



NOAA FISHERIES SERVICE



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*For more information,
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727-824-5312

or

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Petition to List Nassau Grouper 90-Day Finding Frequently Asked Questions

Q: Why is NOAA Fisheries reviewing a petition to list Nassau grouper as endangered or threatened?

On September 10, 2010, WildEarth Guardians submitted a petition to NOAA Fisheries requesting the agency list the Nassau grouper as threatened or endangered under the Endangered Species Act. The petition listed the following threats, among others, as reasons for the listing: the present or threatened destruction, modification, or curtailment of habitat or range; overutilization for commercial, recreational, scientific, or educational purposes; inadequate regulations; and other natural factors affecting its continued existence.

Q: What did NOAA Fisheries determine about the request?

On October 10, 2012, NOAA Fisheries determined the petition presented substantial information indicating that listing may be warranted and published a positive 90-day finding in the [Federal Register](#). In particular, we are concerned about the potential effects of overutilization in commercial and recreational fisheries due to the inadequacy of existing regulatory mechanisms.

Q: Is there an opportunity for public input?

We are seeking information from the public over the next 60-days to help determine the status of Nassau grouper across their range. You can help inform the Nassau grouper status review by providing us with information on the topics listed below. The more specific your comments are to the topics listed, the more helpful they will be.

- Status of historical and current spawning aggregation sites;
- Historical and current distribution, abundance, and population trends;
- Biological information (life history, genetics, population connectivity, etc.);
- Management, regulatory mechanisms (particularly those aimed at protecting spawning aggregations, and enforcement information);
- Any current or planned activities that may adversely impact the species; and
- Ongoing or planned efforts to protect and restore the species and their habitats.

Information should be accompanied with your name, maps if possible, and any reference or weblink to supporting information.



Q: How do I submit information?

For your convenience, there are many methods you can use to submit your information. In all instances, please reference docket code 0648-XA984 with your submission. We encourage electronic filing. You may submit information electronically by using the Federal eRulemaking Portal [http:// www.regulations.gov](http://www.regulations.gov). Information can also be submitted by fax at 727-824-5309, and mailed or hand delivered to NMFS, Southeast Regional Office, 263 13th Avenue South, St. Petersburg, Florida 33701.

Q: What are the next steps to a positive 90-day finding?

Step 1: Status Review (Current Step)

The current finding automatically initiates a status review. This is a comprehensive assessment of a species' biological status and threats. The status review gets peer reviewed and is the scientific basis for our determination whether or not a species warrants listing under the Endangered Species Act. Any scientific or commercial information the public submits within the comment period is considered in the status review.

Step 2: 12-Month Determination (Next Step)

We will consider the status review, existing conservation efforts, and Endangered Species Act policies to make a determination whether to list the species as endangered or threatened or not to list the species.

Step 3: Proposed Rule (Possible Future Step)

If we decide a listing is warranted, a proposed rule is published in the *Federal Register*. The proposed rule outlines reasons for the decision with supporting information. We encourage the public to comment. We sometimes also hold public hearings to receive public comments.

Step 4: Final Rule (Possible Future Step)

Within a year after we publish the proposed rule, we must make a final determination to either list or not list the species. We take into consideration any public comments received and analyze all new data received. We publish this decision in the *Federal Register*.

Q: What are the possible implications for commercial and recreational fisheries at this time?

There are no impacts to fishermen at this time; however, there may be if the species is listed as endangered or threatened.

Q: What can I do to make sure that my concerns are heard by NOAA Fisheries?

NOAA Fisheries encourages all concerned members of the public to ask questions and stay informed. If we determine that listing Nassau grouper as endangered or threatened is warranted, there will be opportunities for the public to provide comment. We strongly recommend that you provide information during public comment periods. For more information or to track the status of the response to the Nassau grouper petition, visit:

<http://sero.nmfs.noaa.gov/pr/ListingPetitions.htm>