



**UNITED STATES DEPARTMENT OF COMMERCE**  
**National Oceanic and Atmospheric Administration**  
**NATIONAL MARINE FISHERIES SERVICE**  
Southeast Regional Office  
263 13<sup>th</sup> Avenue South  
St. Petersburg, Florida 33701-5505  
<https://www.fisheries.noaa.gov/region/southeast>

F/SER25:FH

Bryan Fluech  
Associate Marine Extension Director  
Marine Extension and Georgia Sea Grant  
Brunswick Station  
715 Bay Street  
Brunswick, GA 31520

Dear Mr. Fluech:

This letter is an exempted fishing permit (EFP), which allows Marine Extension and Georgia Sea Grant to test Acoustic Subsea Buoy Retrieval Systems (ASBRS) in the black sea bass pot portion of the snapper-grouper fishery in federal waters of the South Atlantic. The EFP exempts Marine Extension and Georgia Sea Grant and other noted project participants from federal snapper-grouper regulations found at 50 CFR §§ 622.177(a)(4) and 622.189(b) and (g). The EFP is effective from the date of issuance through October 31, 2020.

**Testing Parameters:**

Under the EFP, Marine Extension will collect data through an ongoing collaborative effort among different ASBRS manufacturers and fishery industry partners. The testing area has an approximate perimeter of 87 nm and an area of 501 nm in federal waters 10 to 32 nm off Townsend, Georgia. Testing will occur in federal waters in depths between 10 and 30 m. Black sea bass pots will be fished as singles with a traditional configuration (control pots) during September and October 2020. Experimental configurations of black sea bass pots (described below) will be fished without vertical buoy lines on live bottom in the vicinity with the control pots. Using the ASBRS, Marine Extension will utilize virtual gear marking of the pots (marking of gear deployment location with chartplotters, GPS, and manufacturer-provided software). Each pot deployment (ASBRS and control combined) under the EFP will be limited to 35 total pots with up to 300 gear hauls, with an average soak time of 90–120 minutes per configuration. Over the period of the EFP, the applicant expects to conduct 5 days total of testing in September and October 2020. The goal is to collect data from 90 traditional black sea bass pot deployments and 270 ASBRS gear deployments. Fishers participating in this project will self-fund the trial and will keep and sell all catch lawfully harvested by black sea bass pots.

**Black Sea Bass Pot Configurations:**

Under the EFP, four regulation-sized pots will be connected together with wire connecting clips or zip ties so that only one ASBRS gear device is needed to retrieve four connected pots. Each pot will have the standard black sea bass pot single entrance and will possess one back panel of 2-inch (5.1-cm) uniform mesh. The connected four traps will test both one and two single entrances (on adjacent sides of single traps to replace the allowable two opposite entrances) to four regulation sized trap interiors and will otherwise comply with the requirements for black sea bass pot dimensions and construction in the South Atlantic. The control traps used in the EFP will also be black sea bass pots, with a uniform back panel mesh size of 2- inch (5.1-cm) or greater, and a uniform all over mesh size on remaining sides of 1.5 inches (3.8 cm) or greater. A four pot trawl of single standard black sea

bass pot gear will be deployed to compare the catchability between the two configurations.

**EFP Gear Markings:**

Two of the technologies that will be used in the EFP utilize lift bags and buoys and are therefore unable to be line-marked as they do not incorporate line into their design. For the other technologies being tested under the EFP, all buoy lines on ASBRS gear types that use stored line will be marked in a way that the gear can be distinguished if not retrieved or unrecoverable at the time of fishing. To avoid conflict with other line marking schemes consistent with the Atlantic Large Whale Take Reduction Plan or the black sea bass pot component of the snapper-grouper fishery, we advise that buoy lines are marked with three 12 inch pink markings at the bottom, middle, and top of the line. We also advise that the pots are all marked with a distinguishable tag or color. Details of any pot marking protocol should be shared with NOAA Fisheries, Southeast Regional Office personnel. These systems that incorporate line will only be fished inshore of the seasonal closure area of the commercial black sea bass pot component of the snapper-grouper fishery (50 CFR 622.183(b)(6)(i) and (ii)).

**EFP Buoy Line:**

Six of the eight currently available ASBRS devices require the use of a line for retrieval that is contained and stored at depth by a line management system. The other two release devices do not use line, but instead, utilize the inflation of either a lift bag or inflatable buoy to pull a lead trap to the surface. The styles of line storage vary with device design and includes square, rectangular, domed, circular, and conical cages, oyster mesh bags, canisters, and spools. Four of the ASBRS devices in the EFP require floating line to return the buoy or buoys to the surface for retrieval. Currently, the average time for appearance of buoys at depths greater than 100 ft (30.5 m) is approximately 3 minutes. Retrieval generally takes less than 2 minutes, which means that any floating line will be at the surface for less than 5 minutes, and during which time the fishing vessel will be within 20–30 ft (6.1–9.1 m) of the line. Two of the release devices do not incorporate line longer than 10 ft (3.1 m) in their design, and two devices use a harness that clips to the pot. The remaining devices use less than 150 ft (45.7 m) of line which will be stowed inside either a bag or on a spool. Sinking line cannot be used for any ASBRS as it will create a negatively buoyant strain on the buoys and not effectively allow for their return to the surface. All of the ASBRSs with a line storage system will need to be attached between the trap and the buoy. If necessary, several of the ASBRSs may also require a small anchor or weight to be attached between the pot and line-storage device or buoy in areas with higher current to keep them from fouling in the pot, as well as to ensure they are not dragged from their intended deployment area. For lift bag and buoy systems, the actual systems will be secured between the pot and the buoy/bag.

Testing operations will be conducted on board the F/V Fish Hound (SBPE-18) and F/V Captain Lynn (SBPE-20), docked in Townsend, Georgia. Authorized personnel are Charles Phillips, Kim Sawicki, and Bryan Fluech.

This authorization is issued under procedures established at 50 C.F.R. § 600.745(b) and exempts the described activities from the regulations referenced above that implement the Fishery Management Plan for the Snapper-Grouper Fishery of the South Atlantic Region. These exemptions apply to South Atlantic waters under federal jurisdiction with the exception of National Marine Sanctuaries (NMS), special management zones, or artificial reefs. Testing efforts in state waters or NMS, should be authorized through the appropriate government authorities.

**Terms and Conditions of the EFP:**

1. Testing will occur in federal waters in depths between 10 and 30 m. The testing area and dates are outside the November 1 through April 30 area prohibition on the use of black sea bass pots.
2. Testing will not occur in special management zones listed in 50 CFR 622.182((a)(1)(i) and (ii)) or the North Atlantic Right Whale Critical Habitat Area.
3. This authorization does not allow taking of any species outside of commercially permitted species.
4. This permit exempts Marine Extension from certain requirements of black sea bass pots, specifically 50 CFR §§ 622.177(a)(4) and 622.189(b) and (g).
5. Black sea bass pots must be removed from the water prior to leaving the area.
6. If there is a marine mammal injury or death as a result of interaction with the gear or incidental to the fishing operation, it must be reported within 48 hours to the Marine Mammal Authorization Program-  
[https://docs.google.com/a/noaa.gov/forms/d/1YEluQdC8O5OvLgC44TO\\_XKa3sTreHbmjdlWZJGZmD1I/viewform](https://docs.google.com/a/noaa.gov/forms/d/1YEluQdC8O5OvLgC44TO_XKa3sTreHbmjdlWZJGZmD1I/viewform).
7. Buoy lines and pots must be marked as specified in section, 'EFP Gear Marking.'
8. The holders of this permit may not test experimental black sea bass pot gear within marine protected areas, NMS, special management zones, or over artificial reefs, without additional authorization.
9. A report is due on January 1, 2021. Please report the number of specimens collected by species; the capture mortality, if any; the area collected, and the type of gear used. Please send the report to the Regional Administrator, NOAA Fisheries, Southeast Regional Office, 263 13<sup>th</sup> Avenue South, St. Petersburg, Florida 33701-5505.

A copy of this EFP shall be maintained on board the vessel and made available for inspection during sampling operations.

Sincerely,

Roy E. Crabtree, Ph.D.  
Regional Administrator

cc: F/SER2 John McGovern, Ph.D.  
F/SER25 Rick DeVictor  
F/SER32 Jessica Powell  
F/EN4  
SEFSC  
SAFMC