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

APR 1 2014

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: Temporary Rule Through Emergency Action to Remove Blueline Tilefish from the Deep-Water Complex, Revise the Current Deep-Water Complex Annual Catch Limit (ACL), and Establish Separate ACLs and Accountability Measures (AM) for Blueline Tilefish in the South Atlantic Region (RIN 0648-BD87)

LOCATION: Exclusive economic zone off the South Atlantic coast

SUMMARY:

A stock assessment completed in October 2013 determined that the blueline tilefish stock in the South Atlantic is experiencing overfishing and is overfished according to the current definition for the minimum stock size threshold. The National Marine Fisheries Service (NMFS) notified the South Atlantic Fishery Management Council (Council) of the stock status in a letter dated December 6, 2013. As mandated by Magnuson-Stevens Fishery Conservation and Management Act, NMFS and the Council must prepare and implement a plan amendment and regulations to rebuild the stock and end overfishing immediately by December 6, 2015.

At its December 2013 meeting, the Council initiated the development of Amendment 32 to the Fishery Management Plan for the Snapper-Grouper Fishery of the South Atlantic Region (Amendment 32) to address this issue. The Council and NMFS, through actions in Amendment 32, plan to develop and propose management actions that would end overfishing immediately and rebuild the blueline tilefish stock. However, Amendment 32 and associated rulemaking is not likely to be effective until 2015.

Therefore, at its December 2013 meeting, the Council requested emergency action to reduce overfishing of blueline tilefish while permanent management measures and regulations are being developed through Amendment 32. The need for this emergency action is to minimize adverse biological effects to the blueline tilefish stock and adverse socio-economic effects to fishermen and fishing communities that utilize the blueline tilefish portion of the snapper-grouper fishery. Although the actions in this temporary rule would likely have adverse, socio-economic effects beginning in 2014, the Council and NMFS have determined that the short-term effects would be justified to minimize long-term reductions in harvest that may be required if the current levels of unsustainable harvest continue to reduce the biomass of the blueline tilefish stock.

Blueline tilefish is in the deep-water complex, which has a total ACL of 711,025 pounds whole weight (lbs ww). The blueline tilefish portion of the deep-water ACL is 631,341 lbs ww. The blueline tilefish landings in 2012 (477,126 pounds whole weight (lbs ww)), were significantly greater than the maximum sustainable yield at equilibrium (226,500 lbs ww) as determined by the stock assessment. Continued exploitation at levels similar to the 2012 landings would continue to negatively affect the health of the blueline tilefish stock.

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The temporary rule will implement regulations as per the Council's request. As outlined in their letter to NMFS, the Council's request is centered on the following items: (1) set blueline tilefish ACL equal to the equilibrium yield at 75%F_{MSY} (224,100 lbs ww); (2) set blueline tilefish ACLs equal to 112,207 lbs ww and 111,893 lbs ww for the commercial and recreational sectors, respectively, as determined by the application of the blueline tilefish allocations; (3) remove blueline tilefish from the deep-water complex (currently composed of blueline tilefish, yellowedge grouper, silk snapper, misty grouper, queen snapper, sand tilefish, black snapper, and blackfin snapper); and, (4) set deep-water complex ACLs equal to 60,371 lbs ww and 19,313 lbs ww for the commercial and recreational sectors, respectively. The deep-water complex ACL would remain at current levels, except with the current blueline tilefish 631,341 lbs ww portion removed.

This temporary rule also establishes in-season commercial and recreational AMs for blueline tilefish to prevent the ACLs from being exceeded.

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