

**South Atlantic
Regulatory Amendment 11
Removal of the 240-Foot (40-Fathom) Closure
Frequently Asked Questions
December 2011**

What does Regulatory Amendment 11 do?

- Regulatory Amendment 11 to the Fishery Management Plan for the Snapper-Grouper Fishery of the South Atlantic Region (Regulatory Amendment 11) would completely remove the 240-foot (40-fathom) closure off the coast of the South Atlantic states.

What is the 240-foot (40-fathom) closure?

- Amendment 17B to the Snapper-Grouper Fishery Management Plan for the South Atlantic Region (Amendment 17B) implemented what is referred to as the “240-foot (40-fathom) closure.”
- Beginning January 31, 2011, possession of six deepwater snapper-grouper species (snowy grouper, blueline tilefish, yellowedge grouper, misty grouper, queen snapper, and silk snapper) in or from the South Atlantic exclusive economic zone (EEZ) in depths greater than 240-feet (40-fathoms) was prohibited.

Why are changes being proposed?

- The purpose of the removal of the prohibition in Regulatory Amendment 11 is to reduce the socio-economic effects expected from the closure in Amendment 17B while maintaining the biological protection to speckled hind and warsaw grouper in the South Atlantic to the extent practicable.
- The purpose of the prohibition approved in Amendment 17B is to reduce discards of speckled hind and warsaw grouper. However, recent data analyses suggest speckled hind and warsaw grouper rarely co-occur with snowy grouper, blueline tilefish, yellowedge grouper, misty grouper, queen snapper, or silk snapper.
- The low association between warsaw grouper and speckled hind with blueline tilefish and snowy grouper in the South Atlantic may be attributable to the unique habitat preferences of these species. Speckled hind and warsaw grouper prefer hard bottom structure with relief such as steep cliffs, notches, and rocky ledges of the continental shelf break. Blueline tilefish inhabits irregular bottoms comprised of troughs and terraces intermingled with sand, mud, or shell hash bottom where they live in burrows.
- Even though yellowedge grouper, misty grouper, queen snapper, and silk snapper primarily share the same hard bottom habitat preference as speckled hind and warsaw grouper, these four species are rarely encountered and are not currently targeted by commercial or recreational fishermen.

Will new measures be implemented to protect speckled hind and warsaw grouper?

- The South Atlantic Fishery Management Council intends to continue to explore management alternatives to enhance the biological protections for speckled hind and warsaw grouper through Comprehensive Ecosystem-Based Amendment 3.

Who would be affected by Regulatory Amendment 11?

- Commercial and recreational fishers who fish for snapper-grouper species in South Atlantic EEZ (3-200 miles offshore) in depths greater than 240-feet (40-fathoms).
- Constituents fishing in northern and southern ends of the South Atlantic EEZ, off the coasts of Cape Hatteras, North Carolina, and the Florida Keys, respectively, expressed the greatest concern with the implementation of the 240-foot (40-fathom) closure. The constituents indicated the closure has created significant, adverse economic and social effects.

When might Regulatory Amendment 11 be effective?

- The Council approved the amendment on August 9, 2011, for review by the Secretary of Commerce.
- Following a comment period on the proposed rule that ends January 19, 2012, a decision will be made to approve, partially approve, or disapprove Regulatory Amendment 11 by the Secretary of Commerce.
- Implementation of Regulatory Amendment 11 could be effective late March or early April 2012.

Where can I get more information on actions in Regulatory Amendment 11?

- Regulatory Amendment 11 may be found online at the NOAA Fisheries Service Web site at <http://sero.nmfs.noaa.gov/sf/SASnapperGrouperHomepage.htm> and the South Atlantic Fishery Management Council's Web site at <http://www.safmc.net>.
- For more information, contact Rick DeVictor at (727) 824-5305.