



THE SOUTH ATLANTIC FISHERY MANAGEMENT COUNCIL

Snapper Grouper Regulatory Amendment 36

*Gag and Black Grouper Recreational Vessel
Limits and Black Sea Bass On-Demand Pot Gear*

Public Hearing Date and Time

July 31st and August 1st, 2024 at 6:00 pm

Registration Link and More Details

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

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Background

In October 2023, Amendment 53 to the Fishery Management Plan (FMP) for the Snapper Grouper Fishery of the South Atlantic Region (Snapper Grouper FMP) was implemented. This amendment included establishment of recreational vessel limits of two fish per vessel per day or per trip (private recreational and for-hire component, respectively) of gag and black grouper. The Council intended for this to be an aggregate limit of two gag or black grouper (two fish total) per vessel, but the language used in the amendment established a two-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') gear. Traditional black sea bass pots include 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. The black sea bass pots are the same (in dimensions, mesh size, escape panels, etc.) regardless of whether they are traditionally roped or equipped with on-demand gear. Also, traditional and on-demand pots are fished the same way, in terms of soak times, bait, etc. On-demand gear types differ from roped gear by storing ropes, buoys, and other retrieval devices at depth, only releasing into the water column when fishers are present to



retrieve the gear. Use of on-demand gear in the black sea bass pot fishery is expected to reduce risk to whales and other marine animals that may become entangled.

Through this amendment process, the Council has reviewed black sea bass pot regulations and found that the use of pots equipped with on-demand gear is not prohibited, provided that the pots meet the same requirements as traditional roped pots (e.g. seasons, areas, marking when ropes are used, identification, etc.). One regulation that does not restrict gear use, but can make transportation of the gear more



difficult, are the stowage requirements while transiting areas closed to fishing. Therefore, the Council decided to consider alternative stowage requirements for pots equipped with on-demand gear while transiting such areas.

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, 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 revision of stowage requirements for black sea bass pots equipped with on-demand gear to allow more practical transit and use of this gear because this type of gear has been reviewed positively by fishermen that experimentally used this gear under exempted fishing permits (EFP) over the last five years. Project participants noted that the gear is effective in catching black sea bass while also reducing the probability of whale entanglements.

Amendment timing

December 2023	Reviewed decision document and approved for scoping
February 2024	Scoping
March 2024	Reviewed scoping comments, draft alternatives, and preliminary analyses
June 2024	Reviewed draft amendment and approved for public hearings; selected preferred alternatives
Summer 2024	Conduct public hearings
September 2024	Review public comment and approve for formal review
Early-Mid 2025	Regulations effective



Action 1. Revise the vessel limits for gag and black grouper

Purpose of Action: This action considers revising the recreational vessel limits, which have been recently implemented through Amendment 53, to address the Council's original intent of an aggregate vessel limit that includes both gag and black grouper.

Alternative 1 (No Action). Current recreational vessel limits:

- Private: 2 gag per vessel per day and 2 black grouper per vessel per day, not to exceed the daily bag limit of 1 gag or black grouper per person per day, whichever is more restrictive.
- For-Hire (Charter and Headboat): 2 gag per vessel per trip and 2 black grouper per vessel per trip, not to exceed the daily bag limit of 1 gag or black grouper per person per day, whichever is more restrictive.

Preferred Alternative 2. For the private recreational component:

- Aggregate limit of 2 gag or black grouper per vessel per day, not to exceed the daily bag limit of 1 gag or black grouper per person per day, whichever is more restrictive.

Preferred Alternative 3. For the for-hire (charter and headboat) recreational component:

- Aggregate limit of 2 gag or black grouper per vessel per trip, not to exceed the daily bag limit of 1 gag or black grouper per person per day, whichever is more restrictive.

Notes

- In addition to recreational vessel and bag limits, gag and black grouper are both included in the aggregate grouper and tilefish bag limit of up to 3 fish of any grouper or tilefish species, subject to individual species limits.
- Retention of a gag or black grouper counts towards the species bag limit (1 gag or black grouper per person), the aggregate bag limit (3 grouper or tilefish per person), AND the recreational vessel limits (currently, 2 gag per vessel and 2 black grouper per vessel).
 - Implementation of Preferred Alternative 2 and Preferred Alternative 3 would change the vessel limits for both the private and for-hire (charter and headboat) components, respectively, to be aggregate limits of 2 gag or black grouper per vessel.



Action 2. Revise Transit Stowage Requirements for Black Sea Bass Pots With On-Demand Gear

Purpose of Action: This action considers revising requirements for black sea bass pots to allow more practical stowage of on-demand pots during transit through marine protected areas and special management zones.

Under all alternatives: Transit through a marine protected area (MPA), special management zone (SMZ), or spawning SMZ with a black sea pot on board is allowed with fishing gear appropriately stowed. Transit means direct, non-stop progression through the MPA, SMZ, or spawning SMZ.

Alternative 1 (No Action). Fishing gear appropriately stowed means:

- sea bass pots are not baited
- all buoys must be disconnected from the gear
- buoys may remain on deck.

Preferred Alternative 2. Fishing gear appropriately stowed for pots equipped with on-demand gear means:

- pots are not baited
- buoys may remain connected to the gear

Alternative 3. Fishing gear appropriately stowed for pots equipped with on-demand gear means:

- pots are not baited
- all buoys must be disconnected from the gear or stowed within the sea bass pots

Notes

- Under current regulations, while transiting through one of the nearshore seasonally closed areas, buoys are required to be disconnected or can remain connected to the pot if the buoy is stowed within the pot.
 - Alternative 3 was developed to match this regulation.





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

The Council wants to hear from you on how they should move forward with these changes.

Action 1. Gag and Black Grouper Recreational Vessel Limits

- Do you support the Council's preliminary choice of Alternative 2 and Alternative 3 (2 fish aggregate limit of gag and black grouper per vessel for all recreational components) as preferred? Why or why not?
- Do you think another alternative(s) should be selected as preferred? If so, why?

Action 2. Revise Transit Stowage Requirements for Black Sea Bass Pots With On-Demand Gear

1. Do you support the Council's preliminary choice of Alternative 2 (on-demand pots must not be baited but can remain attached to the pot during transit through MPAs, SMZs, and spawning SMZs) as preferred? Why or why not?
2. Do you think another alternative(s) should be selected as preferred? If so, why?



How Do I Comment?

Comments must be received by 5:00 PM on Friday, August 2, 2024. There are several ways that you can submit your comment to the Council including:

Comments taken during webinars

Wednesday, July 31, 2024 at 6 PM

Thursday, August 1, 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