

Current Federal Regulations for Commercial Harvest of Black Sea Bass with Pots June 2013

Fishing Regulations

- Permit requirements: Snapper Grouper Unlimited Commercial Permit and Black Sea Bass Pot Endorsement § **622.170 (e)**

- Size limit: 11 inches (TL) § **622.185 (c)(1)(ii)**

- Commercial trip limit: 1,000 lbs (gw) § **622.191 (a)(8)**

- Vessel permit application:

§ **622.4 (a)(1)(ii)(G)** If a sea bass pot will be used, the number, dimensions, and estimated cubic volume of the pots that will be used and the applicant's desired color code for use in identifying his or her vessel and buoys (white is not an acceptable color code).

- Gear identification:

§ 622.177

(a) Sea bass pots and associated buoys—

(1) Sea bass pots. A sea bass pot used or possessed in the South Atlantic EEZ between 35°15.19' N. lat. (due east of Cape Hatteras Light, NC) and 28°35.1' N. lat. (due east of the NASA Vehicle Assembly Building, Cape Canaveral, FL), or a sea bass pot on board a vessel with a commercial permit for South Atlantic snapper-grouper, must have a valid identification tag issued by the RA attached.

(2) Associated buoys. In the South Atlantic EEZ, buoys are not required to be used, but, if used, each buoy must display the official number and color code assigned by the RA so as to be easily distinguished, located, and identified.

(3) Presumption of ownership. A sea bass pot in the EEZ will be presumed to be the property of the most recently documented owner. This presumption will not apply with respect to such pots that are lost or sold if the owner reports the loss or sale within 15 days to the RA.

(4) Unmarked sea bass pots or buoys. An unmarked sea bass pot or a buoy deployed in the EEZ where such pot or buoy is required to be marked is illegal and may be disposed of in any appropriate manner by the Assistant Administrator or an authorized officer.

- Gear specifications:

§ 622.189 Restrictions and requirements for sea bass pots.

(a) Tending restriction. A sea bass pot in the South Atlantic EEZ may be pulled or tended only by a person (other than an authorized officer) aboard the vessel permitted to fish such pot or aboard another vessel if such vessel has on board written consent of the owner or operator of the vessel so permitted.

(b) Configuration restriction. In the South Atlantic EEZ, sea bass pots may not be used or possessed in multiple configurations, that is, two or more pots may not be attached one to another so that their overall dimensions exceed those allowed for an individual sea bass pot. This does not preclude connecting individual pots to a line, such as a "trawl" or trot line.

(c) Requirement for escape mechanisms.

(1) A sea bass pot that is used or possessed in the South Atlantic EEZ between 35°15.19' N. lat. (due east of Cape Hatteras Light, NC) and 28°35.1' N. lat. (due east of the NASA Vehicle Assembly Building, Cape Canaveral, FL) is required to have-

(i) On at least one side, excluding top and bottom, a panel or door with an opening equal to or larger than the interior end of the trap's throat (funnel). The hinges and fasteners of each panel or door must be made of one of the following degradable materials:

- (A) Ungalvanized or uncoated iron wire with a diameter not exceeding 0.041 inches (1.0 mm), that is, 19 gauge wire.
- (B) Galvanic timed-release mechanisms with a letter grade designation (degradability index) no higher than J.

(ii) An unobstructed escape vent opening on at least two opposite vertical sides, excluding top and bottom. The minimum dimensions of an escape vent opening (based on inside measurement) are:

- (A) 1 1/8 by 5 3/4 inches (2.9 by 14.6 cm) for a rectangular vent.
- (B) 1.75 by 1.75 inches (4.5 by 4.5 cm) for a square vent.
- (C) 2.0-inch (5.1-cm) diameter for a round vent.

(2) [Reserved]

(d) Construction requirements and mesh sizes.

(1) A sea bass pot used or possessed in the South Atlantic EEZ must have mesh sizes as follows (based on centerline measurements between opposite, parallel wires or netting strands):

(i) For sides of the pot other than the back panel:

- (A) Hexagonal mesh (chicken wire)--at least 1.5 inches (3.8 cm) between the wrapped sides;
- (B) Square mesh--at least 1.5 inches (3.8 cm) between sides; or
- (C) Rectangular mesh--at least 1 inch (2.5 cm) between the longer sides and 2 inches (5.1 cm) between the shorter sides.

(ii) For the entire back panel, i.e., the side of the pot opposite the side that contains the pot entrance, mesh that is at least 2 inches (5.1 cm) between sides.

(2) [Reserved]

(e) Requirements for pot removal.

(1) A sea bass pot must be removed from the water in the South Atlantic EEZ and the vessel must be returned to a dock, berth, beach, seawall, or ramp at the conclusion of each trip. Sea bass pots may remain on the vessel at the conclusion of each trip.

(2) A sea bass pot must be removed from the water in the South Atlantic EEZ when the applicable quota specified in § 622.190(a)(5) is reached. After a closure is in effect, a black sea bass may not be retained by a vessel that has a sea bass pot on board.

(f) Restriction on number of pots. A vessel that has on board a valid Federal commercial permit for South Atlantic snapper-grouper and a South Atlantic black sea bass pot endorsement that fishes in the South Atlantic EEZ on a trip with black sea bass pots, may possess only 35 black sea bass pots per vessel per permit year. Each black sea bass pot in the water or onboard a vessel in the South Atlantic EEZ, must have a valid identification tag attached. Endorsement holders must apply for new tags each permit year through NMFS to replace tags from the previous year.

Atlantic Large Whale Take Reduction Plan Requirements (see attached)

- no floating buoy line; knot-free buoy lines (recommended but not required)
- sinking groundlines
- weak links
- orange marking on lines

SOUTHERN NEARSHORE TRAP/POT WATERS

Southern Nearshore Trap/Pot Waters includes all state and Federal waters which fall within EEZ Nearshore Management Area 4, EEZ Nearshore Management Area 5, and EEZ Nearshore Management Area 6 (as defined in the American Lobster Fishery regulations in 50 CFR 697.18), and inside the 100fa contour line from 35°30' N. lat. south to 27°51' N. lat. and extending inshore to the shoreline or exemption line, with the exception of the exempted waters as described on page 66.

November 15-April 15 (between 29° N. lat and 32° N. lat):

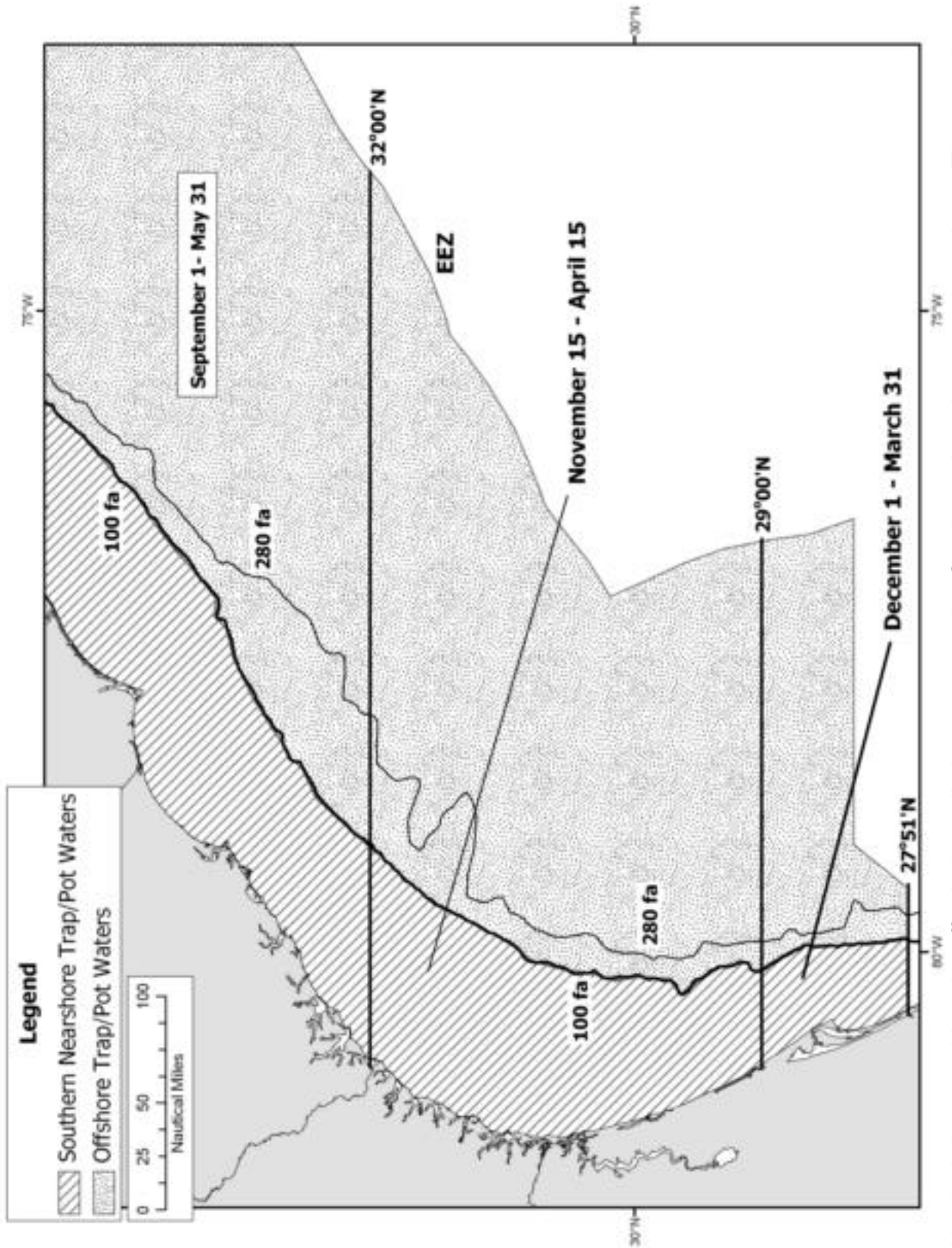
- Compliance with the **Universal Requirements:**
 - » No buoy line floating at the surface.
 - » No wet storage of gear (all gear must be hauled out of the water at least once every 30 days).
 - » Fishermen are encouraged, but not required, to maintain knot-free buoy lines.
- Compliance with **Gear Marking Requirements:**
 - » Trap/pot surface buoys to be marked to identify the vessel or fishery with one of the following: the owner's motorboat registration number and/or U.S. vessel documentation number; the federal commercial fishing permit number; or whatever positive identification marking is required by the vessel's home-port state.
 - When marking is not already required by state or federal regulations, the letters and numbers to mark gear must be at least 1 inch (2.5cm) in height, block letters or Arabic numbers, in a color that contrasts with the color of the buoy.
 - » Buoy lines to be marked with one 4-inch (10.2 cm), **ORANGE**, mark midway along the buoy line.
- All buoys, flotation devices and/or weights must be attached to the buoy line with a weak link having a breaking strength of no greater than 600 lb*;and
- All groundlines must be made of sinking line.

December 1-March 31 (between 29°N. lat and 27° 51' N. lat):

- Compliance with the **Universal and Gear Marking Requirements** (see above).
- All buoys, flotation devices and/or weights must be attached to the buoy line with a weak link having a breaking strength of no greater than 600 lb*;
- All groundlines must be made of sinking line.

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- * Weak links must be chosen from the list of NMFS approved gear, which includes: off the shelf weak links, rope of appropriate breaking strength, hog rings, and other materials or devices approved in writing.
 - * Weak links must be designed in such a way that the bitter end of the buoy line is clean and free of any knots when the weak link breaks.

SOUTHEAST REGION: SOUTHERN NEARSHORE TRAP/POT WATERS*



* Nautical charts could not be effectively applied to the expansive Southeast Atlantic region shown here. Thus, nautical charts are not displayed for this region.



Gear Modification Techniques for Complying with the Atlantic Large Whale Take Reduction Plan (ALWTRP)

(**Effective April 5, 2008**)

WEAK LINKS FOR BUOY, FLotation OR WEIGHTED DEVICES

The intent of the weak link requirement is to allow the release of the buoy, flotation or weighted device from the line in a way that when they release, the remaining line (that was connected to these devices) will not have a knot on its end. An eye left on the line made by splicing, tucking or hog rings is acceptable. Splices are not considered to be knots. Note: Weak links must be placed as close as operationally feasible to each individual buoy, flotation or weighted device.

Hog Rings

Hog rings can be used to form an eye in the end of a line that will function as a weak link. Up to 7 may be used to create a 600 pound weak link and up to 5 for a 500 pound weak link. No significant variation was noted between wet and dry tests.



Also, the length over which the hog rings were distributed (from 6" to 12") did not significantly affect the strength.

A variation of this technique, shown at the right, is to fashion a weak link from a short length of line. The line is formed into a loop with its ends overlapped and hog ringed to each other.



Five hog rings form a suitable 600 pound link while 4 are sufficient for a 500 pound weak link.

For this weak link to function properly, the loop must move freely where it attaches to both the buoy, flotation, or weighted device and the line.

A line may also be passed through a plastic swivel two times, **not forming a knot**, and hog ringed back on itself with up to 3 hog rings.



Off the Shelf Weak Links

Off the shelf weak links are available in a variety of styles and configurations to meet different strength requirements. The strong end of the weak link goes toward the buoy, flotation, or weighted device.



Modified Swivels

Some swivels can be modified to conform to the weak link requirement by compromising their strength where the line attaches. However, they must be tested by the NMFS Gear Research Team to ensure that they will release in the proper fashion and within the required limits.

Lukian swivels with a 9/32" diameter hole and SeaSide swivels with a 3/16" diameter hole satisfy the 600 pound requirement.



Rope of Appropriate Breaking Strength

Another weak link technique utilizes Rope Of Appropriate Breaking Strength (ROABS). A jumper is selected based on breaking strength data from the manufacturer. A length of rope or jumper of appropriate breaking strength may be tied into the buoy, flotation, or weighted device, thus creating a weak link, as long as the failure results in a knotless bitter end on the line. Testing by the NMFS Gear Research Team can make this determination.



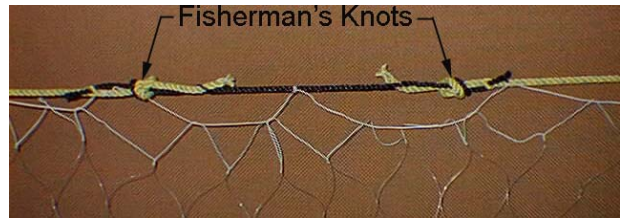
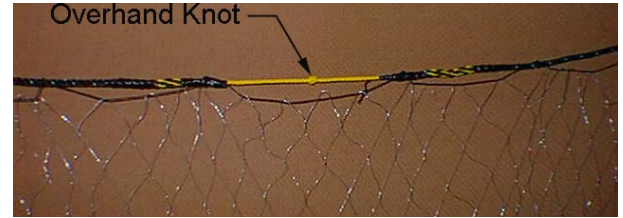
Stapling to a Buoy Stick

Another type of weak link can be created by stapling a rope to a wooden buoy stick to form an eye for the buoy line attachment. However, these must be tested by the NMFS Gear Research Team to ensure that they will release in the proper fashion and within the required limits. When using this method, the buoy line can only be attached by passing the end of it through the eye on the buoy stick once and bringing it back and splicing, tucking or hog ringing to form an eye.



WEAK LINKS FOR GILLNET FLOATLINE

Shown at the right are several methods of incorporating weak links into a gillnet floatline. The first two methods create a weak link by utilizing Rope of Appropriate Breaking Strength (ROABS). The top picture shows a weak link jumper spliced into the floatline. The overhand knot in the jumper reduces its strength to about 60% of its original strength. For example, putting an overhand knot in a piece of 5/16" polypropylene that has an original tensile strength of 1710 pounds will make the rope fail with a load of about 1025 pounds. The second picture shows a weak link (ROABS) tied into the float rope with the fisherman's knots. These knots also reduce the strength of the rope to about 60% of its original strength. Another alternative, illustrated in the bottom picture, shows an off the shelf weak link rigged into the floatline.



TECHNIQUES FOR MARKING LINES

The 4" colored mark required by the ALWTRP can be accomplished in a variety of ways. Shown are three simple methods that were tested and found to work satisfactorily under normal conditions. At the top, colored twine is seized around the line and woven between the strands. In the center, the line was spray-painted; this method requires that the rope be dry. At the bottom, colored electrical tape was wrapped in one direction and then back over itself to form two layers. See the ALWTRP for information on appropriate color codes and placement of marks.



GILLNET ANCHORING TECHNIQUES

At the right is an example of a burying anchor (designed to hold to the ocean bottom through the use of a fluke, spade, plow or pick) that meets the requirement of the holding power of a 22-pound Danforth-style anchor. Note, **dead weights do not meet the requirements for burying anchors.**



REQUIREMENTS FOR MARKING SURFACE BUOYS

When marking is not already required by state or federal regulations as described in the ALWTRP, surface buoys should be marked to identify the vessel or fishery with one of the following: the owner's motorboat registration number, or U.S. vessel documentation number, the federal commercial fishing permit number, or whatever positive identification marking is required by the vessel's home-port state. The letters and numbers used to mark the gear must be at least 1 inch (2.5cm) in height, block letters or Arabic numbers, and in a color that contrasts with the color of the buoy.

