



Southeast Fishery Bulletin

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

FOR INFORMATION CONTACT:

Joe Kimmel or Joe.Kimmel@noaa.gov
727/824-5305, FAX 727/824-5308
<http://sero.nmfs.noaa.gov>

July 8, 2009
FB09-44

March 24, 2009, Control Date Established for the Reef Fish, Queen Conch, and Spiny Lobster Fisheries of the U.S. Caribbean

At the March 2009 meeting, the Caribbean Fishery Management Council (Council) voted to establish a control date for the commercial sector of the reef fish, queen conch, and spiny lobster fisheries operating in federal waters off Puerto Rico and the U.S. Virgin Islands. On July 8, 2009, NOAA Fisheries Service published an Advanced Notice of Proposed Rulemaking (ANPR) in the *Federal Register* (74 FR 32528) announcing anyone entering any of these fisheries after the control date will not be assured of future access should a management regime that limits the number of participants in any of these fisheries be prepared and implemented.

The establishment of this control date does not commit the Council or NOAA Fisheries Service to any particular management regime or criteria for entry into any of these fisheries. Fishermen would not be guaranteed future participation in any of these fisheries regardless of their entry date or intensity of participation in any of the fisheries before or after the control date under consideration.

The Council may choose to use a different control date, or to give variably weighted consideration to fishermen active in the fishery before and after the control date. Other qualifying criteria, such as documentation of landings and sales or possession of a valid Territorial/Commonwealth Permit, may be considered for entry into the fishery. The Council may also choose to take no further action to control entry or access to any of these fisheries, in which case the control date may be rescinded.

Request for Comments

Written comments on this ANPR must be received no later than 5 p.m., Eastern Time, on August 7, 2009, in order 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 ANPR, published in the *Federal Register* on July 8, 2009, may be obtained from the *Federal Register* Web site at

<http://www.gpoaccess.gov/fr/index.html>, or by sending a written request to:

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

You may submit comments, identified by RIN 0648-AX92, by any one of the following methods:

- Electronic submissions: submit all electronic public comments via the Federal eRulemaking Portal <http://www.regulations.gov>
- Mail: Joe Kimmel, NOAA Fisheries Service, Southeast Regional Office, Sustainable Fisheries Division, 263 13th Avenue South, St. Petersburg, Florida 33701

Instructions: All comments received are a part of the public record and will generally be posted to <http://www.regulations.gov> without change. All Personal Identifying Information (e.g., name, address, etc.) voluntarily submitted by the commenter may be publicly accessible. Do not submit confidential business information or otherwise sensitive or protected information. To submit comments through the Federal eRulemaking Portal: <http://www.regulations.gov>, enter "NOAA-NMFS-2009-0137" in the keyword search, then select "Send a Comment or Submission." NOAA Fisheries Service will accept anonymous comments (enter N/A in the required fields, if you wish to remain anonymous). You may submit attachments to electronic comments in Microsoft Word, Excel, WordPerfect, or Adobe PDF file formats only.