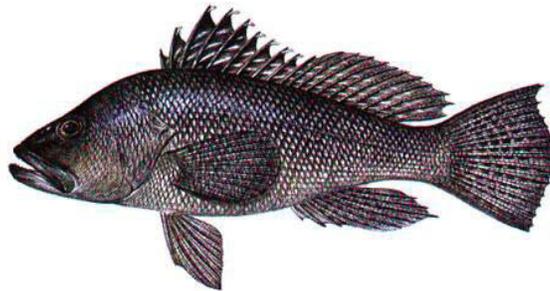




**SUMMARY DOCUMENT**  
**ATLANTIC LARGE WHALE TAKE REDUCTION TEAM**  
**Providence, RI**  
**January 2015**



**Regulatory Amendment 16**  
**to the Fishery Management Plan**  
**for the Snapper Grouper Fishery of the South Atlantic Region**

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## INTRODUCTION

South Atlantic Snapper Grouper Regulatory Amendment 16 contains actions to address the prohibition on the use of black sea bass pots annually from November 1 through April 30 that was implemented through Snapper Grouper Regulatory Amendment 19 (SAFMC 2013) and became effective on October 23, 2013. The prohibition was a precautionary measure to prevent interactions between black sea bass pot gear and whales listed under the Endangered Species Act (ESA) during large whale migrations and the right whale calving season off the southeastern coast. The South Atlantic Fishery Management Council (South Atlantic Council) included the closure in Regulatory Amendment 19 to minimize time of implementation of an increase in the black sea bass annual catch limit. Because the new ACL would be expected to lengthen the black sea bass season, an ESA Section 7 formal consultation and biological opinion would have been triggered. To avoid delay in implementation of the new ACL, the South Atlantic Council decided to include the black sea bass pot closure and revisit the issue in a future amendment.

Through Regulatory Amendment 16, the South Atlantic Council is now considering shortening of the timeframe and spatially designating the closure boundaries. In addition, the South Atlantic Council may propose gear specifications for black sea bass pots. The actions included in Regulatory Amendment 16 are:

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

**Action 2: Modify black sea bass pot gear**

### *Purpose for Action*

The purpose of Regulatory Amendment 16 is to reconsider the annual November 1 through April 30 prohibition on the use of black sea bass pot gear.

### *Need for Action*

The need for the amendment is to minimize socioeconomic impacts to black sea bass pot endorsement holders while considering the need to protect ESA-listed whales in the South Atlantic region

This document outlines the background information and reason for action, the timeline, and current language for the proposed changes to regulations.

## BACKGROUND

In 2013, a stock assessment concluded that the black sea bass stock in the South Atlantic is not undergoing overfishing, is not overfished, and is rebuilt. Black sea bass had been under a rebuilding plan with low ACLs that resulted in short recreational and commercial seasons. Because black sea bass is an important species to both the recreational and commercial sectors, the South Atlantic Fishery Management Council (South Atlantic Council) increased the ACL through Regulatory Amendment 19.

The increase to the commercial ACL was expected to extend fishing activity with black sea bass pot gear past November 1, the onset of right whale calving season in the South Atlantic and migration of large Endangered Species Act (ESA)-listed whales. Because black sea bass pot gear could potentially be used past November 1, the South Atlantic Council and NMFS 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.

Without the prohibition on the use of black sea bass pots during the large whale migration and right whale calving season, a re-initiation of formal consultation for the snapper grouper fishery most likely would have been triggered under the ESA. The consultation would have required development of a biological opinion to perform the additional analyses to evaluate the effects of black sea bass pot gear on ESA-listed species. Those analyses would not have been completed in time to allow the ACL increases to be implemented for the 2013-2014 fishing season, which began on June 1. The black sea bass pot prohibition was a precautionary step taken by the South Atlantic Council and NMFS to allow the black sea bass ACL to increase in the 2013-2014 fishing year, while preventing entanglements with ESA-listed whales until a comprehensive biological impact analysis could be completed.

Through Regulatory Amendment 16, the South Atlantic Council and NMFS are reconsidering the annual November 1 through April 30 prohibition on the use of black sea bass pot gear. Fishery managers are considering adjustments to both the geographical and temporal boundaries of the closure in order to improve socioeconomic benefits to black sea bass pot endorsement holders while maintaining protection for ESA-listed whales in the South Atlantic region. During the scoping process for Regulatory Amendment 16, fishermen reported that harvest of black sea bass during winter months is important to them and claim that the fish migrate southward and are generally found closer to shore making them easier to harvest. Fishermen have also reported this time period is important due to the coloration of the fish. Black sea bass tend to be a lot darker during winter months and command a higher price on the market.

Additionally, black sea bass pot fishermen comply with regulations through Atlantic Large Whale Take Reduction Plan in addition to regulations implemented by the South Atlantic Council. South Atlantic Snapper Grouper Amendment 18A (SAFMC 2012), implemented in July 2012, established a black sea bass pot endorsement program that capped the number of vessels utilizing pot gear at 32. The amendment also 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

## TIMELINE

**May 2013-** South Atlantic Council takes final action to increase the black sea bass ACL and implement the closure for black sea bass pots from November 1 through April 30.

**October 2013-** Closure implemented.

**January 2014-** Scoping for Regulatory Amendment 16

**March 2014-** South Atlantic Council reviewed scoping comments and added alternatives.

**April 2014-** Snapper Grouper Advisory Panel reviewed and provided input.

**June 2014-** South Atlantic Council reviewed and provided direction for revised and new alternatives.

**October 2014-** Snapper Grouper Advisory Panel reviewed and provided input; South Atlantic SSC reviewed and gave recommendations for biological analysis.

**December 2014-** South Atlantic Council reviewed and provided direction for revised and new Alternatives 8-10, and new Action 2.

**March 2015-** South Atlantic Council will review the biological and economic analyses.

**June 2015-** South Atlantic Council will review and approve for public hearings.

**August 2015-** Public hearings

**September 2015-** South Atlantic Council will review public comments and draft biological opinion.

**December 2015-** South Atlantic Council will consider final action.

## **Action 1. Modify the annual November 1 through April 30 prohibition on the use of black sea bass pot gear**

Below are the current alternatives under consideration by the South Atlantic Council as of December 2014. Additional descriptions, maps and waypoints are found in the following section.

**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.

NOTE: Federal regulations under Alternatives 2-10 would only apply to that portion of the area within the South Atlantic EEZ. The states will be asked to implement compatible regulations within state waters.

**Alternative 2.** The black sea bass pot closure applies to the area currently designated as North Atlantic right whale critical habitat (**Figure S-1**). North Atlantic right whale critical habitat encompasses waters between 31° 15'N, (approximately the mouth of the Altamaha River, Georgia) and 30° 15'N (approximately Jacksonville, Florida) from the shoreline out to 15 nautical miles offshore; and the waters between 30° 15'N and 28 °00'N, (approximately Sebastian Inlet, Florida) from the shoreline out to 5 nautical miles. The closure applies to the area annually from November 15 through April 15.

**Alternative 3.** The black sea bass pot closure applies to waters inshore of points 1-15 listed below (**Table S-1**); approximately Ponce Inlet, Florida, to Cape Hatteras, North Carolina (**Figure S-2**). The closure applies to the area annually from November 1 through April 30.

**Alternative 4.** The black sea bass pot closure applies to waters inshore of points 1-28 listed below (**Table S-2**), approximately Cape Canaveral, Florida, to Cape Hatteras, North Carolina (**Figure S-3**). The closure applies to the area annually from November 1 through April 30.

**Alternative 5.** The black sea bass pot closure applies to waters inshore of points 1-28 listed below (**Table S-3**); approximately Cape Canaveral, Florida, to Cape Hatteras, North Carolina (**Figure S-4**). The closure applies to the area annually from November 1 through April 30.

**Alternative 6.** The black sea bass pot closure applies to waters inshore of points 1-20 listed below (**Table S-4**), approximately Sebastian, Florida, to Cape Hatteras, North Carolina. The closure applies to the area annually from November 1 through April 30.

**Alternative 7.** The black sea bass pot closure applies to the area currently designated as North Atlantic right whale critical habitat, in addition to waters inshore of points 1-29 listed below (**Table S-5**), approximately North of the Altamaha River, Georgia, to Cape Hatteras, North Carolina (**Figure S-6**).

**Sub-alternative 7a.** The black sea bass pot closure applies to the area annually from November 1 through December 15 and March 15 through April 30.

**Sub-alternative 7b.** For the area off North Carolina and South Carolina, the black sea bass pot closure applies annually from November 1 through December 15 and March 15 through April 30. For the area off Georgia and Florida, the black sea bass pot closure applies annually from November 15 through April 15.

**Alternative 8.** The black sea bass pot closure applies to the area currently designated as North Atlantic right whale critical habitat, in addition to waters inshore of points 1-29 listed below (**Table S-6**), approximately North of the Altamaha River, Georgia, to Cape Hatteras, North Carolina (**Figure S-7**). For the area off North Carolina and South Carolina, the black sea bass pot closure applies annually from February 15 through April 30. For the area off Georgia and Florida, the black sea bass pot closure applies annually from November 15 through April 15.

**Alternative 9 (hybrid of 5 & 7):** The black sea bass pot closure applies to waters inshore of points 1-35 listed below (**Table S-7**), basically Cape Canaveral, Florida, to Cape Hatteras, North Carolina.

**Sub-alternative 9a.** The black sea bass pot closure applies to the area annually from November 1 through April 15.

**Sub-alternative 9b.** For the area off North Carolina and South Carolina, the black sea bass pot closure applies annually from November 1 through December 15 and February 15 through April 30. For the area off Georgia and Florida, the black sea bass pot closure applies annually from November 15 through April 15.

**Alternative 10 (hybrid of 5 & 3):** The black sea bass pot closure applies to waters inshore of points 1-18 listed below (**Table S-8**), basically Cape Canaveral, Florida, to Cape Hatteras, North Carolina (**Figure S-9**).

**Sub-alternative 10a.** The black sea bass pot closure applies to the area annually from November 1 through April 15.

**Sub-alternative 10b.** For the area off North Carolina and South Carolina, the black sea bass pot closure applies annually from November 1 through December 15 and February 15 through April 30. For the area off Georgia and Florida, the black sea bass pot closure applies annually from November 15 through April 15. Off FL/GA the closure would apply to waters shallower than 20 meters in the fall and shallower than 25 meters in the spring.

## Descriptions and Maps of Alternatives 2-10

**Alternative 2.** The black sea bass pot closure applies to the area currently designated as North Atlantic right whale critical habitat (Figure S-1). North Atlantic right whale critical habitat encompasses waters between 31° 15'N, (approximately the mouth of the Altamaha River, Georgia) and 30° 15'N (approximately Jacksonville, Florida) from the shoreline out to 15 nautical miles offshore; and the waters between 30° 15'N and 28 °00'N, (approximately Sebastian Inlet, Florida) from the shoreline out to 5 nautical miles. The closure applies to the area annually from November 15 through April 15.

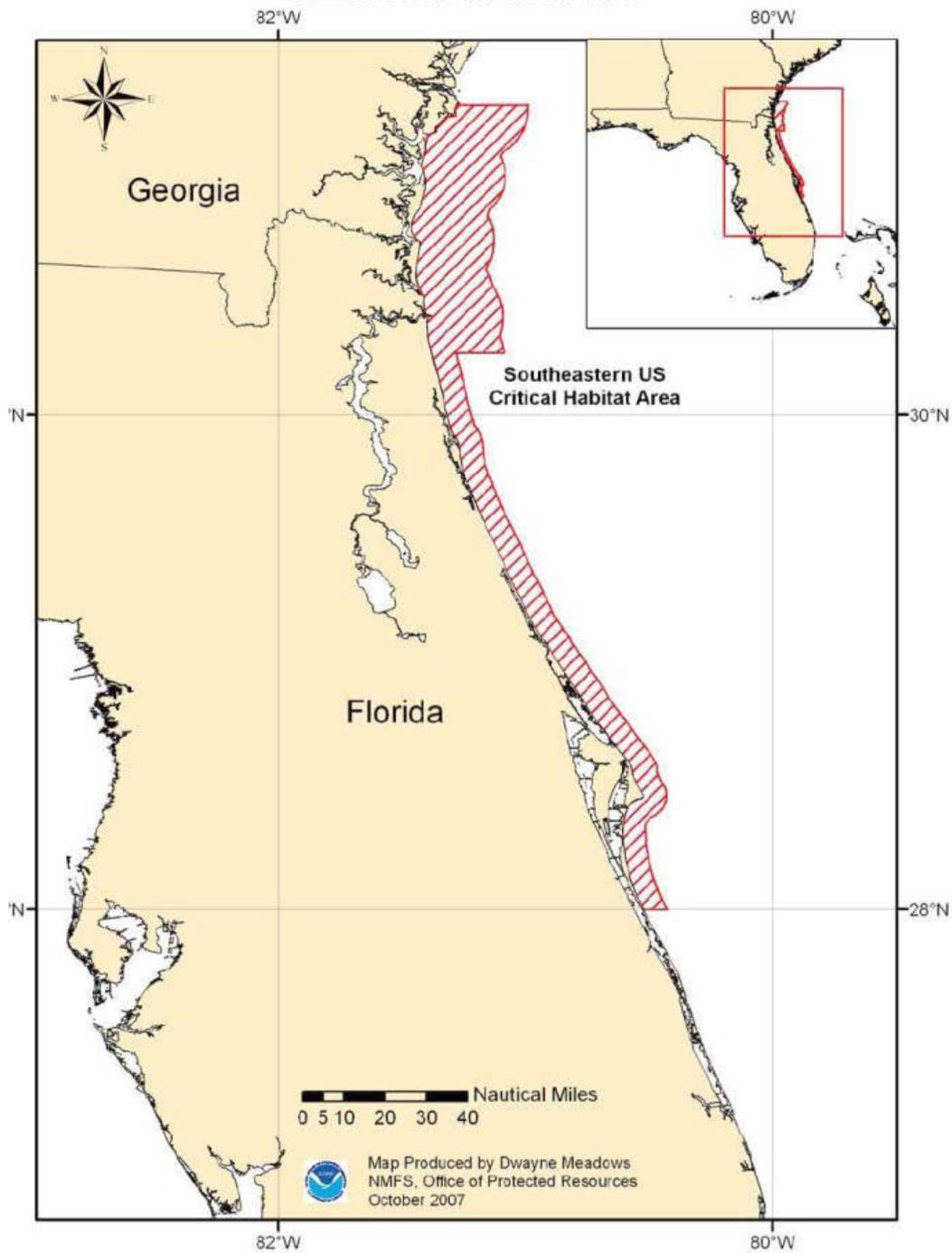
Note: Federal regulations would only apply to that portion of the area within the South Atlantic EEZ. The states will be asked to implement compatible regulations within state waters.

Note: This area represents North Atlantic right whale critical habitat in the South Atlantic region designated on June 3, 1994. The map below provides location of the critical habitat boundary. The critical habitat designation did not provide waypoints for the boundary. The boundary would not automatically change if the boundary for the right whale critical habitat were to change.

The following is language describing the North Atlantic right whale critical habitat area from 50 CFR 226:

Southeastern United States: The area designated as critical habitat in these waters encompasses waters between 31 deg.15'N (approximately located at the mouth of the Altamaha River, GA) and 30 deg.15'N (approximately Jacksonville, FL) from the shoreline out to 15 nautical miles offshore; and the waters between 30 deg.15'N and 28 deg.00'N (approximately Sebastian Inlet, FL) from the shoreline out to 5 nautical miles.

# Northern Right Whale Critical Habitat: Southeast Atlantic



**Figure S-1.** Area for the proposed black sea bass pot closure in Alternative 2.

**Alternative 3.** The black sea bass pot closure applies to waters inshore of points 1-15 listed below (**Table S-1**); approximately Ponce Inlet, Florida, to Cape Hatteras, North Carolina (**Figure S-2**). The closure applies to the area annually from November 1 through April 30.

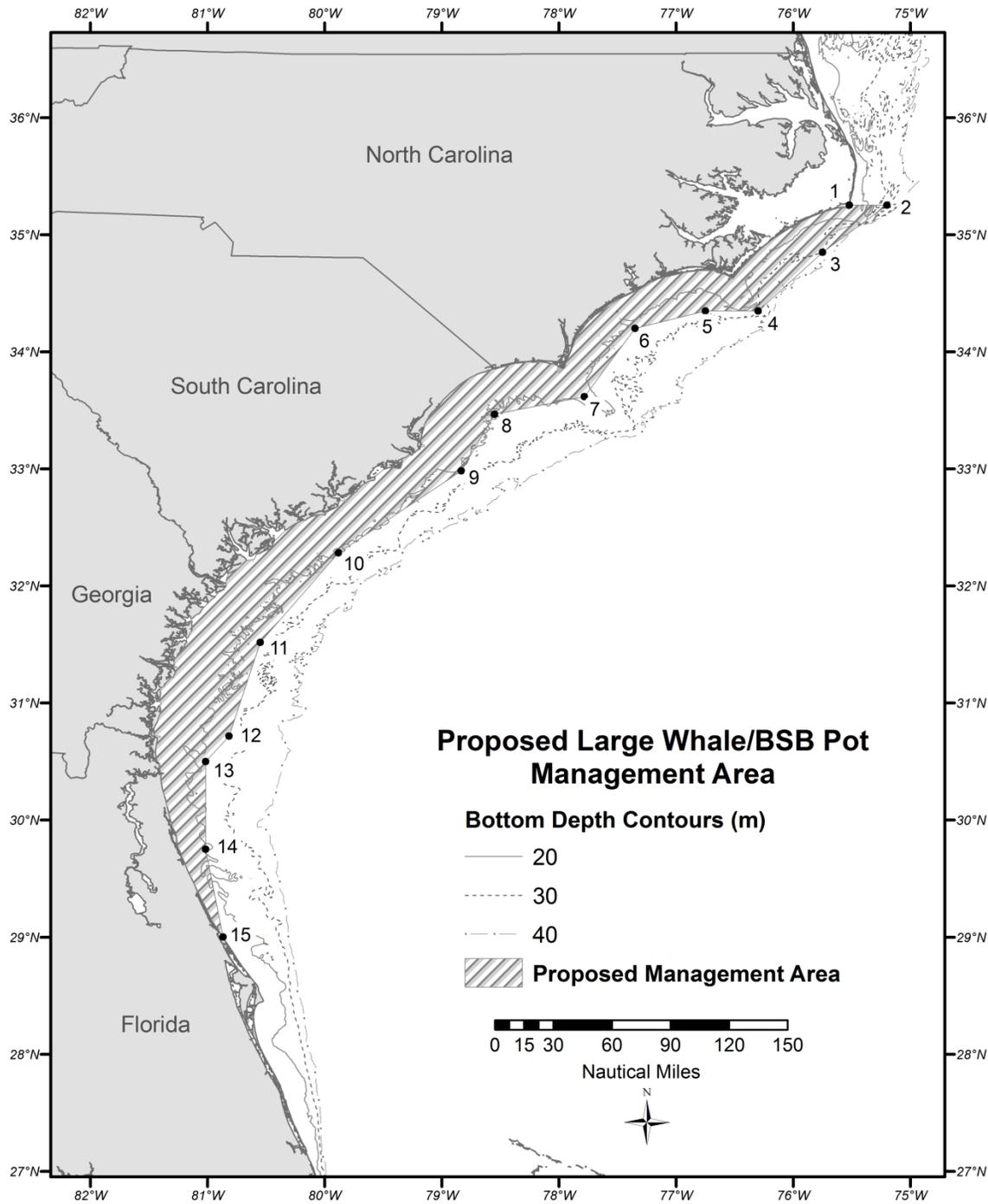
Note: Federal regulations would only apply to that portion of the area within the South Atlantic EEZ. The states will be asked to implement compatible regulations within state waters.

Note: This area likely represents North Atlantic right whale calving habitat. The area identified from Cape Fear, North Carolina, southward to 29°N (approximately Ponce Inlet, Florida) is based on model outputs (i.e., Garrison 2007, Keller et al. 2012, Good 2008). The area from Cape Fear, North Carolina, to Cape Hatteras, North Carolina, is an extrapolation of those model outputs and based on sea surface temperatures and bathymetry.

**Table S-1.** Eastern boundary coordinates for the proposed black sea bass pot closure in Alternative 3.

Point	N Latitude	W Longitude
1	35°15.19' N	Shoreline
2	35°15.19'	75°12'
3	34°51'	75°45'
4	34°21'	76°18'
5	34°21' N	76°45'
6	34°12'	77°21'
7	33°37'	77°47'
8	33°28'	78°33'
9	32°59'	78°50'
10	32°17'	79°53'
11	31°31'	80°33'
12	30°43'	80°49'
13	30°30'	81°01'
14	29°45'	81°01'
15	29°00'	Shoreline

Note that federal regulations would only include the waters of the South Atlantic EEZ. The states will be asked to comply by implementing complementary regulations in state waters.



**Figure S-2.** Area for the proposed black sea bass pot closure in Alternative 3.

**Alternative 4.** The black sea bass pot closure applies to waters inshore of points 1-28 listed below (**Table S-2**), approximately Cape Canaveral, Florida, to Cape Hatteras, North Carolina (**Figure S-3**). The closure applies to the area annually from November 1 through April 30.

Note: Federal regulations would only apply to that portion of the area within the South Atlantic EEZ. The states will be asked to implement compatible regulations within state waters.

Note: This area generally represents waters 25 m or shallower from 28° 21.5” N (approximately Cape Canaveral, Florida) to Savannah, Georgia; from the Georgia/South Carolina border to Cape Hatteras, North Carolina, the closure applies to waters under Council management that are 30 m or shallower. This bathymetric area is based on right whale sightings (all demographic segments) and sightings per unit of effort (proxy of density) by depth and captures 97% and 96% of right whale sightings off the North Carolina/South Carolina area, and Florida/Georgia area, respectively. The map below provides an approximate location of the proposed boundary.

**Table S-2.** Eastern boundary coordinates for the proposed black sea bass pot closure in Alternative 4.

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

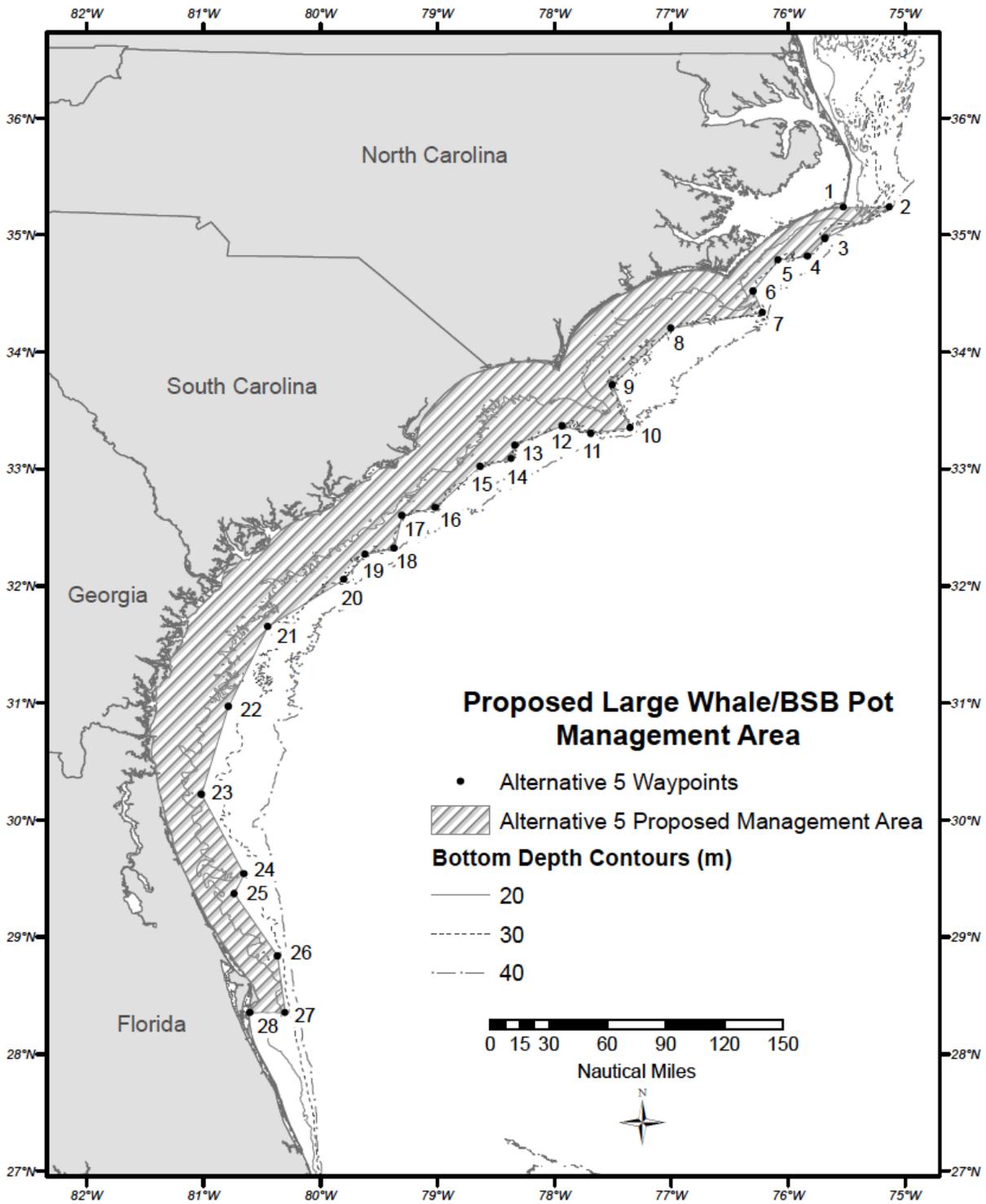


Figure S-3. Area for the proposed black sea bass pot closure in Alternative 4.

**Alternative 5.** The black sea bass pot closure applies to waters inshore of points 1-28 listed below (**Table S-3**); approximately Cape Canaveral, Florida, to Cape Hatteras, North Carolina (**Figure S-4**). The closure applies to the area annually from November 1 through April 30.

Note: Federal regulations would only apply to that portion of the area within the South Atlantic EEZ. The states will be asked to implement compatible regulations within state waters.

Note: This area is based on joint comments received from non-government organizations (dated January 3, 2014) in response to NMFS’ December 4, 2013, Federal Register Notice of Intent to Prepare this Draft Environmental Impact Statement (DEIS) (78 FR 72868). The non-government organizations proposed the area as a reasonable alternative for consideration. The area, also included in a Center for Biological Diversity et al. petition in 2009 for right whale critical habitat, is off the coasts of Georgia and Florida and based on calving right whale habitat modeling work of Garrison (2007) and Keller et al. (2012). This area represents the 75th percentile of sightings (91% of historical sightings included in their study) off Florida and Georgia (Garrison 2007 and Keller et al. 2012). Off the coasts of North Carolina and South Carolina, the closure extends from the coastline to 30 nautical miles offshore. The map below provides approximate location of proposed boundary.

**Table S-3.** Eastern Boundary Coordinates for the Proposed Black Sea Bass Pot Closure in Alternative 5.

Point	N Latitude		W Longitude	
1	29°	13'	Shoreline	
2	29°	13'	80°	52'
3	29°	31'	80°	58'
4	29°	45'	81°	01'
5	30°	30'	81°	01'
6	30°	43'	80°	49'
7	31°	31'	80°	33'
8	31°	42'	80°	24'
9	32°	39'	78°	56'
10	32°	55'	78°	39'
11	33°	14'	78°	33'
12	33°	24'	78°	17'
13	33°	19'	78°	02'
14	33°	21'	77°	45'
15	33°	28'	77°	32'
16	33°	41'	77°	23'
17	33°	58'	77°	16'
18	34°	10'	76°	55'
19	34°	05'	76°	41'
20	34°	04'	76°	26'
21	34°	12'	76°	07'

Point	N Latitude		W Longitude	
22	34°	26'	75°	57'
23	34°	43'	75°	33'
24	34°	45'	75°	18'
25	34°	51'	75°	06'
26	35°	03'	74°	57'
27	35°	14'	74°	54'
28	35°	14'	Shoreline	

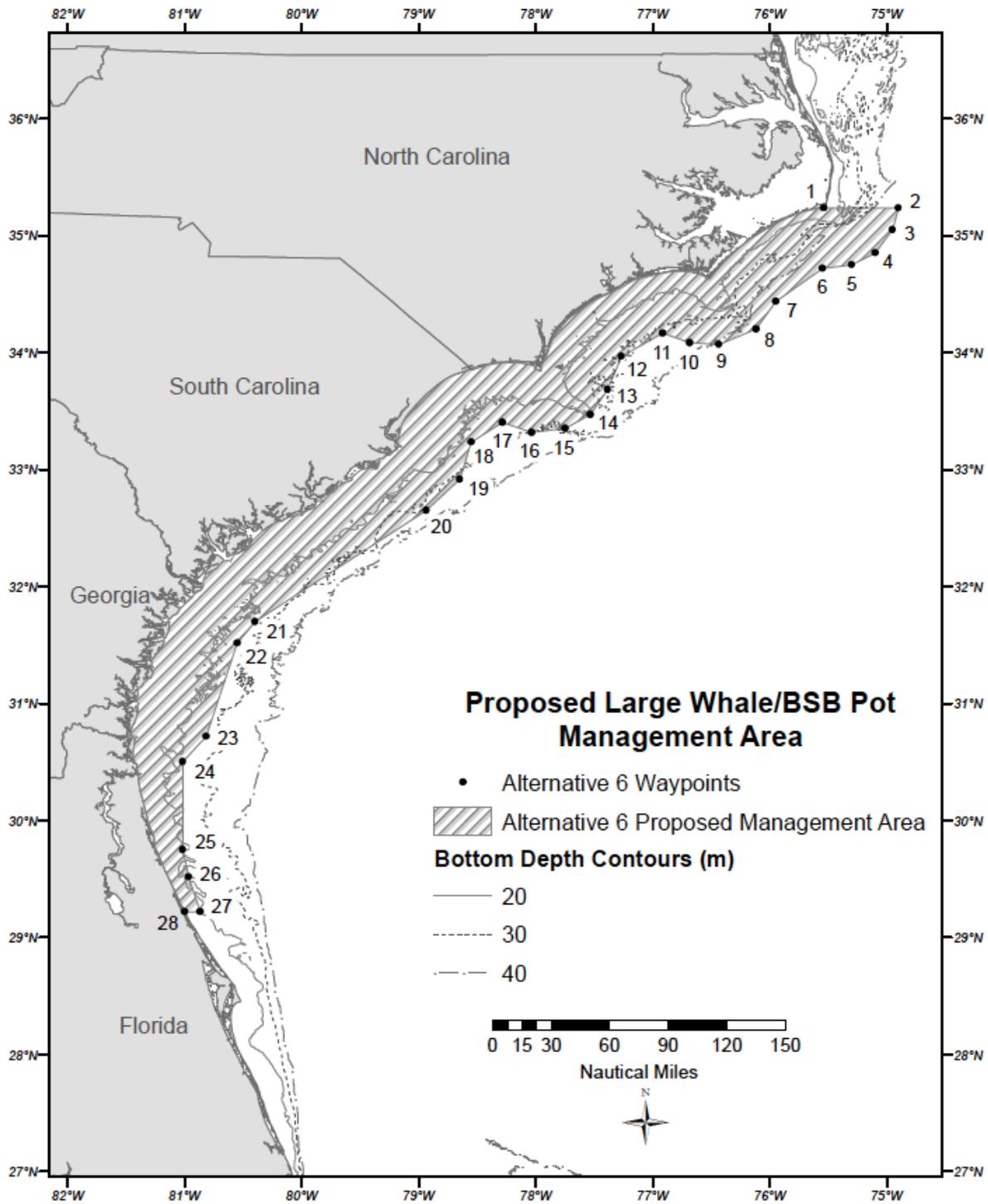


Figure S-4. Area for the proposed black sea bass pot closure in Alternative 5.

**Alternative 6.** The black sea bass pot closure applies to waters inshore of points 1-20 listed below (**Table S-4**), approximately Sebastian, Florida, to Cape Hatteras, North Carolina. The closure applies to the area annually from November 1 through April 30.

Note: Federal regulations would only apply to that portion of the area within the South Atlantic EEZ. The states will be asked to implement compatible regulations within state waters.

Note: This area is also based on joint comments received from a number of environmental groups (dated January 3, 2014) in response to NMFS' December 4, 2013, Federal Register Notice of Intent to Prepare this DEIS (78 FR 72868). The environmental groups proposed the area as a reasonable alternative for consideration. This area represents an existing management area, the Southeast Seasonal Gillnet Restricted Area, under the Atlantic Large Whale Take Reduction Plan; and an additional area off North Carolina. The area off North Carolina includes waters shallower than 30 meters and is northward of the designated ALWTRP Southeast Restricted Area.

**Table S-4.** Eastern boundary coordinates for the proposed black sea bass pot closure in Alternative 6.

Point	N Latitude		W Longitude	
1	35°	14'	Shoreline	
2	35°	14'	75°	08'
3	34°	58'	75°	41'
4	34°	49'	75°	50'
5	34°	47'	76°	05'
6	34°	31'	76°	18'
7	34°	20'	76°	13'
8	34°	12'	77°	00'
9	33°	43'	77°	30'
10	33°	21'	77°	21'
11	33°	18'	77°	41'
12	33°	24'	77°	57'
13	33°	19'	78°	06'
14	32°	58'	78°	39'
15	32°	39'	78°	59'
16	32°	37'	79°	14'
17	32°	22'	79°	22'
18	32°	00'	80°	00'
19	27°	51'	80°	00'
20	27°	51'	Shoreline	

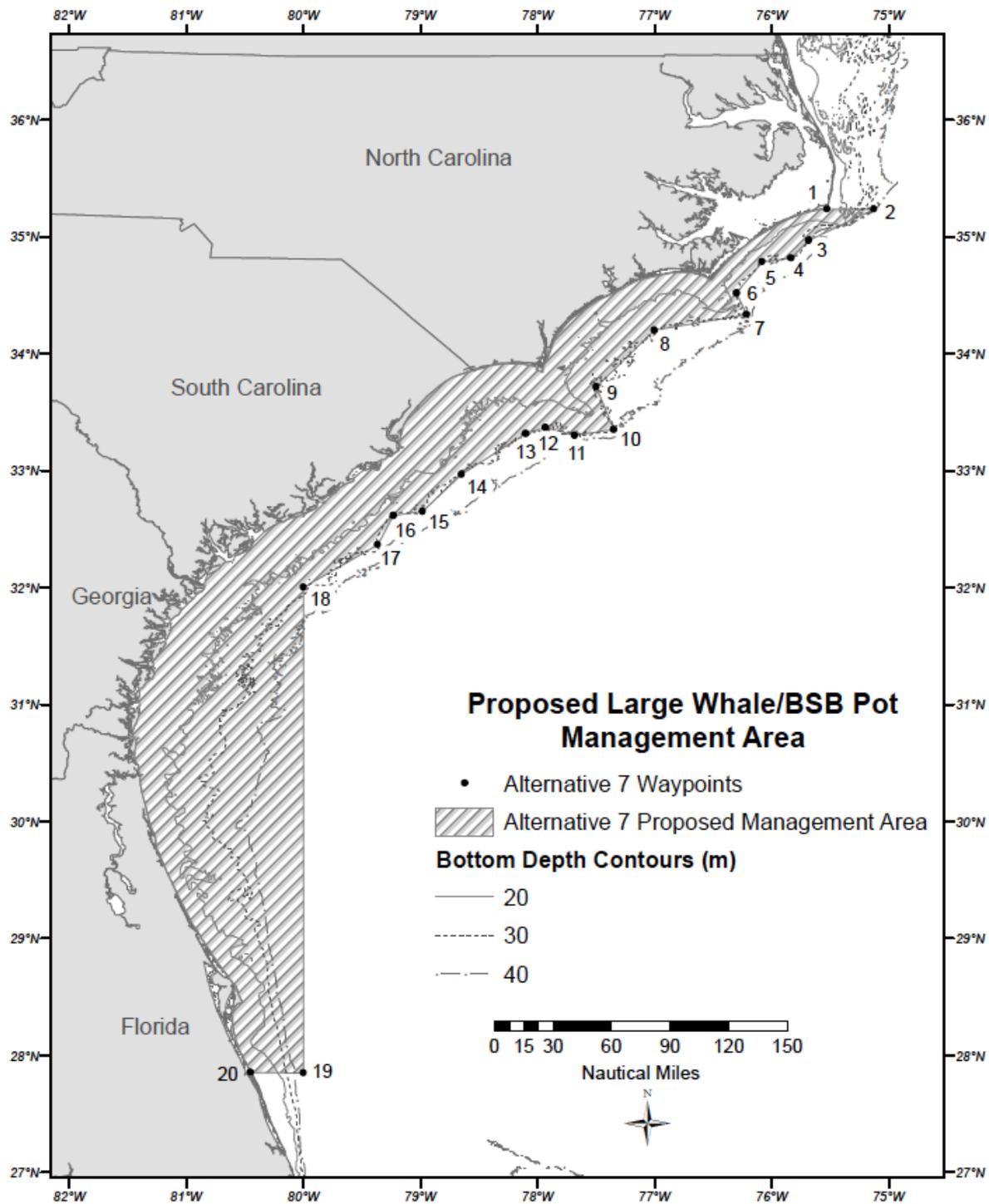


Figure S-5. Area for the proposed black sea bass pot closure in Alternative 6.

**Alternative 7.** The black sea bass pot closure applies to the area currently designated as North Atlantic right whale critical habitat, in addition to waters inshore of points 1-29 listed below (**Table S-5**), approximately North of the Altamaha River, Georgia, to Cape Hatteras, North Carolina (**Figure S-6**).

**Sub-alternative 7a.** The black sea bass pot closure applies to the area annually from November 1 through December 15 and March 15 through April 30.

**Sub-alternative 7b.** For the area off North Carolina and South Carolina, the black sea bass pot closure applies annually from November 1 through December 15 and March 15 through April 30. For the area off Georgia and Florida, the black sea bass pot closure applies annually from November 15 through April 15.

Note: Federal regulations would only apply to that portion of the area within the South Atlantic EEZ. The states will be asked to implement compatible regulations for the portion of the area within state waters.

Note: This area represents North Atlantic right whale critical habitat in the South Atlantic region designated on June 3, 1994. Off North Carolina and South Carolina, the black sea bass pot closure applies in the exclusive economic zone in waters shallower than 20 meters. The eastern boundary of the closure between these two areas was formed by drawing a straight line from the southeastern corner waypoint of the northern portion (NC/SC) to the northeastern corner waypoint of the southern section (FL/GA).

The following is language describing the North Atlantic right whale critical habitat area from 50 CFR 226:

Southeastern United States: The area designated as critical habitat in these waters encompasses waters between 31 deg.15'N (approximately located at the mouth of the Altamaha River, GA) and 30 deg.15'N (approximately Jacksonville, FL) from the shoreline out to 15 nautical miles offshore; and the waters between 30 deg.15'N and 28 deg.00'N (approximately Sebastian Inlet, FL) from the shoreline out to 5 nautical miles.

**Table S-5.** Eastern boundary coordinates for the proposed black sea bass pot closure in Alternative 7.

Point	N Latitude	W Longitude
1	35° 14.1'	75° 31.56'
2	35° 14.1'	75° 09'
3	35° 06'	75° 22'
4	35° 06'	75° 39'
5	35° 01'	75° 47'
6	34° 54'	75° 46'
7	34° 52'	76° 04'
8	34° 33'	76° 22'
9	34° 23'	76° 18'
10	34° 21'	76° 27'
11	34° 25'	76° 51'

Point	N Latitude	W Longitude
12	34° 09'	77° 19'
13	33° 44'	77° 38'
14	33° 25'	77° 27'
15	33° 22'	77° 40'
16	33° 28'	77° 41'
17	33° 32'	77° 53'
18	33° 22'	78° 26'
19	33° 06'	78° 31'
20	33° 05'	78° 40'
21	33° 01'	78° 43'
22	32° 56'	78° 57'
23	32° 44'	79° 04'
24	32° 42'	79° 13'
25	32° 34'	79° 23'
26	32° 25'	79° 25'
27	32° 23'	79° 37'
28	31° 53'	80° 09'
29	31° 15'	80° 59'
30	30° 56'	81° 05'
31	30° 42'	81° 07'
32	30° 15'	81° 05'
33	30° 15'	81° 17'
34	29° 40'	81° 07'
35	29° 08'	80° 51'
36	28° 36'	80° 28'
37	28° 26'	80° 25'
38	28° 20'	80° 31'
39	28° 11'	80° 30'
40	28° 00'	80° 25.5'
41	28° 00'	80° 31.45'

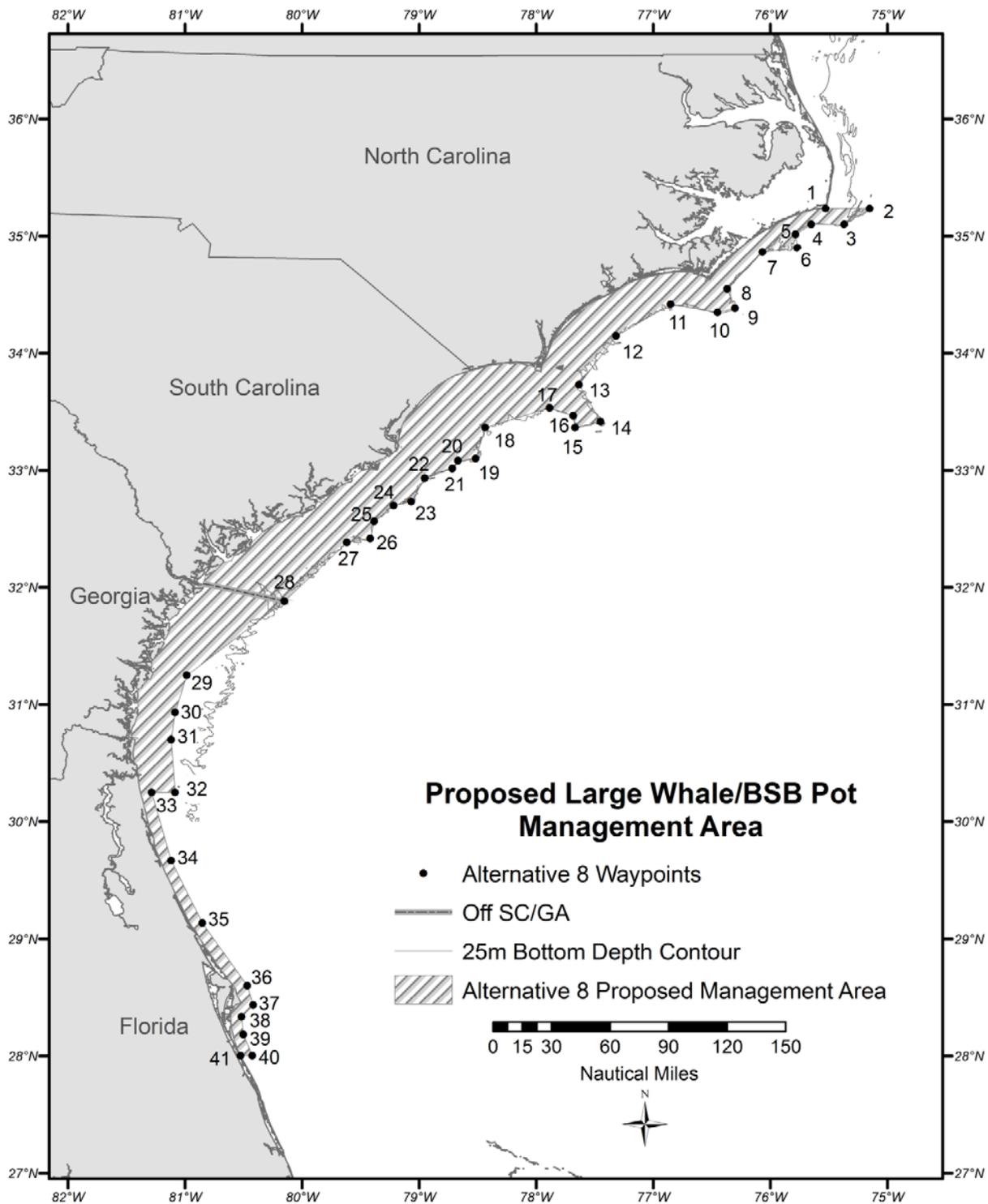


Figure S-6. Area for the proposed black sea bass pot closure in Alternative 7.

**Alternative 8.** The black sea bass pot closure applies to the area currently designated as North Atlantic right whale critical habitat, in addition to waters inshore of points 1-29 listed below (**Table S-6**), approximately North of the Altamaha River, Georgia, to Cape Hatteras, North Carolina (**Figure S-7**). For the area off North Carolina and South Carolina, the black sea bass pot closure applies annually from February 15 through April 30. For the area off Georgia and Florida, the black sea bass pot closure applies annually from November 15 through April 15.

Note: Federal regulations would only apply to that portion of the area within the South Atlantic EEZ. The states will be asked to implement compatible regulations for the portion of the area within state waters.

Note: This area represents North Atlantic right whale critical habitat in the South Atlantic region designated on June 3, 1994. Off North Carolina and South Carolina, the black sea bass pot closure applies in the exclusive economic zone in waters shallower than 20 meters. The eastern boundary of the closure between these two areas was formed by drawing a straight line from the southeastern corner waypoint of the northern portion (NC/SC) to the northeastern corner waypoint of the southern section (FL/GA).

**Alternative 9** (hybrid of 5 & 7): The black sea bass pot closure applies to waters inshore of points 1-35 listed below (**Table S-7**), basically Cape Canaveral, Florida, to Cape Hatteras, North Carolina.

**Sub-alternative 9a.** The black sea bass pot closure applies to the area annually from November 1 through April 15.

**Sub-alternative 9b.** For the area off North Carolina and South Carolina, the black sea bass pot closure applies annually from November 1 through December 15 and February 15 through April 30. For the area off Georgia and Florida, the black sea bass pot closure applies annually from November 15 through April 15.

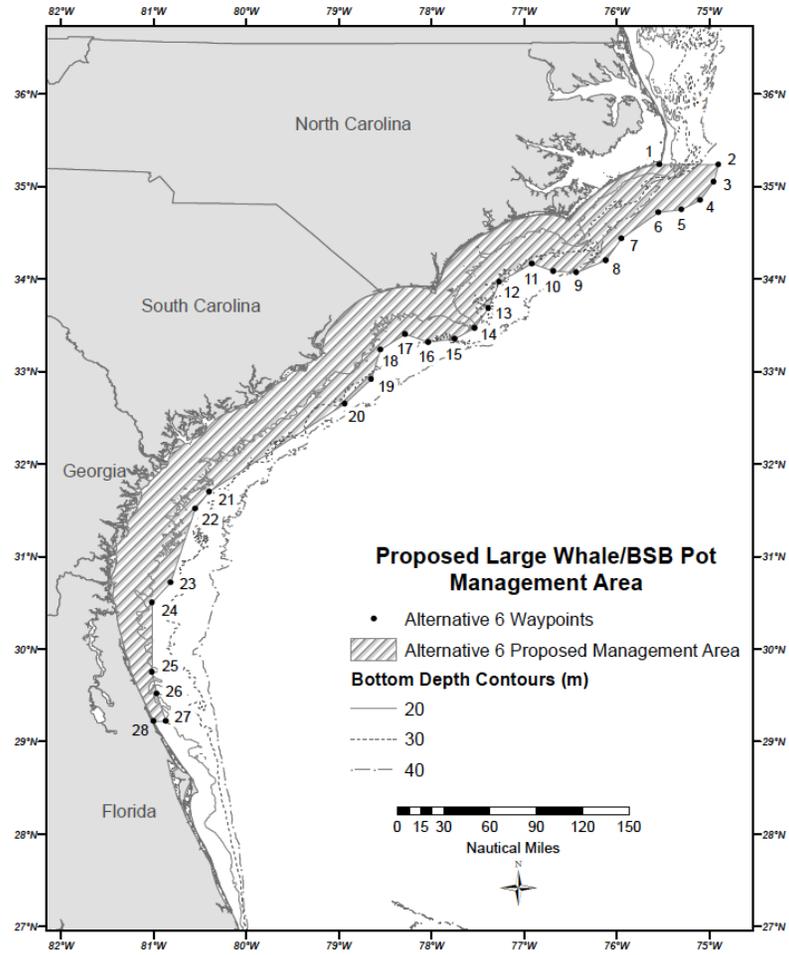
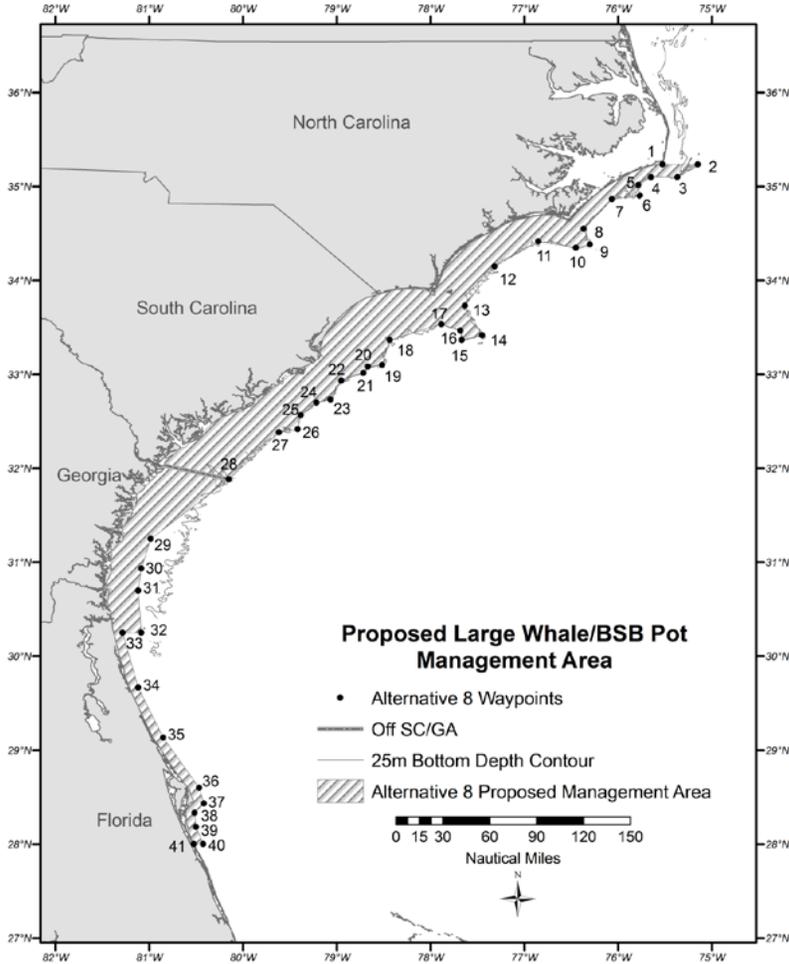
Note: Federal regulations would only apply to that portion of the area within the South Atlantic EEZ. The states will be asked to implement compatible regulations for the portion of the area within state waters.

Note: This area is based off joint comments received from non-governmental organizations, and also included in a Center for Biological Diversity et al. petition in 2009 for right whale critical habitat, is off the coasts of Georgia and Florida and based on calving right whale habitat modeling work of Garrison (2007) and Keller et al. (2012). This area represents the 75th percentile of sightings (91% of historical sightings included in their study) off Florida and Georgia (Garrison 2007 and Keller et al. 2012). Off North Carolina and South Carolina, the black sea bass pot closure applies in the exclusive economic zone in waters shallower than 25 meters.

**Table S-7.** Eastern boundary coordinates for the proposed black sea bass pot closure in Alternative 9.

Point	N. Latitude	W Longitude
1	35° 14.1'	75° 31.56'
2	35° 14.1'	75° 09'
3	35° 06'	75° 22'
4	35° 06'	75° 39'
5	35° 01'	75° 47'
6	34° 54'	75° 46'
7	34° 52'	76° 04'
8	34° 33'	76° 22'
9	34° 23'	76° 18'
10	34° 21'	76° 27'
11	34° 25'	76° 51'
12	34° 09'	77° 19'
13	33° 44'	77° 38'
14	33° 25'	77° 27'
15	33° 22'	77° 40'
16	33° 28'	77° 41'
17	33° 32'	77° 53'
Point	N. Latitude	W Longitude
18	33° 22'	78° 26'
19	33° 06'	78° 31'
20	33° 05'	78° 40'
21	33° 01'	78° 43'
22	32° 56'	78° 57'
23	32° 44'	79° 04'
24	32° 42'	79° 13'
25	32° 34'	79° 23'
26	32° 25'	79° 25'
27	32° 23'	79° 37'
28	31° 53'	80° 09'
29	31° 31'	80° 33'
30	30° 43'	80° 49'
31	30° 30'	81° 01'
32	29° 45'	81° 01'
33	29° 31'	80° 58'
34	29° 13'	80° 52'
35	29° 13'	Shoreline

Maps of Alternatives 7 and 5 that will combine for New Alternative 9 and make Figure S-8.



**Alternative 10** (hybrid of 5 & 3): The black sea bass pot closure applies to waters inshore of points 1-18 listed below (**Table S-8**), basically Cape Canaveral, Florida, to Cape Hatteras, North Carolina (**Figure S-9**).

**Sub-alternative 10a.** The black sea bass pot closure applies to the area annually from November 1 through April 15.

**Sub-alternative 10b.** For the area off North Carolina and South Carolina, the black sea bass pot closure applies annually from November 1 through December 15 and February 15 through April 30. For the area off Georgia and Florida, the black sea bass pot closure applies annually from November 15 through April 15. Off FL/GA the closure would apply to waters shallower than 20 meters in the fall and shallower than 25 meters in the spring.

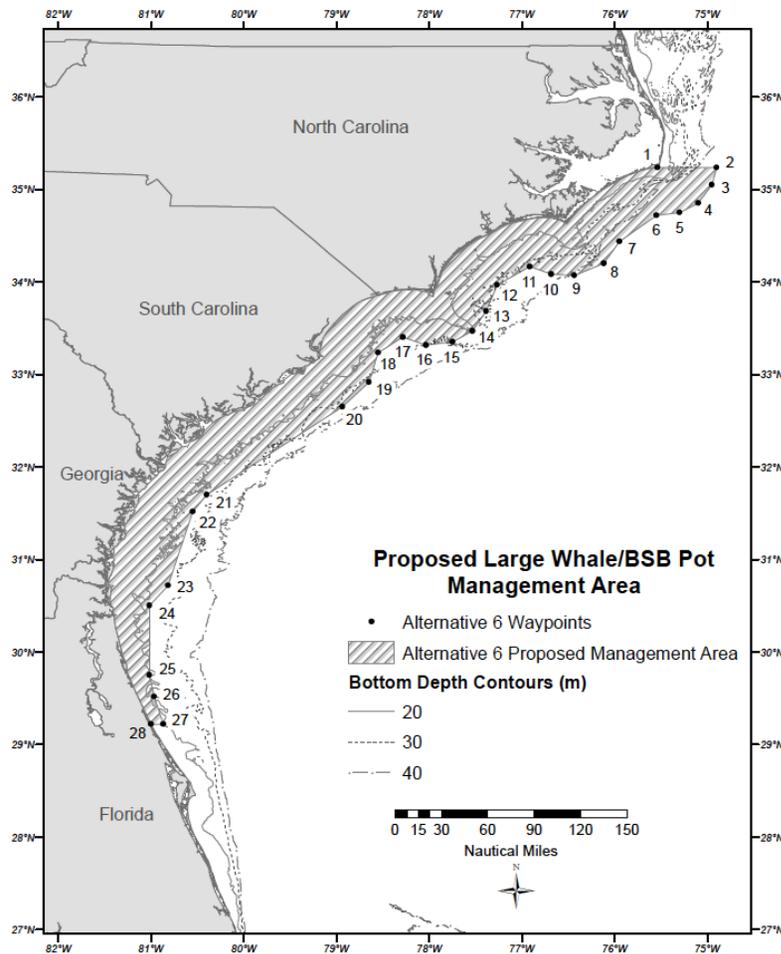
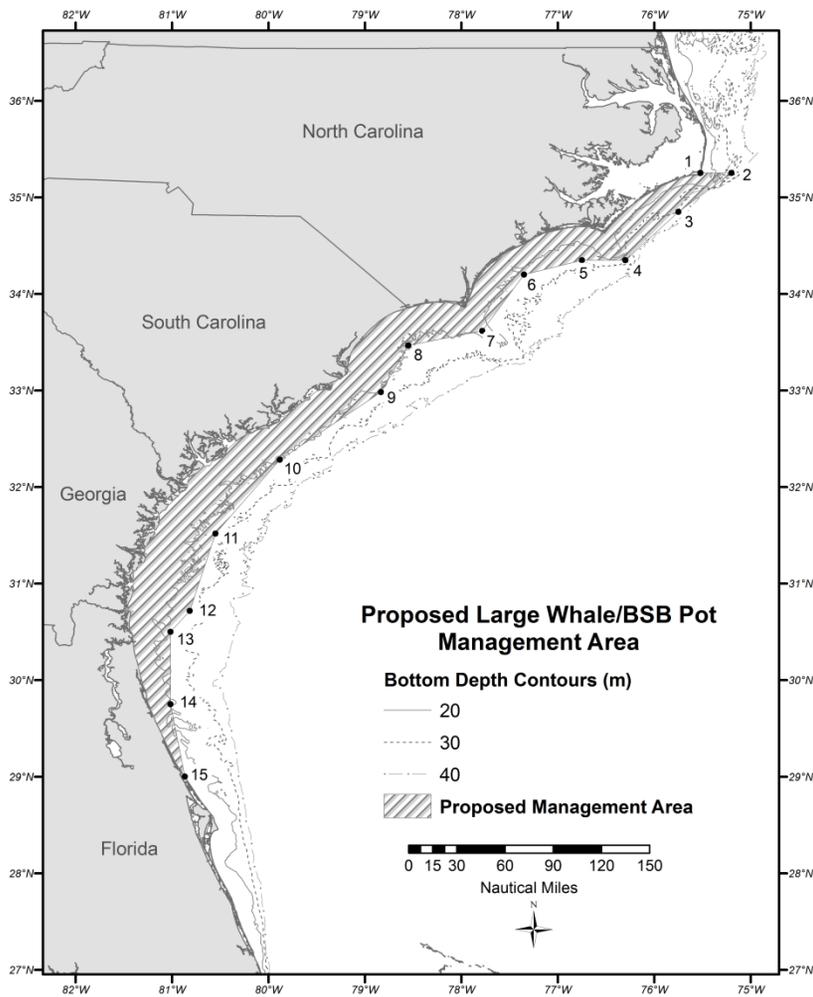
Note: Federal regulations would only apply to that portion of the area within the South Atlantic EEZ. The states will be asked to implement compatible regulations for the portion of the area within state waters.

Note: This area likely represents North Atlantic right whale calving habitat off the coasts of Georgia and Florida and is based on calving right whale habitat modeling work of Garrison (2007) and Keller et al. (2012). This area represents the 75th percentile of sightings (91% of historical sightings included in their study) off Florida and Georgia (Garrison 2007 and Keller et al. 2012). From Point 11 north to Cape Fear, North Carolina, is based on model outputs (i.e., Garrison 2007, Keller et al. 2012, Good 2008). The area from Cape Fear, North Carolina, to Cape Hatteras, North Carolina, is an extrapolation of those model outputs and based on sea surface temperatures and bathymetry. Off North Carolina and South Carolina, the black sea bass pot closure applies in the exclusive economic zone in waters shallower than 20 meters.

**Table S-8.** Eastern boundary coordinates for the proposed black sea bass pot closure in Alternative 10.

Point	N. Latitude	W Longitude
1	35° 15.19'	Shoreline
2	35° 15.19'	75° 12'
3	34° 51'	75° 45'
4	34° 21'	76° 18'
5	34° 21'	76° 45'
6	34° 12'	77° 21'
7	33° 37'	77° 47'
8	33° 28'	78° 33'
9	32° 59'	78° 50'
10	32° 17'	79° 53'
11	31° 31'	80° 33'
12	31° 31'	80° 33'
13	30° 43'	80° 49'
14	30° 30'	81° 01'
15	29° 45'	81° 01'
16	29° 31'	80° 58'
17	29° 13'	80° 52'
18	29° 13'	Shoreline

Maps of Alternatives 4 and 6 that will combine for New Alternative 10 and make Figure S-



## **Action 2: Modify black sea bass pot gear**

**Alternative 1 (No Action).** Status quo

**Alternative 2.** Specify a buoy line strength less than or equal to 2200 lbs and a weak link less than or equal to 400 lbs for black sea bass pots in the South Atlantic EEZ.

**Alternative 3.** Existing trap/pot buoy line marking requirements established in the Atlantic Large Whale Take Reduction Plan will be supplemented to include a distinguishing feature specifically linked to the South Atlantic black sea bass pot fishery. In addition to the 3 12-inch color marks at the top, midway, and bottom sections of the buoy line specified for the individual management area in which the gear is deployed, a 22-inch wide colored band will be added at the center of each required 12-inch colored mark.

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