

Frequently Asked Questions
**Regulatory Amendment 16 to the Fishery Management Plan for the Snapper-Grouper
Fishery of the South Atlantic Region (Regulatory Amendment 16)**
August 2016

What are the proposed actions in Regulatory Amendment 16?

- Modify an existing seasonal prohibition (November 1 through April 30) on the use of black sea bass pots by the commercial sector by reducing the size of the prohibited area.
- Require additional rope markings to black sea bass pot lines to help differentiate black sea bass pot lines from other fishing gear.

How is the size of the area changing?

- Currently, the prohibition on the use of black sea bass pots applies to the South Atlantic Fishery Management Council's entire management area for black sea bass. The proposed action would retain a November 1 through April 30 prohibition but would reduce the area where the prohibition would apply (see Figures 1 and 2; and Tables 1 and 2 below for the boundaries and coordinates). Figure 1/Table 1 shows the area where fishing with black sea bass pots would be prohibited for the months of November and April if Regulatory Amendment 16 is implemented. Figure 2/Table 2 shows the proposed prohibition area from December 1 through March 31.

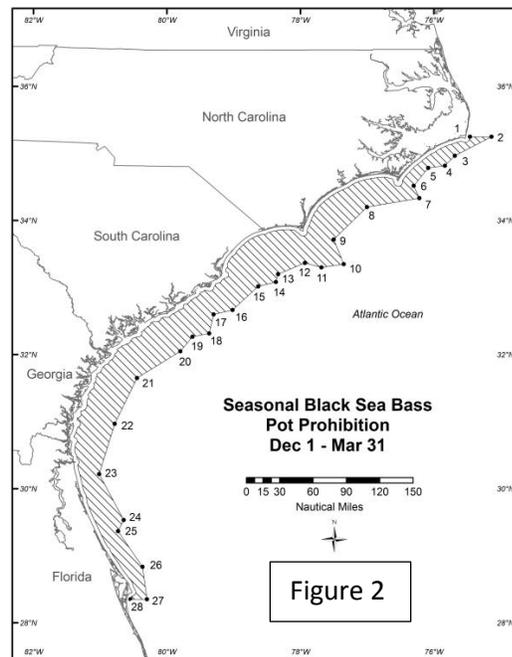
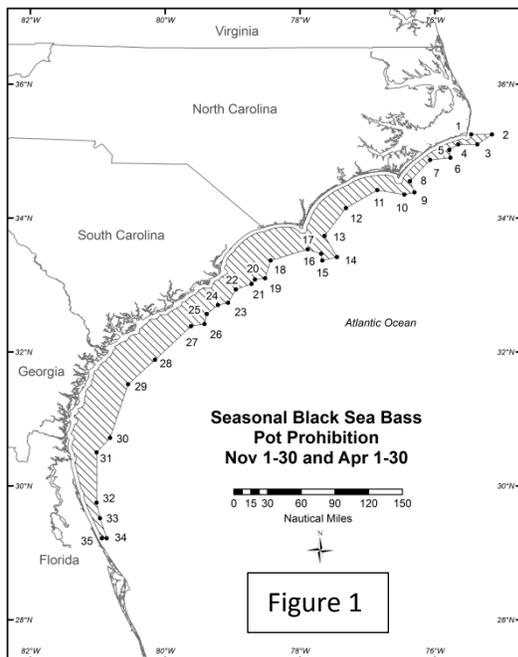


Table 1. Eastern boundary coordinates for the proposed black sea bass pot closure in from November 1 through November 30 and April 1 through April 30.

Point	N. Latitude	W. Longitude	Point	N. Latitude	W. Longitude
1	35° 15'	State/EEZ Boundary	19	33° 06'	78° 31'
2	35° 15'	75° 09'	20	33° 05'	78° 40'
3	35° 06'	75° 22'	21	33° 01'	78° 43'
4	35° 06'	75° 39'	22	32° 56'	78° 57'
5	35° 01'	75° 47'	23	32° 44'	79° 04'
6	34° 54'	75° 46'	24	32° 42'	79° 13'
7	34° 52'	76° 04'	25	32° 34'	79° 23'
8	34° 33'	76° 22'	26	32° 25'	79° 25'
9	34° 23'	76° 18'	27	32° 23'	79° 37'
10	34° 21'	76° 27'	28	31° 53'	80° 09'
11	34° 25'	76° 51'	29	31° 31'	80° 33'
12	34° 09'	77° 19'	30	30° 43'	80° 49'
13	33° 44'	77° 38'	31	30° 30'	81° 01'
14	33° 25'	77° 27'	32	29° 45'	81° 01'
15	33° 22'	77° 40'	33	29° 31'	80° 58'
16	33° 28'	77° 41'	34	29° 13'	80° 52'
17	33° 32'	77° 53'	35	29° 13'	State/EEZ Boundary
18	33° 22'	78° 26'			

Table 2. Eastern boundary coordinates for the proposed black sea bass pot closure from December 1 through March 31.

Point	N. Latitude	W. Longitude	Point	N. Latitude	W. Longitude
1	35° 15'	State/EEZ boundary	15	33° 01'	78° 38'
2	35° 15'	75° 08'	16	32° 40'	79° 01'
3	34° 58'	75° 41'	17	32° 36'	79° 18'
4	34° 49'	75° 50'	18	32° 19'	79° 22'
5	34° 47'	76° 05'	19	32° 16'	79° 37'
6	34° 31'	76° 18'	20	32° 03'	79° 48'
7	34° 20'	76° 13'	21	31° 39'	80° 27'
8	34° 12'	77° 00'	22	30° 58'	80° 47'
9	33° 43'	77° 30'	23	30° 13'	81° 01'
10	33° 21'	77° 21'	24	29° 32'	80° 39'
11	33° 18'	77° 41'	25	29° 22'	80° 44'
12	33° 22'	77° 56'	26	28° 50'	80° 22'
13	33° 12'	78° 20'	27	28° 21'	80° 18'
14	33° 05'	78° 22'	28	28° 21'	State/EEZ boundary

Source: Amanda Frick, NMFS SERO

Why was the prohibition of the use of black sea bass pots annually from November 1 through April 30 implemented?

- The November 1 through April 30 prohibition on the use of black sea bass pots was implemented through the final rule for Regulatory Amendment 19 as a precautionary measure to prevent interactions between black sea bass pot gear and whales while allowing for an increase in the black sea bass commercial annual catch limit in 2013 without significant delay in implementation of the regulations. The large whale migration period and the right whale calving season in the South Atlantic extends approximately from November 1 through April 30 each year. Increasing the commercial annual catch limit could have extended fishing activity with black sea bass pot gear into the calving/migration period, increasing the risk of interactions between these species and this gear type. Therefore, the South Atlantic Fishery Management Council and the National Marine Fisheries Service implemented a prohibition on the use of black sea bass pot gear from November 1 through April 30 each year, beginning in 2013, to protect large whales from risk of entanglement.

Why is the prohibition changing?

- The South Atlantic Fishery Management Council has concluded that reducing the size of the prohibited area would continue to provide the necessary protection to whales listed under the Endangered Species Act in the South Atlantic region.

The South Atlantic Fishery Management Council based this conclusion on an analysis that:

- 1) simulated the potential landings of black sea bass pot endorsement holders during a winter season and
- 2) created overlays of the co-occurrence of the seasonal distribution of black sea bass pot gear and North Atlantic right whales as a proxy for the relative risk of right whale entanglements under each of the proposed alternatives. The resulting analysis estimated that the proposed area prohibition chosen by the South Atlantic Fishery Management Council in Regulatory Amendment 16 would have a low relative risk of entanglement of whales in black sea bass pot lines when compared with the other areas considered.

What is the additional gear marking requirement and why is it necessary?

- Fish traps and pot buoy lines, including black sea bass pots, are currently required to have specific line marking requirements during certain times of the year and in the locations described in the Atlantic Large Whale Take Reduction Plan (see 50 CFR 229.32(b); http://www.ecfr.gov/cgi-bin/text-idx?SID=8e3190df9e4af26ee77017ec7b0cb6c3&mc=true&node=se50.11.229_132&rgn=div8). Regulatory Amendment 16 would modify the current gear marking requirements by requiring an additional 12-inch wide purple band be added onto the buoy line at the end of, and directly adjacent to, each of the currently required 12-inch colored marks required through the Atlantic Large Whale Take Reduction Plan described in 50 CFR 229.32(b). Within the South Atlantic Fishery Management Council's jurisdiction

for managing black sea bass, the proposed additional black sea bass gear marking requirements would be required to be in place in Federal waters from September 1 through May 31 in the Offshore Trap/Pot Waters Area and the Southern Nearshore Trap/Pot Waters Area, and from November 15 through May 31 in the Southeast U.S. Restricted Areas North (see page 7 at:

http://www.greateratlantic.fisheries.noaa.gov/protected/whaletrp/docs/Outreach%20Guides%20Updated%20May%202015/southeast_trap_pot_2015.pdf. The South Atlantic Fishery Management Council's intent of requiring sea bass pot gear to have additional gear-specific marking is to help distinguish black sea bass pots from other types of trap and pot gear in the South Atlantic exclusive economic zone.

Where can I find more information on Regulatory Amendment 16?

- Contact NOAA Fisheries, Southeast Regional Office
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By FAX: (727) 824-5308
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- Regulatory Amendment 16 may be found online at the NOAA Fisheries Southeast Regional Office web site at:
http://sero.nmfs.noaa.gov/sustainable_fisheries/s_atl/sg/2013/reg_am16/index.html.

How can I submit a comment on the proposed rule for Regulatory Amendment 16?

- You may submit comments by either of the following methods. Comments received through other means (such as e-mail) may not be considered. The comment period ends September 12, 2016.
 - **Electronic Submissions:** Submit all electronic public comments via the Federal e-Rulemaking Portal.
 - Go to: <https://www.regulations.gov/docket?D=NOAA-NMFS-2013-0165>
 - Click on "Comment Now!". Complete the required fields, and enter or attach your comments.
 - Attachments to electronic comments (up to 10 MB) will be accepted in Microsoft Word, Excel, WordPerfect, or Adobe PDF file formats only.
 - **Mail:** Nikhil Mehta
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