NOAA FISHERIES

Atlantic Large Whale Take Reduction Plan

Southeast Gillnet Fisheries Requirements and Management Areas

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NOAA FISHERIES

The Atlantic Large Whale Take Reduction Plan applies to the following fisheries:

Gillnets

- Northeast sink gillnet;
- Northeast anchored float gillnet;
- Northeast drift gillnet;
- Mid-Atlantic gillnet;
- Southeastern US Atlantic shark gillnet; and
- Southeast Atlantic gillnet.

Trap/Pots

- Northeast/Mid-Atlantic American lobster trap/pot;
- Atlantic blue crab trap/pot;
- Atlantic mixed species trap/pot which includes, but is not limited to: crab (red, Jonah, and rock), hagfish, fin-fish (black sea bass, scup, tautog, cod, haddock, pollock, redfish (ocean perch), and white hake), conch/whelk, and shrimp.

The Atlantic Large Whale Take Reduction Plan

The Atlantic Large whale Take Reduction Plan (Plan) is a program to reduce the risk of serious injury and death of large whales caused by accidental entanglement in U.S. commercial trap/pot and gillnet fishing gear. The plan is required by the Marine Mammal Protection Act and has been developed by NOAA's National Marine Fisheries Service (NMFS).

The Plan focuses on reducing entanglements of endangered right, humpback, and fin whales. Non-endangered minke whales also benefit from the Plan. Under the Endangered Species Act, Federal agencies are required to ensure that permitted activities (such as fishing) do not cause harm to, or jeopardize, the continued existence of any endangered species. Since the Plan measures are intended to reduce entanglements of right, humpback, and fin whales in fishing gear, these measures also help to avoid the likelihood that Federally permitted fishing activities will jeopardize the continued existence of these whales.

The Atlantic Large Whale Take Reduction Team; which consists of fishing industry representatives, environmentalists, state and federal officials, and other interested parties; helped develop the Plan. Information about the process and the team is available on the Plan website (www.greateratlantic.fisheries.noaa.gov/whaletrp/).

The Plan is an evolving plan that changes as NMFS and the team learn more about whale entanglements and how fishing practices might be modified to reduce the risk of entanglement. The first Plan went into effect in 1997. The regulations contained in that rule have been updated several times, with the most recent updates occuring in the summer of 2014 (see pages 6 for a summary of the most recent updates for Southeast gillnet fisheries).

The current Plan includes restrictions on where and how gear can be set, including closures and gear modifications such as use of sinking groundline and weak links, trap minimums, and gear markings. Other components of the Plan include research on whale populations, whale behavior, and fishing gear interactions; outreach to inform and collaborate with fishermen; and a disentanglement program.

This document is a summary of the Plan's commercial **Southeast gillnet fishing regulations**.

Note: This guide includes Federal requirements only for state and Federal waters; contact your state fishery office for any additional requirements within state waters. Should any regulations overlap with the Plan regulations, the more restrictive regulations apply.

2014 Southeast Gillnet Management Changes Summary

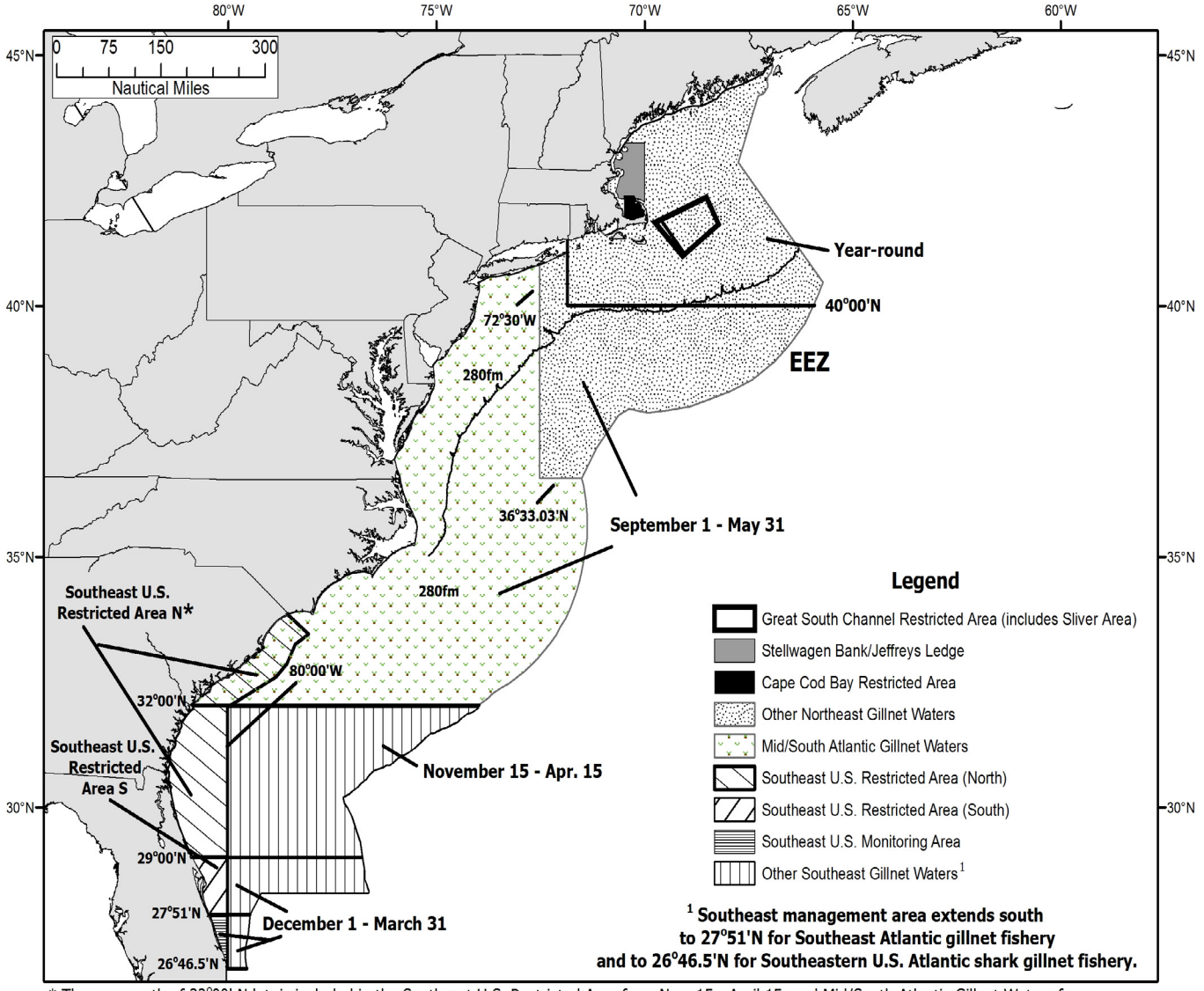
In 2014, the Plan was modified to include the following new requirements and definitions:. Modifications for Northeast and Mid-Atlantic fisheries can be found in the corresponding guides.:

Gear Markings

Gear marking colors remain the same and are defined under each individual management area, however the frequency and size of the markings have changed. Now all buoy lines must be marked with three 12 inch (30.48 cm), colored marks: one at the top of the buoy line, one midway along the buoy line, and one at the bottom of the buoy line

Gillnet Management Area Overview

The gillnet gear requirements vary by geographic area. The Plan currently recognizes seven gillnet areas: Cape Cod Bay Restricted Area, Great South Channel Restricted Gillnet Area, Great South Channel Sliver Restricted Gillnet Area, Stellwagen Bank/Jeffreys Ledge Restricted Area, Other Northeast Gillnet Waters, Mid/South Atlantic Gillnet Waters, Southeast U.S. Restricted Area South, Southeast U.S. Monitoring Area, and Other Southeast Gillnet Waters.



* The area north of 32°00' N lat. is included in the Southeast U.S. Restricted Area from Nov. 15 - April 15, and Mid/South Atlantic Gillnet Waters from Sept. 1 - Nov. 14 and April 16 - May 31.

Southeast Gillnet Requirements

Gillnet Universal Requirements

- No buoy line floating at the surface.
- No wet storage of gear (all gear must be hauled out of the water at least once every 30 days)
- Fishermen are encouraged, but not required, to maintain knot-free buoy lines.
- All groundlines must be made of sinking line.

Gillnet Gear Marking Requirements

- Gillnet surface buoys to be marked to identify the vessel or fishery with one of the following: the owner's motorboat registration number and/or U.S. vessel documentation number; the federal commercial fishing permit number; or whatever positive identification marking is required by the vessel's home-port state.
- When marking is not already required by state or federal regulations, the letters and numbers to mark gear must be at least 1 inch (2.5cm) in height, block letters or Arabic numbers, in a color that contrasts with the color of the buoy.
- Buoy lines are to be marked with three 12 inch (30.48 cm), colored marks: one at the top of the buoy line, one midway along the buoy line, and one at the bottom of the buoy line. Color requirements are defined for each individual management area as described in each management area description that follows.
- Each gillnet panel must be marked along both the floatline and the leadline at least once every 100 yards, unless otherwise required.
- See page 10 and Supplement C- Gear Marking for more information on gear marking.

Gillnet Weak Link Requirements

- All buoys, floatation devices and/or weights must be attached to the buoy line with a weak link having a certain breaking strength as defined for each management area in the following tables.
- **For nets which do not return to port with the vessel:** weak links must be incorporated into net panels following one of the two configurations shown on page 9 and have a breaking strength as defined for each management area in the following tables.
- **For nets that return to port each day with the vessel:** net panels are required to have a weak link at the center or each floatline or at least every 25 fathoms along the floatline of a panel longer that 50 fathoms.
- Individual weak links are not required in locations where rope of appropriate breaking strength is used. Additionally, if no up and down line is present, then weak links are not required at that location. Please see Supplement B- Weak Link and Anchoring Techniques for more information.
- Gillnet panel weak links must be chosen from the list of NMFS approved gear, which includes: off the shelf weak links, rope of appropriate breaking strength, hog rings, and other materials or devices approved in writing. Please see Supplement B- Weak Links and Anchoring Techniques for more information.
- The weak link placement must meet one of the two configuration options shown on the following page. The same configuration will be required for all gillnet panels in a string.
-

Anchored Gillnet Anchoring Requirements

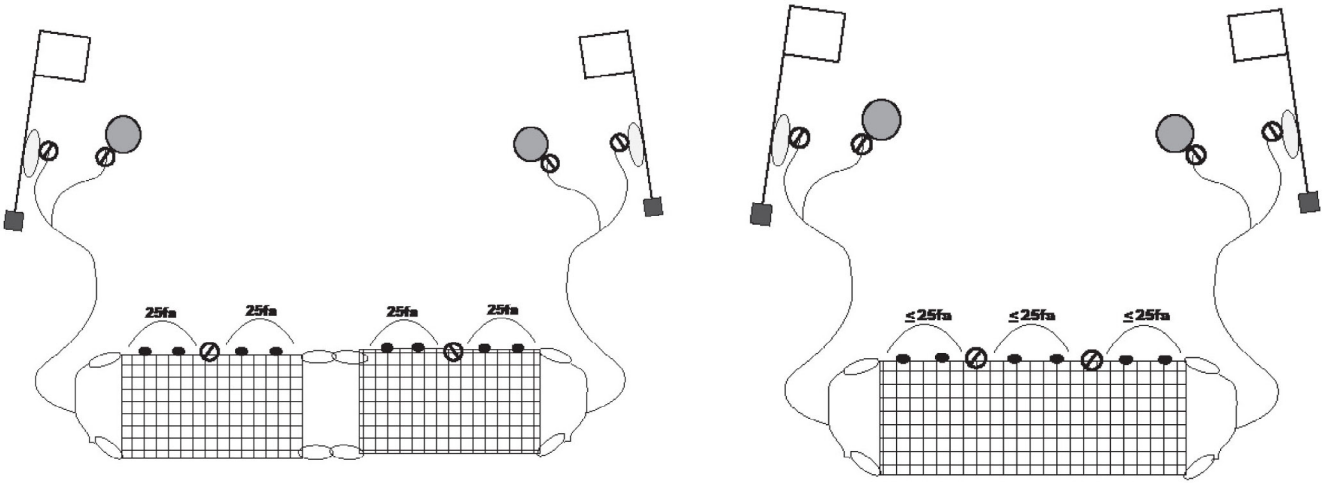
- All gillnets that do not return to port with vessel, regardless of number of net panels, will be required to be anchored with the holding power of at least a 22-lb Danforth-style anchor at each end of the net string (must be a burying anchor; no dead weights).

Drift Gillnet Night Fishing & Storage Restrictions

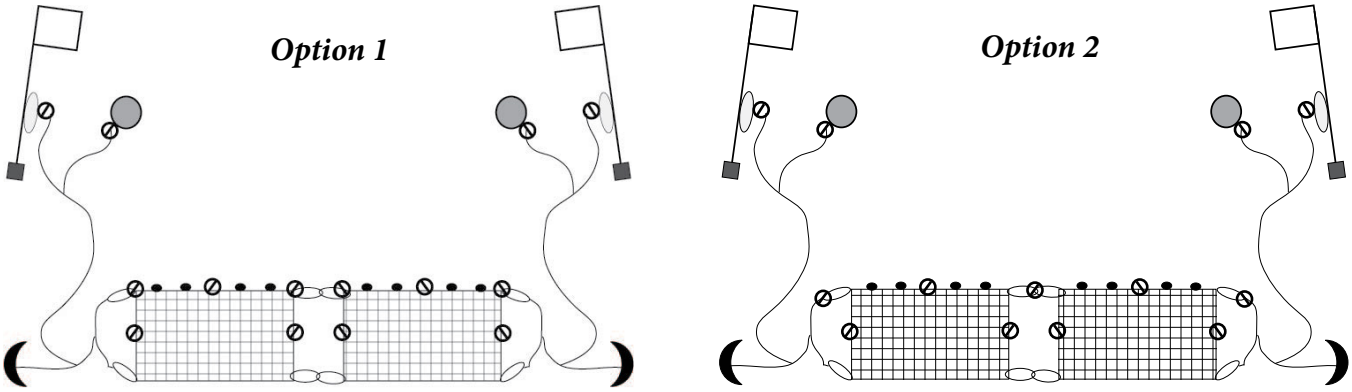
- Fishing with drift gillnet gear at night (i.e., anytime between one-half hour before sunset and one-half hour after sunrise) is prohibited unless the gear is tended (i.e., attached to the vessel).
- All drift gillnet gear must be removed from the water and stowed on board before a vessel returns to port.

Gillnet Panel Configuration Options

For gillnets that do return to port with the vessel



For gillnets that <u>do not</u> return to port with the vessel:



Option 1

<u>For all variations in panel size:</u>

- One weak link must be placed in the center of each of the up and down lines at both ends of the net panel; and
- One weak link must be placed as close as possible to each end of the net panels on the floatline.

<u>For net panels 50 fathoms or less in length:</u>

- One weak link must be placed in the center of the floatline.

<u>For net panels greater than 50 fathoms:</u>

- One weak link must be placed at least every 25 fathoms along the float line.

Option 2:

<u>For all variations in panel size:</u>

- One weak link must be placed in the center of each of the up and down lines at both ends of the net panel; and
- One weak link must be placed between floatline tie-loops between net panels; and
- One weak link must be placed where the floatline tie-loops attach to the bridle, buoy line, or ground-line at each end of a net string.

<u>For net panels 50 fathoms or less in length:</u>

- One weak link must be placed in the center of the floatline.

<u>For net panels greater than 50 fathoms:</u>

- One weak link must be placed at least every 25 fathoms along the floatline.

<u>NOTE</u>: *Individual weak links are not required in locations where rope of appropriate breaking strength is used. Additionally, if no up and down line is present, then weak links are not required at that location. This graphic depicts a general anchored gillnet gear configuration, which may vary. Also, only the buoy line, groundline, anchor, and weak link configuration are displayed here; please see individual management areas for information regarding gear marking and other requirements.*

Gillnet Gear Marking

Surface Buoy Marking:

Markings on trap/pot surface buoys need to identify the associated vessel or fishery with one of the following:

- The owner's motorboat registration number and/or U.S. vessel documentation number;
- The federal commercial fishing permit number; or
- Whatever positive identification marking is required by the vessel's home-port state.

When marking is not already required by state or federal regulations, the letters and numbers to mark gear must be at least 1 inch (2.5 cm) in height, block letters or Arabic numbers, in a color that contrasts with the color of the buoy.

Buoy Line Marking:

Buoy lines are to be marked with three 12 inch (30.48 cm), colored marks: one at the top of the buoy line, one midway along the buoy line, and one at the bottom of the buoy line. Each color code must be permanently affixed on or along the line and each color code must be clearly visible when the gear is hauled or removed from the water. **If the color of the rope is the same as or similar to a color code listed below, a white mark may be substituted for that color code.**

Gillnet Panel Marking:

Each gillnet panel must be marked along both the floatline and the leadline at least once every 100 yards, unless otherwise required.

Gear Marking Color	Applicable Management Area
GREEN	• Cape Cod Bay Restricted Area • Great South Channel Restricted Gillnet Area • Great South Channel Sliver Restricted Gillnet Area • Stellwagen Bank/Jeffreys Ledge Restricted Area • Other Northeast Gillnet Waters (Northeast & Mid-Atlantic)
BLUE	• Mid/South Atlantic Gillnet Waters
YELLOW	**Excluding shark gillnet:** • Southeast US Restricted Area South • Other Southeast Gillnet Waters
GREEN & BLUE	**Shark Gillnet (with webbing of 5" or greater)** • Southeast US Monitoring Area • Southeast US Restricted Area South • Other Southeast Gillnet Waters

Additional information on gear marking techniques can be found in Supplement C- Gear Marking.

Southeast Gillnet Management Areas

- Southeast U.S. Restricted Area North 12
- Southeast U.S. Restricted Area South 14
- Other Southeast Gillnet Waters 16
- Southeast U.S. Monitoring Area 18

Southeast Gillnet Management Areas
Southeast U.S. Restricted Area North

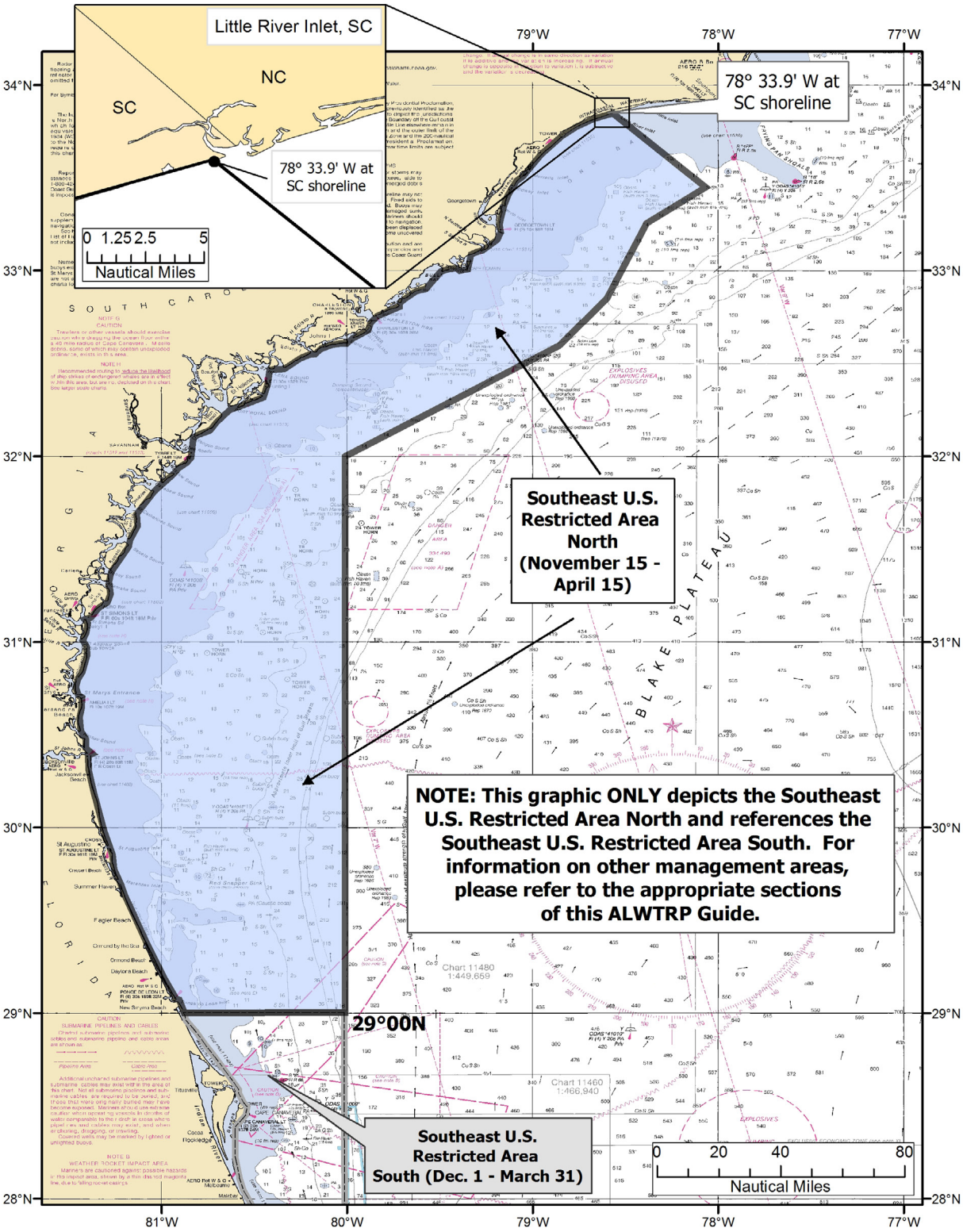
LOCATION DESCRIPTION
The Southeast U.S. Restricted Area North includes waters north of 29°00' N. (near Ponce de Leon Inlet, FL) to 32°00' N. (near the GA/SC border) from the shoreline eastward to 80°00' W, and off South Carolina, within 35 nautical miles of the shoreline. Little River Inlet, SC, is not located in the Southeast U.S. Restricted Area North.

DATES	GILLNET TYPE	RESTRICTIONS/REQUIREMENTS SUMMARY

November 15 - April 15	• ALL	• Fishing with or possessing gillnets is prohibited.
		• Vessels transiting through the area may possess gillnet if the following three conditions are met:
		  • Nets are covered with canvas or other similar material and lashed or otherwise securely fastened to the deck, rail, or drum;
		  • All buoys, high flyers, and anchors are disconnected from all gillnets; and
		  • No fish are onboard.

- ***NOTE: The area off South Carolina is also included in the "Mid/South Atlantic Gillnet Waters" management area from September 1-November 14 and from April 16-May 31. Please refer to the "Mid/South Atlantic Gillnet Waters" section for these requirements (page 13).***

Southeast Gillnet Management Areas
Southeast U.S. Restricted Area North



Southeast Gillnet Management Areas
Southeast U.S. Restricted Area South

LOCATION DESCRIPTION
The Southeast U.S. Restricted Area South includes waters north of 27°51' N. (near Sebastian Inlet, FL) to 29°00' N. (near Ponce de Leon Inlet, FL) from the shoreline eastward to 80°00' W.

DATES	GILLNET TYPE	RESTRICTIONS/REQUIREMENTS SUMMARY
December 1-March 31	• ALL	• The Southeast U.S. Restricted Area South is CLOSED to fishing with or possessing gillnets.

Southeast U.S. Restricted Area South Gillnet EXEMPTIONS

EXEMPTION FOR SHARK GILLNET FISHING. Fishing for sharks is exempt from the closure from December 1 through March 31 IF:

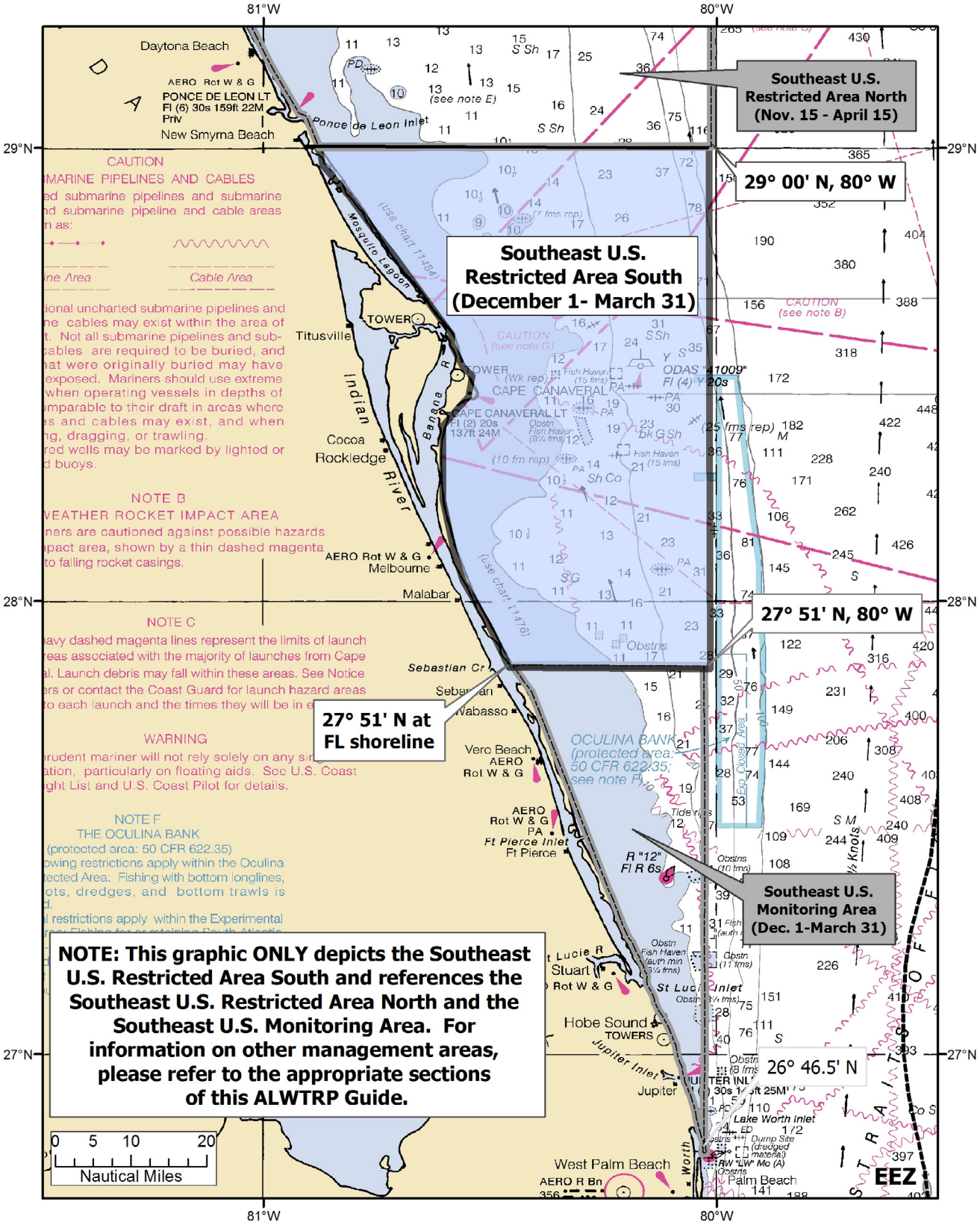
- Gillnet is 5 inches or greater stretched mesh;
- Gillnet is deployed so that it encloses an area of water;
- A valid commercial directed shark limited access permit is issued to the vessel and is on board;
- No net is set at night (any time between one 1/2 hour before sunset and one 1/2 hour after sunrise) or when visibility is less than 500 yards;
- The gillnet is removed from the water before night or immediately if visibility decreases below 500 yards;
- Each set is made under the observation of a spotter plane;
- No gillnet is set within 3 nm of a right, humpback, or fin whale; and
- The gillnet is removed immediately from the water if a right, humpback, or fin whale moves within 3 nm of the set gear.
- Vessel operator calls the Southeast Fisheries Science Center Panama City Laboratory (phone 850-234-6541) at least 48 hours prior to departure on fishing trips in order to arrange for observer coverage.
  - If Panama City Laboratory requests an observer be taken, gillnetting is not allowed unless an observer is on board the vessel during the fishing trip.
- Gear marking- **GREEN and BLUE**

EXEMPTION FOR SPANISH MACKEREL GILLNET FISHING. Fishing with gillnet for Spanish mackerel is exempt from the closure from December 1 through December 31 and from March 1 through March 31 IF:

- Gillnet mesh size is between 3-½ inches and 4-7/8 inches stretched mesh;
- A valid commercial vessel permit for Spanish mackerel is issued to the vessel and is onboard;
- No person may fish with, set, place in the water, or have on board a vessel a gillnet with a float line longer than 800 yards;
- The gillnet is removed from the water before night or immediately if visibility decreases below 500 yards;
- No net is set within 3 nm of a right, humpback, or fin whale; and
- The gillnet is removed immediately from the water if a right, humpback, or fin whale moves within 3 nm of the set gear.
- No person may fish with, set, or place in the water more than one gillnet at any time;
- No more than two gillnets, including any net in use, may be possessed at any one time; provided, however, that if two gillnets, including any net in use, are possessed at any one time, they must have stretched mesh sizes (as allowed under the regulations) that differ by at least ¼";
- No net is soaked for more than 1 hour. The soak period begins when the first mesh is placed in the water and ends either when the first mesh is retrieved back on board the vessel or the gathering of the gillnet is begun to facilitate retrieval on board the vessel, whichever occurs first; providing that, once the first mesh is retrieved or the gathering is begun, the retrieval is continuous until the gillnet is completely removed from the water;
- No net is set at night or when visibility is less than 500 yards;
- Gear marking-**YELLOW**

Night is defined as anytime between one-half hour before sunset and one-half hour after sunrise.

Southeast Gillnet Management Areas
Southeast U.S. Restricted Area South

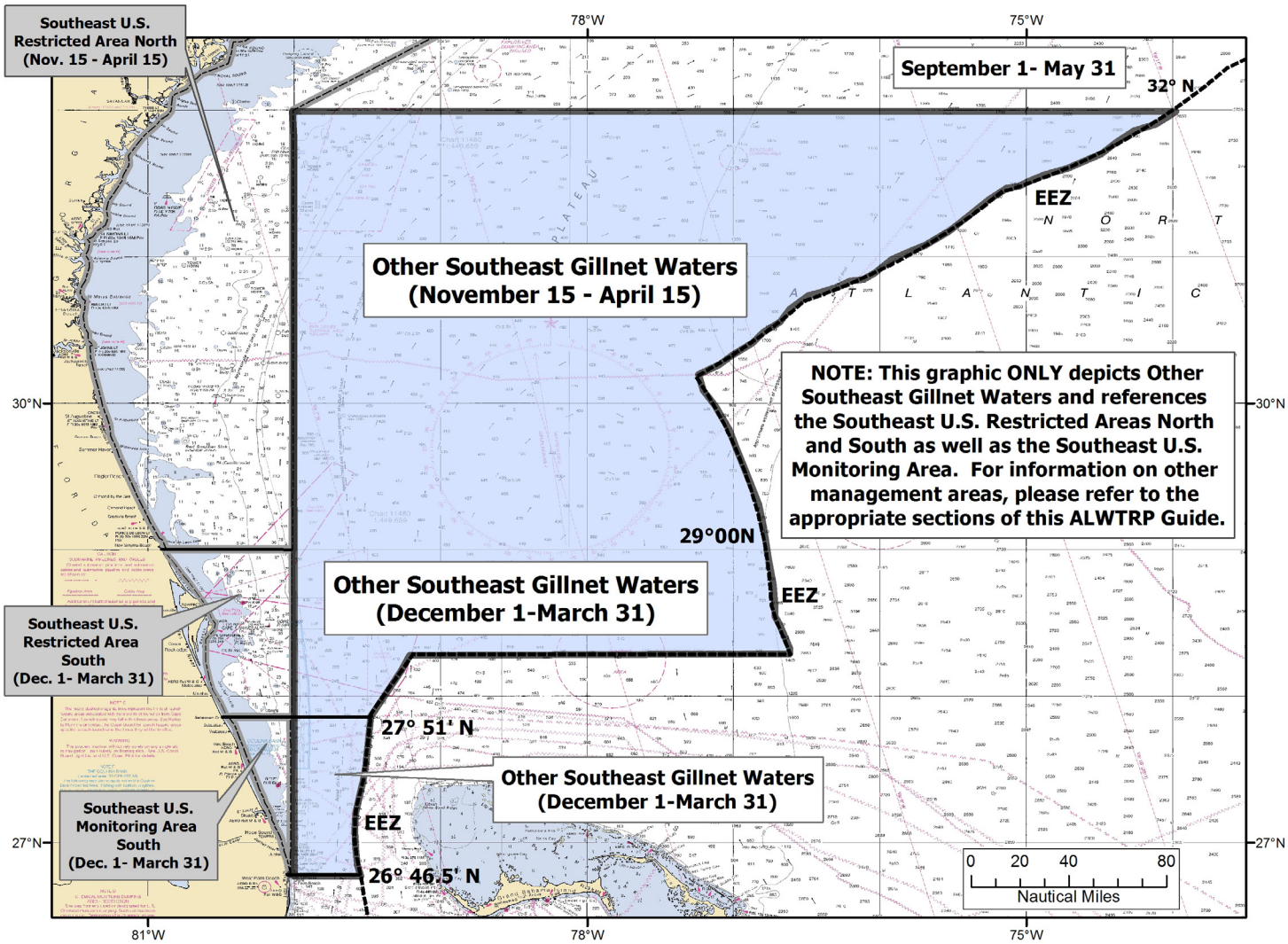


Southeast Gillnet Management Areas
Other Southeast Gillnet Waters

LOCATION DESCRIPTION
Other Southeast Gillnet Waters consists of the area from 32o00' N. lat. (near Savannah, GA) south to 26o46.5' N. lat and extending from 80o00' W. long. east to the eastern edge of the EEZ.

DATES	Location	GILLNET TYPE	RESTRICTIONS/REQUIREMENTS SUMMARY
November 15-April 15	North of 29°00'N lat.	• Non-shark gillnet	• Universal requirements • Gear marking-**YELLOW** • Weak links ≤1,100 lbs. • Sinking groundline
		• Shark gillnet with webbing 5" or greater stretched mesh	• Gear marking- **GREEN and BLUE** • Nets cannot be set within 3nm of a right, humpback, or fin whale • Gear is immediately removed from the water if a right, humpback, or fin whale approaches within 3 nm of the set gear
December 1-March 31	South of 29°00'N lat.	• Non-shark gillnet	• Universal requirements • Gear marking-**YELLOW** • Weak links ≤1,100 lbs. • Sinking groundline
		• Shark gillnet with webbing 5" or greater stretched mesh	• Gear marking- **GREEN and BLUE** • Nets cannot be set within 3nm of a right, humpback, or fin whale • Gear is immediately removed from the water if a right, humpback, or fin whale approaches within 3 nm of the set gear
	South of 27°51' N lat.	• Non-shark gillnet	• Gear marking-**YELLOW**

Southeast Gillnet Management Areas
Other Southeast Gillnet Waters

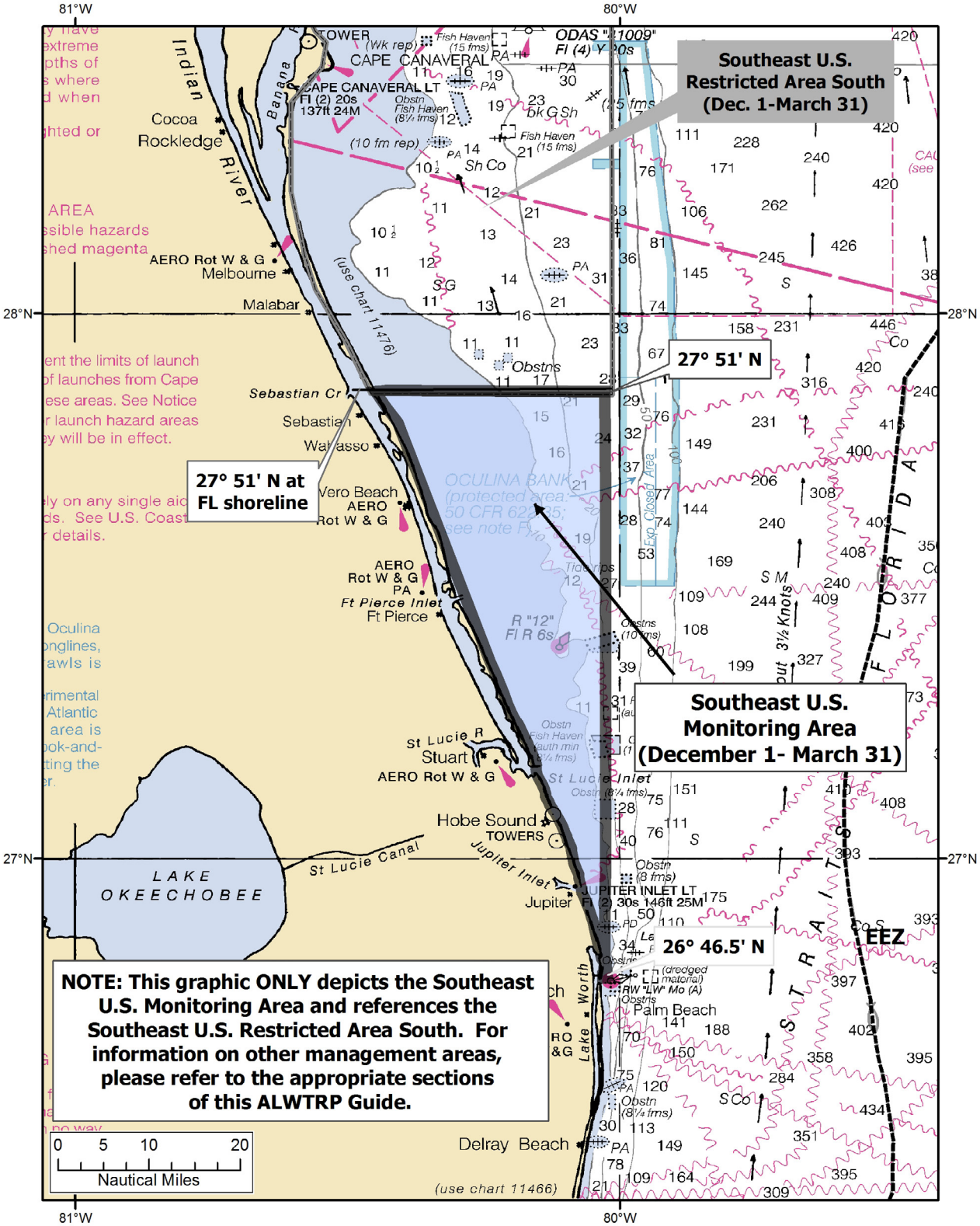


Southeast Gillnet Management Areas
Southeast U.S. Monitoring Area

LOCATION DESCRIPTION
The Southeast U.S. Monitoring Area includes the area along the Florida coast from 27°51' N. (near Sebastian Inlet, FL) south to 26°46.5' N. (near West Palm Beach, FL), and extending from the shoreline or exemption line eastward to 80°00' W.

DATES	GILLNET TYPE	RESTRICTIONS/REQUIREMENTS SUMMARY
December 1 - March 31	• Shark gillnet with webbing that is 5" or greater stretched mesh	• Gear Marking- **GREEN and BLUE** • Fishing vessel must be compliant with VMS requirements found in 50 CFR 635.69. • Fishing vessel must carry an observer if selected by NMFS.

Southeast Gillnet Management Areas
Southeast U.S. Monitoring Area



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OFFICIAL BUSINESS

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