



Southeast Fishery Bulletin

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

FOR INFORMATION CONTACT:
Susan Gerhart, susan.gerhart@noaa.gov
727/824-5305, FAX 727/824-5308

January 30, 2013
FB13-006

NOAA Fisheries Announces Changes to Recreational Regulations for Shallow-Water Grouper in the Gulf of Mexico *Small Entity Compliance Guide*

On January 9, 2013, NOAA Fisheries approved Amendment 38 to the Fishery Management Plan for Reef Fish Resources of the Gulf of Mexico. The amendment modifies accountability measures for shallow-water grouper and changes the framework procedure for the reef fish fishery management plan. Accountability measures help keep landings within the catch limits or catch targets, or make adjustments if those levels are exceeded. The framework is a procedure that allows faster development of routine changes to regulations. A final rule implementing these regulations published in the *Federal Register* on January 30, 2013 (78 FR 6218) and is effective **March 1, 2013**.

The Gulf of Mexico Fishery Management Council and NOAA Fisheries developed Amendment 38 to improve the likelihood of optimizing catch of red grouper and avoid unnecessary closures of other shallow-water groupers. Specifically, the rule will:

- Allow NOAA Fisheries to shorten the season for gag if landings exceeded the catch limit in the previous year. The same would apply to red grouper if that species' catch limit was exceeded. Currently, if recreational landings exceed the catch limit for either gag or red grouper in a year, the recreational season for all shallow-water groupers is shortened the following year.
- Change the trigger method for recreational accountability measures to one that compares one year of landings to the annual catch limit. The current method for triggering accountability measures uses a three-year moving average of

landings compared to the annual catch limit. The use of a moving average has not been practical due to frequent changes in the gag annual catch limit.

- Allow establishment or modification of accountability measures through the framework procedure, which should result in faster establishment of these measures. Currently, a change to accountability measures requires an amendment to the fishery management plan.

Electronic copies of the amendment and final rule may be obtained from the NOAA Fisheries Web site

<http://sero.nmfs.noaa.gov/sf/GrouperSnapperandReefFish.htm>. For more information on Amendment 38 please refer to the [Frequently Asked Questions](#) on the NOAA Fisheries site.

This bulletin serves as a Small Entity Compliance Guide, complying with section 212 of the Small Business Regulatory Enforcement Fairness Act of 1996.

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