



Regulatory Amendment 16

to the Fishery Management Plan for the
Snapper Grouper Fishery of the South Atlantic Region

DECISION DOCUMENT

OCTOBER 2013



Background

At their June 2013 meeting, the Council reviewed draft Regulatory Amendment 16, which contained an action to implement management measures to lengthen the golden tilefish commercial season and diminish derby conditions. After receiving input from golden tilefish longline endorsement holders, however, the Council voted to stop development of Regulatory Amendment 16.

The Council approved the following within the Timing and Task Motion for the Snapper Grouper FMP: PREPARE A DRAFT REGULATORY AMENDMENT TO REMOVE THE BLACK SEA BASS POT CLOSURE (IF REGULATORY AMENDMENT 19 IS APPROVED AND IMPLEMENTED). BRING THE DRAFT DOCUMENT TO THE COUNCIL IN SEPTEMBER 2013. Hence, Regulatory Amendment 16 will now contain an action to analyze the impacts of removing the black sea bass pot closure proposed in Regulatory Amendment 19. The latter would increase the black sea bass ACL according to the latest stock assessment and prohibit the use of black sea bass pots annually from November 1 through April 30, which corresponds to the large whale migration and the right whale calving season in the South Atlantic. The prohibition would be a precautionary measure to prevent interactions between black sea bass pot gear and ESA-listed whales. The proposed rule for Regulatory Amendment 19 published in the Federal Register on July 2, 2013 (78 FR 39700). The comment period ended on August 1, 2013.

Amendment 18A, implemented in July 2012, established a black sea bass pot endorsement program that capped the number of vessels utilizing pot gear at 32. In addition, the amendment implemented the following requirements that reduced the potential for interactions with protected species:

- Limit of 35 pots per vessel
- Pots must be brought back to shore after each trip
- Commercial trip limit of 1,000 lbs gw
- Increased commercial size limit from 10 inches (") total length (TL) to 11" TL
- Increased recreational size limit from 12" to 13" TL

Draft Purpose and Need

The *purpose* of Regulatory Amendment 16 to the Fishery Management Plan for the Snapper Grouper Fishery of the South Atlantic Region is to remove the annual November 1 to April 30 prohibition on the use of black sea bass pot gear.

The *need* for the amendment is to minimize socio-economic impacts to black sea bass pot endorsement holders while maintaining protection for ESA-listed whales in the South Atlantic region.

MOTION: APPROVE THE PURPOSE AND NEED

APPROVED BY COUNCIL

MOTION: MODIFY THE PURPOSE STATEMENT AS FOLLOWS:

The *purpose* of Regulatory Amendment 16 to the Fishery Management Plan for the Snapper Grouper Fishery of the South Atlantic Region is to ADDRESS THE BALANCE BETWEEN ESA-LISTED WHALES PROTECTION AND THE SOCIOECONOMIC IMPACTS IMPOSED ON BSB POT FISHERMEN INITIATED BY THE annual November 1 to April 30 prohibition on the use of black sea bass pot gear.

APPROVED BY COUNCIL

Proposed Actions and Alternatives

Action 1: Modify the annual November 1 to April 30 prohibition on the use of black sea bass pot gear.

Alternative 1 (No Action). Retention, possession, and fishing for black sea bass is prohibited using black sea bass pot gear, annually, from November 1 through April 30.

Alternative 2. Remove the annual November 1 to April 30 prohibition on the retention, possession, and fishing for black sea bass using black sea bass pot gear.

Alternative 3. Prohibit retention, possession, and fishing for black sea bass using black sea bass pot gear, annually, from November 15 through April 15.

Alternative 4. Prohibit retention, possession, and fishing for black sea bass using black sea bass pot gear, annually, from November 1 to April 30, in designated right whale critical habitat in the South Atlantic region.

Others???

MOTION: EDIT ALTERNATIVE 4 AS FOLLOWS:

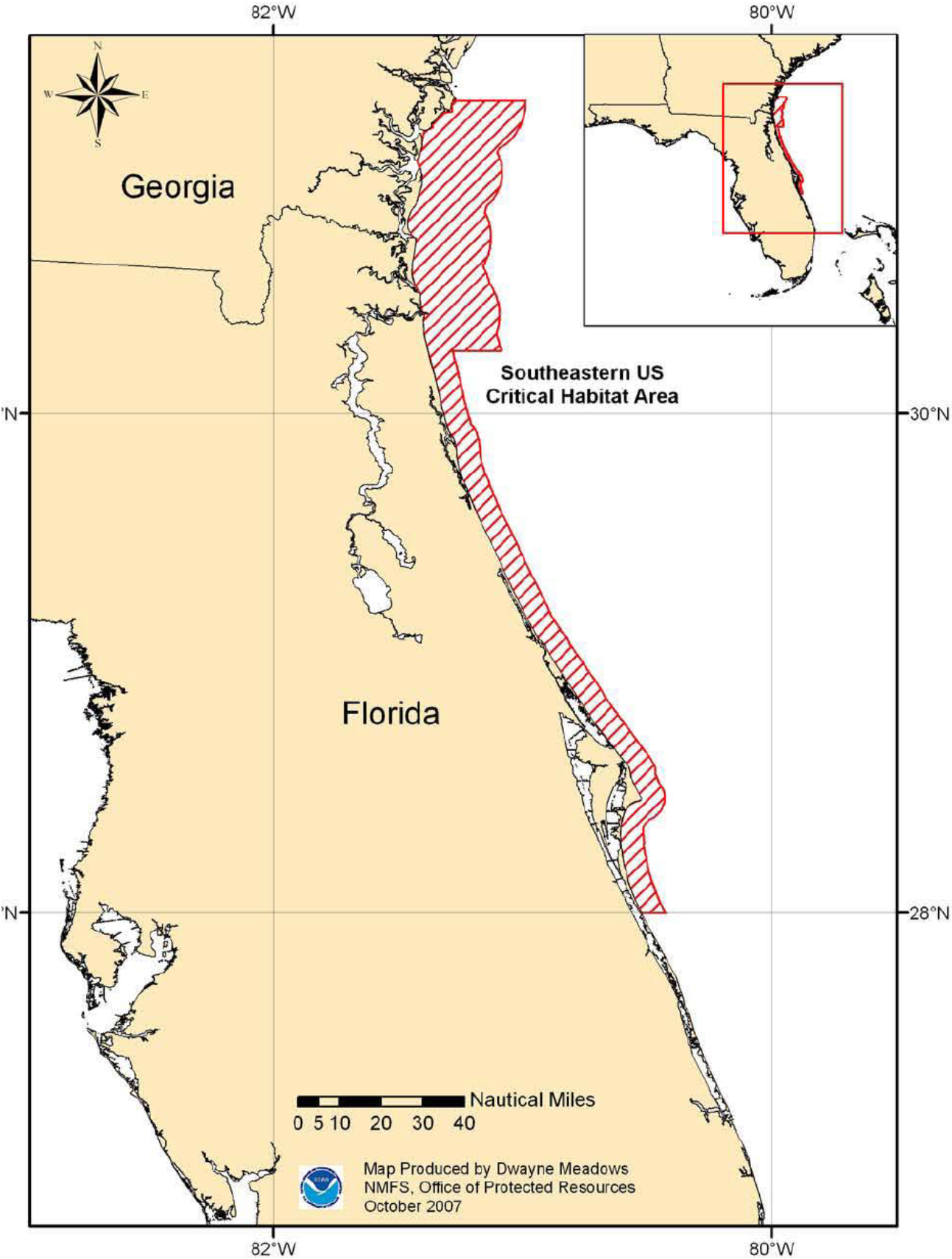
Alternative 4. The black sea bass pot closure applies only in designated right whale critical habitat in the South Atlantic region.

APPROVED BY COUNCIL

MOTION: DIRECT STAFF TO DEVELOP AN ALTERNATIVE THAT WOULD RESTRICT THE USE OF POT GEAR WITHIN A SPECIFIED DEPTH CONTOUR

APPROVED BY COUNCIL

Northern Right Whale Critical Habitat: Southeast Atlantic



Map Produced by Dwayne Meadows
NMFS, Office of Protected Resources
October 2007

