



Southeast Fishery Bulletin

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

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FB11-059

NOAA Seeking Public Comment on Proposed Rule to Repeal the Fishery Management Plan for the Stone Crab Fishery of the Gulf of Mexico

NOAA Fisheries Service is seeking public comment on a proposed rule to repeal the Fishery Management Plan (FMP) for the Stone Crab Fishery of the Gulf of Mexico. The proposed rule published in the *Federal Register* on July 20, 2011 (76 FR 43250). The public comment period ends on **August 19, 2011**.

The commercial stone crab fishery is conducted primarily in Florida coastal waters. The federal FMP was originally implemented in 1979 in response to competing gear use between stone crab and shrimp fishermen, and applies only to federal Gulf of Mexico waters adjacent to Florida waters. The FMP for the Shrimp Fishery in the Gulf of Mexico establishes the same closed areas, so those closed areas would remain in place.

In the process of developing new federal regulations, NOAA Fisheries Service and the Gulf of Mexico Fishery Management Council reviewed all FMPs to determine which species are in need of federal management. National standard guidance lists criteria to consider in deciding whether a fishery needs federal management, including if the fishery could be or already is adequately managed by states. Because the stone crab FMP only covers waters adjacent to Florida state waters, and the Council feels the state could adequately manage the fishery, NOAA Fisheries Service is considering action that would repeal the stone crab FMP and allow the Florida Fish and Wildlife Conservation Commission to exclusively manage the stone crab fishery in adjacent federal waters beginning with the 2011/2012 season.

The action would promote management of the stone crab fishery in the most efficient manner, while maintaining conservation of the resource and the ecosystem and properly conform to National Standard Guidance under the Magnuson-Stevens Act.

Request for Comments

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 e-rulemaking portal: <http://www.regulations.gov>, click on "submit a comment", then enter "NOAA-NMFS-2011-0140" in the keyword search and click on "search". To view posted comments during the comment period, enter "NOAA-NMFS-2011-0140" in the keyword search and click on "search". You may submit attachments to electronic comments 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.

The environmental assessment (EA), proposed rule and other information on this topic can be found at <http://sero.nmfs.noaa.gov/sf/StoneCrab.htm>. The proposed rule is also available via the Internet at <http://www.gpoaccess.gov/fr/index.html>. Copies of the rule and the EA can be obtained from the Southeast Regional Office by contacting Susan Gerhart (see address above).

Comments must be received by August 19, 2011, to be considered by NOAA Fisheries Service in its

decision on the final rule. All comments received by NOAA Fisheries Service specific to the proposed rule will be addressed in the final rule.

This bulletin provides only a summary of the information pertinent to the rule. Any discrepancies between this bulletin and the rule as published in the *Federal Register* will be resolved in favor of the *Federal Register*.

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