No Action).** Do not annually limit the number of black sea bass pots deployed or pot tags issued to holders of snapper grouper commercial permits.

**Alternative 2.** Require that each black sea bass pot in the water or at sea on a vessel in the South Atlantic EEZ have an attached valid identification tag issued by NOAA Fisheries Service. Limit the black sea bass pot tags to 100 per vessel annually each fishing year. NOAA Fisheries Service will issue new identification tags each fishing year that will replace the tags from the previous fishing year.

**Alternative 3.** Require that each black sea bass pot in the water or at sea on a vessel in the South Atlantic EEZ have an attached valid identification tag issued by NOAA Fisheries Service. Limit the black sea bass pot tags to 50 per vessel annually each fishing year. NOAA Fisheries Service will issue new identification tags each fishing year that will replace the tags from the previous fishing year.

**Alternative 4.** Require that each black sea bass pot in the water or at sea on a vessel in the South Atlantic EEZ have an attached valid identification tag issued by NOAA Fisheries Service. Limit the black sea bass pot tags to 25 per vessel annually each fishing year. NOAA Fisheries Service will issue new identification tags each fishing year that will replace the tags from the previous fishing year.

**Alternative 5.** Require that each black sea bass pot in the water or at sea on a vessel in the South Atlantic EEZ have an attached valid identification tag issued by NOAA Fisheries Service. Limit the black sea bass pot tags to 100 per vessel in year 2011, 50 in year 2012, and 25 in year 2013. NOAA Fisheries Service will issue new identification tags each fishing year that will replace the tags from the previous fishing year.

**Alternative 6.** Require that each black sea bass pot in the water or at sea on a vessel in the South Atlantic EEZ have an attached valid identification tag issued by NOAA Fisheries Service. Limit the black sea bass pot tags to 100 per vessel in year 2011 and 50 in year 2012. NOAA Fisheries Service will issue new identification tags each fishing year that will replace the tags from the previous fishing year.

**Alternative 7.** Annually Each fishing year issue tags to individuals based on a 10% reduction in the number of tags issued as of 12/04/08.

**Alternative 8.** Annually Each fishing year issue tags to individuals based on a 25% reduction in the number of tags issued as of 12/04/08.

**Preferred Alternative 9. (New)** Require that each black sea bass pot in the water or at sea on a vessel in the South Atlantic EEZ have an attached valid identification tag issued by NOAA Fisheries Service. Limit the black sea bass pot tags to 35 per vessel annually each fishing year.

NOAA Fisheries Service will issue new identification tags each fishing year that will replace the tags from the previous fishing year.

**Action 5: Implement Measures to Reduce Bycatch in the Black Sea Bass Pot Fishery**

**Alternative 1 (No Action):** Do not implement new regulations specifying when black sea bass pots must be retrieved from the water.

**Preferred Alternative 2:** Require black sea bass pots to be brought back to the shore at the conclusion of each trip.

**Alternative 3:** Require fishermen remove their black sea bass pots within 72 hours of the start of the fishing trip.

**Action 6 (New): Modify Accountability Measures for Black Sea Bass**

**Alternative 1 (No Action).**

**Commercial**

If a commercial ACL is met or is projected to be met, all subsequent purchase and sale is prohibited and harvest and/or possession is limited to the bag limit for the species covered by that ACL.

**Recreational**

If black sea bass *is overfished* and the sector ACL is projected to be met, prohibit the harvest and retention of the species. Compare the recreational ACL with recreational landings over a range of years. For 2010, use only 2010 landings. For 2011, use the average landings of 2010 and 2011. For 2012 and beyond, use the most recent three-year running average. If the ACL is exceeded, independent of stock status, the Regional Administrator shall publish a notice to reduce the sector ACL in the following season by the amount of the overage.

**Alternative 2.** If the combined commercial and recreational ACL is projected to be exceeded, the Regional Administrator shall publish a notice to reduce length of the following season. This alternative would not affect the current commercial quota closure provision.

**Alternate Alternative 2 language suggested by an IPT member:**

If the combined commercial and recreational ACL is exceeded, the Regional Administrator shall publish a notice to reduce the length of the following season as follows:

- If both sectors' ACLs are exceeded then both sectors' seasons would be reduced as necessary.
- If only one sector ACL is exceeded, and the combined ACL is also exceeded, then that sector's season would be reduced as necessary

This alternative would not affect the current commercial quota closure provision.

**Alternative 3.** If black sea bass *is overfished* and the combined commercial and recreational ACL is exceeded, the Regional Administrator shall publish a notice to reduce each sector's ACL

in the following season by the amount of the overage. This alternative would not affect the current commercial quota closure provision.

**Alternate Alternative 3 language suggested by an IPT member:**

If black sea bass is overfished and the combined commercial and recreational ACL is exceeded the Regional Administrator shall publish a notice to reduce each sector's ACL in the following season by the amount of the overage as follows:

- If both sectors exceed their ACL, then both sectors' ACLs would be reduced by the sector overage.
- If only one sector's ACL is exceeded and the combined ACL is also exceeded then that sector's ACL would be reduced by the amount of the total overage (the amount the combined commercial and recreational ACL is exceeded).

This alternative would not affect the current commercial quota closure provision.

**Alternative 4.** If the recreational ACL is exceeded, the following year's landings will be monitored for persistence in increased landings. The Regional Administrator will publish a notice to reduce the length of the fishing season as necessary.

**Alternative 5.** If black sea bass is overfished and the recreational ACL is exceeded, the Regional Administrator shall publish a notice to reduce the ACL in the following season by the amount of the overage.

Note: Alternatives 2 through 5 would eliminate the three year running average for the recreational sector.

**Action 7: From Reg. 9 Establish a Spawning Season Closure for Black Sea Bass**

The IPT suggests the Council consider adding this as an additional action to the amendment.

**Alternative 1 (No Action).** Do not implement a spawning season closure for black sea bass.

**Alternative 2.** Implement a March 1-April 30th spawning season closure for black sea bass, would apply to commercial and recreational sectors.

**Alternative 3.** Implement an April 1st-May 31st spawning season closure for black sea bass, would apply to commercial and recreational sectors.

**Alternative 4.** Implement a March 1st- May 31st spawning season closure for black sea bass, would apply to commercial and recreational sectors.

**Alternative 5.** Implement a May 1st- May 31st spawning season closure for black sea bass, would apply to commercial and recreational sectors.

**Action 8 (New): Modify Rebuilding Strategy for Black Sea Bass**

**Alternative 1 (No Action).** Retain rebuilding strategy for black sea bass that maintains a constant catch throughout the rebuilding timeframe.

**Alternative 2.** Define a rebuilding strategy for black sea bass that maintains a constant fishing mortality rate throughout the rebuilding timeframe.

**Alternative 3.** Define a rebuilding strategy for black sea bass that modifies the fishing mortality rate throughout the rebuilding timeframe.

### **Action 9: Improvements to Commercial Data Reporting**

*Note: More than one preferred may be chosen.*

**Alternative 1 (No Action).** Retain existing data reporting systems for the commercial sector.

Under this alternative, as implemented by Amendment 15B to the Snapper Grouper FMP, a private recreational vessel that fishes in the EEZ, if selected by NOAA Fisheries Service, is required to maintain and submit fishing records; requires a vessel that fishes in the EEZ, if selected by NOAA Fisheries Service, to carry an observer and install an electronic logbook (ELB) and/or video monitoring equipment provided by NOAA Fisheries Service.

**Alternative 2.** Require all vessels with a Federal snapper grouper commercial permit to have an electronic logbook tied to the vessel's GPS onboard the vessel.

(Note: Alternative 2 would require 100% of vessels to have an electronic logbook; whereas, current data reporting programs only require electronic logbooks if selected.)

**Preferred Alternative 3.** Provide the option for fishermen to submit their logbook entries electronically via an electronic version of the logbook made available online.

**Alternative 4.** Require that commercial landings and catch/effort data be submitted in accordance with ACCSP standards, using the SAFIS system.

(Note: Alternative 4 would require that 100% of dealers and fishermen report electronically using the SAFIS system.)

### **Action 10: Improvement to For-Hire Data Reporting**

**Alternative 1 (No Action).** Retain existing data reporting systems for the for-hire sector. Refer to Table 1-3 for a complete list of current data reporting requirements.

**Preferred Alternative 2.** Require *selected* vessels with a Federal For-Hire Permit to report electronically; NOAA Fisheries Service is authorized to require weekly or daily reporting as required.

**Alternative 3.** Require vessels operating with a Federal For-Hire permit to maintain a logbook for discard characteristics (e.g., size and reason for discarding), *if selected*.

**Alternative 4.** Require that for-hire landings and catch/effort data be submitted in accordance with the ACCSP standards, using the SAFIS system.

\*There is a possibility the Council may want to revisit the split season quotas for the commercial sector too. But that has not been formally decided.