



THE SOUTH ATLANTIC FISHERY MANAGEMENT COUNCIL

# Snapper Grouper Regulatory Amendment 36

*Gag and Black Grouper Recreational Vessel Limit  
and Black Sea Bass On-Demand Pots*

*Scoping Document*

## **Scoping Session Date and Time**

February 12<sup>th</sup> and February 13<sup>th</sup>, 2024 at 6:00pm

## **Registration Link and More Details**

<https://safmc.net/public-hearings-and-scoping/>

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## Background

In March 2023, the South Atlantic Fishery Management Council (Council) approved Amendment 53 to the Fishery Management Plan (FMP) for the Snapper Grouper Fishery of the South Atlantic Region (Snapper Grouper FMP), and its regulations were effective October 23, 2023. Amendment 53 established recreational vessel limits of 2 fish per vessel per day or per trip (depending on private recreational or for-hire component) of gag and black grouper. The Council had intended for this to be an aggregate limit of 2 gag or black grouper per vessel, but the amendment implemented a 2-fish vessel limit for each species.



Since 2021, some commercial black sea bass pot fishermen have been allowed to experimentally fish with on-demand (also called 'ropeless') pot gear. Traditional black sea bass pot fishing gear includes vertical end lines and buoys which stay in the water column for hours while the gear is deployed, presenting an entanglement risk to whales and other protected species. Traditional roped and on-demand gear use the same black sea bass pots (same dimensions, mesh size, escape panels, etc.), and pots equipped with on-demand gear are fished the same way as roped pots, in terms of soak times, bait, etc. On-demand types of gear differ from roped gear by storing ropes, buoys, and other retrieval devices at depth, existing in the water column only when fishers are present to retrieve the gear. Adaptation of on-demand gear for this style of pot fishing would reduce risk to whales and other marine animals that suffer entanglements. The exempted fishing permit (EFP) that has allowed experimental use of this gear and exemption from time, area, and other sea bass pot requirements expires on April 30, 2025.





## Why is the Council considering taking action?

For the gag and black grouper recreational vessel limits, the Council intends to revise the limits to align with their original intent for an aggregate limit that includes both gag and black grouper, limiting the harvest of either of these species to 2 fish per vessel. This limit would better align with current efforts to rebuild gag (which is overfished and experiencing overfishing), as well as the aggregate bag limit in effect for gag and black grouper, which limits harvest to 1 fish of either of these species per person per day.

The Council is considering actions to accommodate the use of on-demand black sea bass pot gear because this type of gear has been reviewed positively by fishermen that participated in the EFP project. Project participants noted that the gear is effective in catching black sea bass while also reducing the probability of whale entanglements.

## Potential Amendment timing

Timing	Council Action
December 2023	Reviewed decision document and approved for scoping
February 12 and 13, 2024	Scoping hearings
March 2024	Review scoping comments, draft alternatives, and preliminary analyses
June 2024	Review modifications to the amendment and approve for public hearings
Summer 2024	Conduct public hearings
September 2024	Review public comment and approve for formal review
Early 2025	Regulations effective



## What information does the Council need for considering on-demand black sea bass pot gear?

- On-demand gear can have a variety of systems for the retrieval mechanism.
  - Some systems with a vertical line and buoy (held at depth and released when being retrieved) may be allowed under current regulations, requiring fewer regulatory changes to accommodate their use.
  - Other types of on-demand gear, including those that do not have a vertical line or buoy (e.g. inflatables), may require changes to marking and identification requirements of the Magnuson-Stevens Fishery Conservation and Management Act and the Marine Mammal Protection Act (MMPA; the Council does not have jurisdiction over MMPA regulations).



Figure 1. Black sea bass pots equipped with different on-demand retrieval mechanisms, a) Cowdrey, 2022 (Longsoaker Guardian and SSS hybrid), b) Phillips, 2020, c) Hull, 2022. These and other retrieval mechanisms are described in the Exempted Fishing Permit Application for the Expansion Project to Modernize Pot Fishing for the Southeast Commercial Black Sea Bass Pot Portion of the Snapper-Grouper Fishery Using Subsea Buoy Retrieval Systems (Sawicki 2022).



## What are your thoughts? The Council wants to hear from you!

The Council wants to hear from you on these proposed changes:

1. Should the Council establish an aggregate recreational vessel limit of 2 gag or black grouper per vessel?
  - a. Current regulations allow 2 gag per vessel and 2 black grouper per vessel, subject to bag restrictions of 1 gag or black grouper per person.

For commercial black sea bass pot endorsement holders:

2. What types of on-demand gear should be allowed and are you likely to use?
  - a. If fishermen are only likely to use on-demand gear with a vertical line and buoy that can be marked according to current regulations, fewer regulatory changes are necessary to accommodate use of this type of on-demand gear.
  - b. If fishermen want to be able to use a wider variety of on-demand gear types, including those without a vertical line and buoy, more regulatory changes may be necessary to accommodate their use.
3. How should on-demand pot users indicate pots are not being fished while transiting through marine protected areas (MPA) and special management zones (SMZ)?
  - a. For on-demand gear with a rope and buoy, is it practical to require the buoy be detached, stowed within the pot, or stowed in some other way?
  - b. Would disconnecting the buoy from an on-demand pot take significant time away from fishing? If so, about how much?
  - c. For on-demand gear without a rope and buoy, how should pots be stowed during transit through MPAs or SMZ?



## How Do I Comment?

Comments must be received by 5:00 PM on Friday, February 16, 2024. There are several ways that you can submit your comment to the Council including:

### Comments taken during webinars

Monday, February 12, 2024 at 6 PM

Tuesday, February 13, 2024 at 6 PM

### Written comments

Written comments may be read and submitted on Regulatory Amendment 36 using the online public comment form at the following links:

[Submit Comment](#)

[Read Public Comments](#)

### Comments by mail

Send comments to: John Carmichael, Executive Director,  
SAFMC. 4055 Faber Place Drive, Suite 201. N. Charleston,  
SC 29405

### Comments by fax

843-769-4520