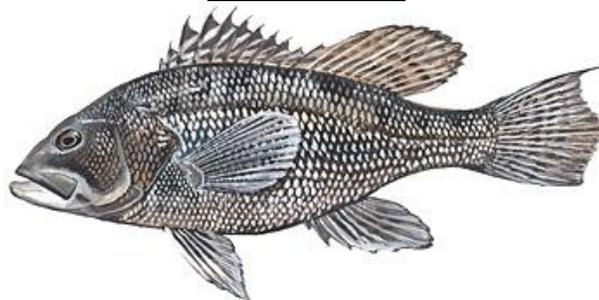


Frequently Asked Questions for New Regulations for
South Atlantic Black Sea Bass
August 2012



Black Sea bass (*Centropristis striata*)

What is the purpose of the regulations implementing Amendment 18A to the Fishery Management Plan for the Snapper-Grouper Fishery of the South Atlantic Region (Amendment 18A)?

- The South Atlantic Fishery Management Council (South Atlantic Council) requested implementation of the management measures in Amendment 18A to:
 - Optimize fishing opportunities for black sea bass.
 - Update black sea bass status determination criteria and the black sea bass rebuilding strategy based on a recent black stock assessment.
 - Reduce bycatch of black sea bass.
 - Improve data reporting in the for-hire sector of the snapper-grouper fishery.

COMMERCIAL SECTOR

What are the new commercial sector regulations for black sea bass?

- A sea bass pot endorsement program where a vessel with an Unlimited Snapper-Grouper Permit may harvest black sea bass using pot gear only if the vessel also has a black sea bass pot endorsement.
- An appeals process for those who feel they were incorrectly excluded from the black sea bass pot endorsement program.
- An annual catch limit payback provision in the fishing year following an annual catch limit overage.
- A limit of 35 black sea bass pot tags issued to each endorsement holder each permit year.
- A requirement that all pots be brought to shore at the end of each trip.
- A 1,000 pound gutted weight (1,180 pound whole weight) commercial trip limit.
- An increase to the commercial minimum size limit for black sea bass from 10 inches total length to 11 inches total length.

Why has the commercial sector for black sea bass closed early in the fishing season for the past three fishing years?

- Targeting of black sea bass has increased as restrictions are placed on other species.

- Black sea bass has been in a constant catch rebuilding plan since 2006, where the allowable catch is held steady as the stock rebuilds.
- The stock is rebuilding, so more fish are available for capture and are harvested at a faster rate.

What actions in this rule are expected to extend the length of the commercial fishing season?

- Management measures in Amendment 18A including a black sea bass pot endorsement program, commercial trip limit, limit on the number of pots tags to be issued each permit year, and minimum size limit modifications could extend the commercial fishing season.

What conditions must be met to obtain a black sea bass pot endorsement?

- To qualify for an endorsement, **all** the following conditions would apply to a person:
 - Own a valid or renewable Unlimited South Atlantic Snapper-Grouper Permit as of the effective date of the final rule implementing Amendment 18A;
 - Average black sea bass landings using pot gear of at least 2,500 pounds whole weight between January 1, 1999, and December 31, 2010; and
 - At least 1 pound of reported black sea bass commercial landings between January 1, 2008, and December 31, 2010.

If I qualify for an endorsement, how will I get it?

- Qualifying Unlimited South Atlantic Snapper-Grouper Permit holders that qualify for a black sea bass pot endorsement received a letter with the endorsement before the start of the 2012/2013 commercial fishing year.
- To establish the final list of qualifying permits, a 30-day freeze on transfers of Unlimited South Atlantic Snapper-Grouper Permits with black sea bass landings began on the date of publication of the final rule in the *Federal Register* June 1, 2012.

What would the black sea bass pot endorsement allow me to do?

- With the endorsement, you are legally allowed to deploy black sea bass pot gear in the South Atlantic for the purposes of harvesting black sea bass.

Would there be an appeals process for those who feel they should be issued an endorsement but did not receive one?

- Yes. The appeals process stipulates a 90-day time limit to submit an appeals application beginning from the effective date of the final rule July 1, 2012. Appeals must be submitted no later than October 1, 2012.
- The outcome of appeals is based solely on logbooks and/or state landings records.
- No hardship arguments will be considered.

What are the basic characteristics of the black sea bass pot endorsements?

- Endorsements are linked to a qualifying Unlimited South Atlantic Snapper-Grouper Permit.
- Endorsements are renewed automatically with the associated Unlimited South Atlantic Snapper-Grouper Permit.

- Landings of black sea bass with the endorsement are associated with the Unlimited South Atlantic Snapper-Grouper Permit, not the endorsement.

How long would the commercial fishing season be extended?

- The commercial 2012/2013 fishing season could remain open approximately one month longer than the 2011/2012 fishing season.

RECREATIONAL SECTOR

What are the new recreational sector regulations for black sea bass and data collection?

- Modifications to the current system of accountability measures for black sea bass to include an in-season closure for the recreational sector regardless of the overfished status of black sea bass when the ACL is projected to be met.
- An increase to the recreational minimum size limit from 12 inches total length to 13 inches total length.
- A requirement for selected for-hire vessels to report landings information electronically on a weekly or daily basis.

What actions in Amendment 18A are expected to extend the length of the recreational fishing season?

- The action to increase the recreational black sea bass minimum size limit is expected to slow the rate of harvest in the recreational sector.

GENERAL QUESTIONS

What other actions are included in Amendment 18A?

- Amendment 18A will update the rebuilding strategy for black sea bass based on a new stock assessment. The new rebuilding strategy will hold the commercial annual catch limit at 309,000 pounds gutted weight, and the recreational allocation at 409,000 pound gutted weight for the 2012/2013 and 2013/2014 fishing years. After which, an update stock assessment will be completed to determine if it is appropriate to increase the annual catch limits.
- Federally-permitted for-hire snapper-grouper vessels are required to report their landings electronically either weekly or daily if selected to do so by NOAA Fisheries.

What action in Amendment 18A was disapproved?

- Amendment 18A included a measure to allow black sea bass pot endorsements to be transferable under certain conditions. However, the final document identified the wrong preferred alternative, and the document's analysis of the alternatives does not match the South Atlantic Council's interpretation of the alternatives as they are currently worded.
- NOAA Fisheries Service that disapproving this action would avoid public confusion, and provide the South Atlantic Council an opportunity to clarify its intent through another amendment.
- Black sea bass pot endorsements will not be allowed to be transferred until a transferability provision is implemented through another fishery management plan amendment.

- An amendment to address transferability of black sea bass pot endorsements is currently under review by the Secretary of Commerce.

When did Amendment 18A go into effect?

- The regulations implementing Amendment 18A became effective on July 1, 2012.

Is black sea bass overfished (population is too small) or undergoing overfishing (fish are taken from the population too fast)?

- The most recent stock assessment (SEDAR 25, November 2011) indicates the South Atlantic black sea bass stock is not overfished, but not yet fully rebuilt. Black sea bass is in a rebuilding plan that is expected to rebuild the stock by 2016.
- The stock assessment indicated overfishing was occurring to a minor degree in 2009 and 2010.

Where can I find more information about the new regulations for black sea bass and data collection for the recreational sector of the snapper-grouper fishery?

- Contact NOAA Fisheries Service Southeast Regional Office
By Mail: Southeast Regional Office, c/o Kate Michie
263 13th Avenue South
St. Petersburg, Florida 33701-5505
By FAX: (727) 824-5308
By Phone: (727) 824-5305
- Amendment 18A and the final rule are available on line at: NOAA Fisheries Service Southeast Regional Office Web site:
<http://sero.nmfs.noaa.gov/sf/SASnapperGrouperHomepage.htm>
or, the South Atlantic Fishery Management Council Web site:
<http://www.safmc.net/Library/SnapperGrouper/tabid/415/Default.aspx>