



Southeast Fishery Bulletin

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

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FB11-093

NOAA Seeking Public Comment on the Proposed Rule to Implement the Comprehensive Ecosystem-Based Amendment 2

Comment Period Ends November 25, 2011

NOAA Fisheries Service is seeking public comment on a proposed rule for the Comprehensive Ecosystem-Based Amendment 2 (CE-BA 2). The proposed rule published in the *Federal Register* on November 8, 2011 (76 FR 69230) with a comment period ending on November 25, 2011.

CE-BA 2 proposes to modify management of octocorals; modify management in the special management zones off South Carolina; modify sea turtle release gear requirements for snapper-grouper fishermen; and designate essential fish habitat (EFH) and EFH-Habitat Areas of Particular Concern (EFH-HAPCs).

Octocoral Management

CE-BA 2 proposes to specify the annual catch limits (ACL) for octocorals in the South Atlantic region. The South Atlantic Fishery Management Council (Council) is considering modifying the fishery management unit (FMU) for octocorals under the Fishery Management Plan (FMP) for Coral, Coral Reefs, and Live/Hardbottom Habitats of the South Atlantic Region (Coral FMP) to remove octocorals off Florida from the FMU. As such, the Coral FMP would include octocorals in the exclusive economic zone off of North Carolina, South Carolina, and Georgia. The Council is also considering an action to set the ACL for octocorals in the Coral FMP at zero. If approved, management of octocorals off Florida would be managed by the State of Florida. The ACL for octocorals off Georgia, South Carolina, and North Carolina would be zero.

Special Management Zones (SMZs) off South Carolina

CE-BA 2 would amend the FMP for the Snapper-Grouper Fishery of the South Atlantic Region (Snapper-Grouper FMP) and FMP for the Coastal Migratory Pelagic Resources in the Atlantic and Gulf of Mexico to require harvest (with the use of all non-prohibited

fishing gear) and possession of managed species in the SMZs off South Carolina to be limited to the recreational bag limit for snapper-grouper and coastal migratory pelagic species. This action responds to concern from the recreational sector about the potential for commercial exploitation of species in the SMZs off South Carolina.

Sea Turtle Release Gear Requirements

An action to modify sea turtle release gear requirements for the snapper-grouper fishery is also included in CE-BA 2. Fishermen have expressed concern that the current sea turtle handling and release gear requirements are intended for larger longline vessels using heavy tackle and are ineffective and unwieldy for smaller snapper-grouper hook-and-line vessels. This action would modify gear requirements based on the freeboard height of the vessels. Vessels with a freeboard height of less than four feet would be required to have a reduced suite of sea turtle release gear than those with a freeboard height of four feet or greater.

Essential Fish Habitat and Habitat Areas of Particular Concern

CE-BA 2 would amend the Council FMPs, as needed, to designate or modify EFH and EFH-HAPCs. CE-BA 2 would amend the Snapper-Grouper FMP and the Coral FMP to designate additional EFH-HAPCs. CE-BA 2 also proposes to amend the FMP for Pelagic *Sargassum* Habitat of the South Atlantic Region to designate EFH and EFH-HAPCs.

The notice of availability for CE-BA 2 was published on September 26, 2011, with a comment period ending November 25, 2011.

Request for Comments

Written comments on the proposed rule must be received no later than November 25, 2011, to be considered by NOAA Fisheries Service. See the **Addresses** section for information on where and how to submit comments.

Addresses

Electronic copies of the amendment/proposed rule may be obtained from the 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 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 through the Federal Rulemaking Portal: <http://www.regulations.gov>, click on "submit a comment," then enter "NOAA-NMFS-2011-0219" in the keyword search and click on "search." To view posted comments during the comment period, enter "NOAA-NMFS-2011-0219" in the keyword search and click on "search". Attachments to electronic comments will be accepted in Microsoft Word, Excel, WordPerfect, or Adobe PDF file formats only.
- Mail: Karla Gore
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Comments received through means not specified in this bulletin may not be considered. If you would like to receive these fishery bulletins via e-mail as soon as they are published, please e-mail: sero.communications.comments@noaa.gov.