UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
PROGRAM PLANNING AND INTEGRATION
Silver Spring, Maryland 20910

JUL 30 2013

To All Interested Government Agencies and Public Groups:

Under the National Environmental Policy Act (NEPA), an environmental review has been performed on the following action.

TITLE: Regulatory Amendment 15 to the Fishery Management Plan for the Snapper-Grouper Fishery of the South Atlantic Region (RIN 0648-BC60)

LOCATION: Exclusive economic zone off the South Atlantic coast

SUMMARY:

Yellowtail Snapper

The final rule will increase the optimum yield (OY), recreational annual catch limit (ACL), and recreational annual catch target (ACT) for yellowtail snapper. The amendment will also implement the commercial ACL that is temporarily in place via an emergency rule. The ACLs, OY, and ACT are based upon the most recent stock assessment and the Gulf of Mexico and South Atlantic Fishery Management Councils' (South Atlantic Council) Scientific and Statistical Committees' (SSC) acceptable biological catch (ABC) recommendation developed through the ABC control rules. The sector-ACLs in the final rule are based on jurisdictional and sector allocations specified in the South Atlantic Council's Comprehensive ACL Amendment for the South Atlantic Region (Comprehensive ACL Amendment). The amendment will also revise the recreational ACT based on the formula specified in the Comprehensive ACL Amendment.

The state of Florida completed a stock assessment for yellowtail snapper in May 2012. The yellowtail snapper stock is not overfished or undergoing overfishing. The assessment results suggest yellowtail snapper catch levels could be increased without jeopardizing the health of the population. Both SSCs reviewed the assessment in October 2012, determined the assessment to be based upon the best available science, and provided a new ABC recommendation.

On November 7, 2012, the National Marine Fisheries Service increased the commercial ACL for yellowtail snapper in the South Atlantic through temporary action in an emergency rule based upon a request from the South Atlantic Council. The ACL increase avoided triggering an in-season accountability measure (AM) that would have prohibited commercial harvest of yellowtail snapper once the current commercial ACL was projected to be met, and thus prevented unnecessary adverse socio-economic impacts. The temporary commercial ACL increase was effective until May 6, 2013, and has been extended to November 28, 2013, while Regulatory Amendment 15 is going through rulemaking. The action in Regulatory Amendment 15 will make permanent the ACL increase until modified.

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Gag

In 2009, the South Atlantic Council took action to end overfishing of gag through Amendment 16 to the Fishery Management Plan for the Snapper-Grouper Fishery of the South Atlantic Region (Amendment 16). Amendment 16 included measures to reduce the aggregate bag limit for groupers and tilefish; reduce the bag limit for gag and black grouper combined; establish a commercial quota for gag; and establish a four month closure of South Atlantic shallow water groupers (SASWG). SASWG includes gag, black grouper, red grouper, scamp, red hind, rock hind, yellowmouth grouper, yellowfin grouper, graysby, and coney.

Amendment 16 also established a measure that closes commercial harvest of gag and all other SASWG for the remainder of the fishing year when the gag commercial quota is met. The measure was implemented to reduce bycatch of gag. However, new information suggests the measure is not as effective as previously thought at reducing bycatch of gag. Recent studies suggest that, with the exception of red grouper and scamp, gag are not as closely associated in landings with the rest of SASWG.

As such, the final rule will modify the measure so that only gag is commercially prohibited when the gag commercial quota is met. To offset potential increases in mortality to gag from commercial trips that target co-occurring species (i.e., red grouper and scamp) following a gag closure, the final rule will also reduce the current gag commercial ACL from 352,940 pounds gutted weight (gw) to 326,722 pounds gw. The gag commercial quota implemented through Amendment 16 is reduced to adjust for dead discards that could be incidentally caught when fishermen target co-occurring species.

The closure of species such as black grouper and red grouper when the gag ACL is met has resulted in adverse socio-economic effects to fishermen and fishing communities that utilize the shallow water grouper portion of the snapper-grouper fishery. The purpose of the action to modify the measure in the final rule is to reduce those adverse effects and to help achieve OY for SASWG species, while continuing to prevent overfishing of all SASWG. Since the implementation of Amendment 16, the South Atlantic Council and NMFS have implemented ACLs and AMs for all SASWG, and the final rule will not affect those measures.

RESPONSIBLE
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The environmental review process led us to conclude that this action will not have a significant impact on the environment. Therefore, an environmental impact statement was not prepared. A

copy of the finding of no significant impact (FONSI), including the environmental assessment (EA), is enclosed for your information.

Although NOAA is not soliciting comments on this completed EA/FONSI we will consider any comments submitted that would assist us in preparing future NEPA documents. Please submit any written comments to the Responsible Official named above.

Sincerely,

for Patricia A. Montanio
NOAA NEPA Coordinator

Enclosure