



March 3, 2011

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Mr. David Cupka
South Atlantic Fishery Management Council
P.O. Box 12753
Charleston, SC 29422

RE: Extension of Florida Stone Crab Regulations into Federal Waters

Dear Mr. Cupka:

Over the past year, the Florida Fish and Wildlife Conservation Commission (Commission) has been working with the Gulf of Mexico Fishery Management Council (GMFMC) to coordinate future Stone Crab (*Menippe mercenaria*) management. The GMFMC is in the process of repealing its Stone Crab Fishery Management Plan (FMP) and transferring the management of this fishery to Florida. The Commission agreed to manage the stone crab fishery in both Florida state waters and federal waters adjacent to the state. In order to take over the management of this fishery, the current Florida stone crab regulations must be extended into all federal waters. This extension should occur prior to the removal of the GMFMC FMP to prevent loss of regulations in federal waters.

According to the Magnuson Stevens Fishery Conservation and Management Act Title 16 U.S.C. Section 1856, a state has the ability to extend their regulations into federal waters if there is no federal FMP or if there are no regulations for federal waters. Presently, the South Atlantic Fishery Management Council (SAFMC) has no Stone Crab FMP.

Staff will be presenting a draft rule of extension of state regulations for stone crab into federal waters to the Commission at the April 6, 2011, Commission meeting in Havana, Florida.

Mr. David Cupka

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It is our understanding that the South Atlantic Fishery Management Council has no imminent plans to consider managing stone crab in federal waters of its jurisdiction. Please let me know if this is not the intent of the Council. The Commission is committed to preserving this resource for the future and is considering extending its regulatory authority into federal waters.

Sincerely,

A handwritten signature in black ink, appearing to read 'Mark Robson', with a stylized flourish at the end.

Mark Robson

Director

mr/cc/mc

cc: Roy Crabtree

Bob Shipp