Southeast Fishery Bulletin

National Marine Fisheries Service, Southeast Regional Office, 263 13th Avenue South, St. Petersburg, FL 33701

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FB11-101

NOAA Seeks Comments on a Proposed Rule to Eliminate the 240-Foot (40-Fathom) Snapper-Grouper Area Closure in the South Atlantic

Comment Period Ends January 19, 2012

NOAA Fisheries Service is seeking public comment on a proposed rule for Regulatory Amendment 11 to the Fishery Management Plan for the Snapper-Grouper Fishery of the South Atlantic Region (Regulatory Amendment 11). Regulatory Amendment 11 would eliminate the 240-foot (40-fathom) closure previously approved in Amendment 17B to the Fishery Management Plan for the Snapper-Grouper Fishery of the South Atlantic Region (Amendment 17B). The proposed rule published in the *Federal Register* on December 20, 2011, with the comment period ending January 19, 2012.

The 240-foot (40-fathom) closure, implemented on January 31, 2011, prohibited the possession of six deepwater snapper-grouper species (snowy grouper, blueline tilefish, yellowedge grouper, misty grouper, queen snapper, and silk snapper) in or from the South Atlantic exclusive economic zone in depths greater than 240-feet (40-fathoms). The purpose of the 240-foot (40-fathom) closure approved in Amendment 17B is to reduce discards of speckled hind and warsaw grouper. However, recent data analyses suggest speckled hind and warsaw grouper rarely co-occur with snowy grouper, blueline tilefish, yellowedge grouper, misty grouper, queen snapper, or silk snapper. The purpose of the removal of the prohibition in Regulatory Amendment 11 is to reduce the socio-economic effects expected from the regulations in Amendment 17B while maintaining the biological protection to speckled hind and warsaw grouper in the South Atlantic.

The decision to eliminate the snapper-grouper area closure through Regulatory Amendment 11 **would not affect** the prohibition on harvest and possession of speckled hind and warsaw grouper in the South Atlantic. It remains unlawful to harvest or possess speckled hind and warsaw grouper.

Request for Comments
Comments on this proposed rule must be received no later than January 19, 2012, to be considered by NOAA Fisheries Service. See the **Addresses** section for information on where and how to submit comments.

Addresses
Electronic copies of Regulatory Amendment 11/proposed rule may be obtained from the Federal e-Rulemaking Portal at http://www.regulations.gov, the South Atlantic Fishery Management Council's Web site at http://www.safmc.net, or

NOAA Fisheries Service
Southeast Regional Office
Sustainable Fisheries Division
263 13th Avenue South
St. Petersburg, Florida 33701

You may submit comments by the following methods:

- Electronic Submission: Federal e-Rulemaking Portal at http://www.regulations.gov (select "Submit Comment," then type in NOAA-NMFS-2011-0209 in the "Keyword or ID" box). All comments received are part of the public record and will generally be posted to http://www.regulations.gov without change.
- Mail: NOAA Fisheries Service
  Southeast Regional Office
  Sustainable Fisheries Division
  c/o Rick DeVictor
  263 13th Avenue South
  St. Petersburg, Florida 33701
- Fax: 727-824-5308, Attention: Rick DeVictor

All personal identifying information (for example, name, address, etc.) voluntarily submitted by the commenter may be publicly accessible. Do not submit confidential business information or otherwise sensitive or protected information. NOAA Fisheries Service will accept anonymous comments. Attachments to electronic comments will be accepted in Microsoft Word, Excel, WordPerfect, or Adobe PDF file formats only. Comments received through means not specified in this bulletin may not be considered.

More information, including Frequently Asked Questions for Regulatory Amendment 11 can be found online at: http://sero.nmfs.noaa.gov.

If you would like to receive these fishery bulletins via e-mail as soon as they are published, please notify us at**:** sero.communications.comments@noaa.gov.