



# Southeast Fishery Bulletin

National Marine Fisheries Service, Southeast Regional Office, 263 13<sup>th</sup> Avenue South, St. Petersburg, Florida 33701-5505

FOR INFORMATION CONTACT:

Susan.Gerhart@noaa.gov  
727/824-5305, FAX 727/824-5308

June 1, 2009

FB09-034

## NOAA Seeking Public Comment on South Atlantic Shrimp Fishery Management Plan Amendment

NOAA Fisheries Service is seeking public comment on Amendment 7 to the Fishery Management Plan for the Shrimp Fishery of the South Atlantic (FMP). The South Atlantic Fishery Management Council (Council) has submitted Amendment 7 to NOAA Fisheries Service for review, approval, and implementation. The Notice of Availability for public comment on this amendment was published in the *Federal Register* on June 1, 2009.

### Background

Amendment 5 to the FMP established a limited access program for the rock shrimp fishery in federal waters south of the South Carolina/Georgia state line. In 2003, endorsements were issued to vessels with at least 15,000 pounds of rock shrimp landings in any one year during 1997-2000. Vessels that received endorsements must land at least 15,000 pounds of rock shrimp in at least one year during any four consecutive years or the endorsement cannot be renewed. The Rock Shrimp Advisory Panel suggested these landings requirements during development of Amendment 5 because they were concerned about the high number of latent permit holders, and felt the fishery could support no more than 150 vessels. The landing requirement was successful in eliminating some latent permits; however, maintaining the landing requirement could permanently and unnecessarily reduce the fleet size to an unsustainable level. Therefore, the Council developed Amendment 7 to address the fleet size, as well as other issues summarized below.

### Issues Addressed in Shrimp Amendment 7

- The landing requirement implemented through Shrimp Amendment 5 may cause the unnecessary exclusion of as many as 70 vessels that would not be eligible to renew their rock shrimp endorsements.
- Shrimp Amendment 5 required a limited access rock shrimp permit while the final rule implemented a limited access endorsement,

which must be renewed with the open access rock shrimp permit. This renewal process has led to a number of endorsements that are currently non-renewable.

- There is a lack of data regarding costs and profitability associated with South Atlantic shrimp fishery harvesting activities, and there exists no authority under the current FMP implementing an economic data collection program.

### Amendment 7 proposes to:

- Remove the requirement for vessels with limited access rock shrimp endorsements to land 15,000 pounds of rock shrimp in one of four consecutive calendar years.
- Reinstate all endorsements lost due to not meeting the landing requirement.
- Reinstate all limited access endorsements for those vessel owners who renewed their open access permit in the year in which they failed to renew their limited access endorsement.
- Rename the limited access endorsement and the open access permit of the existing permit system to Rock Shrimp Permit (South Atlantic exclusive economic zone), and Rock Shrimp Permit (Carolinas Zone), respectively.
- Require all South Atlantic rock and penaeid shrimp permit holders to provide economic data if selected.

### Dates and Addresses

Written comments must be received no later than 5 p.m., Eastern time, on **July 31, 2009**. You may submit comments by any of the following methods:

- Electronic Submissions: Federal e-Rulemaking Portal: <http://www.regulations.gov>. All comments received are part of the public record and will generally be posted to <http://www.regulations.gov> without change. 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. To submit comments enter "NOAA-NMFS-2008-0319" in the keyword search and then check the box "send a comment or submission." Attachments to electronic comments will be accepted in Microsoft Word, Excel, WordPerfect, or Adobe PDF file formats only.

- Mail: Susan Gerhart, Southeast Regional Office, NOAA Fisheries Service, 263 13th Avenue South, St. Petersburg, Florida 33701.
- Fax: 727-824-5308, Attention: Susan Gerhart

Amendment 7, which includes an Environmental Assessment, a Regulatory Impact Review, and an Initial Regulatory Flexibility Analysis, is available in electronic format from the Council's Web site at <http://www.safmc.net>, or by contacting the Council at 4055 Faber Place, Suite 201, North Charleston, SC 29405; phone: 843-571-4366 or 866-SAFMC-10 (toll free); fax: 843-769-4520; e-mail: [safmc@safmc.net](mailto:safmc@safmc.net).

**Please Note:** A proposed rule that would implement measures outlined in Amendment 7 has also been received from the Council. In accordance with the Magnuson-Stevens Fishery Conservation and

Management Act (Magnuson-Stevens Act), NOAA Fisheries Service is evaluating the proposed rule to determine whether it is consistent with the FMP, the Magnuson-Stevens Act, and other applicable law. If that determination is affirmative, NOAA Fisheries Service will publish the proposed rule in the *Federal Register* for public review and comment. NOAA Fisheries Service will also announce this request for comment through the release of another Southeast Fishery Bulletin.

Comments received by July 31, 2009, whether specifically directed to the amendment or the proposed rule, will be considered by NOAA Fisheries Service in its decision to approve, disapprove, or partially approve the amendment. Comments received after that date will not be considered by NOAA Fisheries Service in this decision. All comments received by NOAA Fisheries Service on the amendment or the proposed rule during their respective comment periods will be addressed in the final rule.

#### **How Can We Improve These Fishery Bulletins?**

If you have any suggestions on how we may improve the contents of future fishery bulletins, please contact:

Kim Amendola, Communication Specialist

Phone: 727-551-5707, FAX: 727-824-5320

e-mail: [SERO.Communications.Comments@noaa.gov](mailto:SERO.Communications.Comments@noaa.gov)

FIRST CLASS MAIL  
POSTAGE AND FEES PAID  
U.S. DEPARTMENT OF COMMERCE  
PERMIT NO. 6091

National Marine Fisheries Service  
Southeast Regional Office, F/SER24  
263 13th Avenue South  
St. Petersburg, FL 33701  
Official Business  
FB09-034