



Southeast Fishery Bulletin

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

FOR INFORMATION CONTACT:

Kate Michie, or Kate.Michie@noaa.gov
727-824-5305, FAX 727-824-5308
<http://sero.nmfs.noaa.gov>

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A Revised Control Date for the South Atlantic Black Sea Bass Pot Fishery

NOAA Fisheries Service announces the South Atlantic Fishery Management Council (Council) is establishing a revised control date of December 4, 2008, for the commercial black sea bass pot segment of the snapper-grouper fishery in the South Atlantic exclusive economic zone (EEZ). This control date replaces an existing October 14, 2005, control date for the fishery. The Council is concerned about the potential for excess harvesting capacity in the fishery. This notice announces the Council may, in the future, consider management measures to limit participation or effort in the fishery using the December 4, 2008, control date as part of a management strategy.

A control date is a date chosen by a fishery management council and may be used by that council or NOAA Fisheries Service as an eligibility criterion allowing future access to fisheries, or sectors of fisheries. Control date notices inform fishermen that a Council is considering future action to restrict access to the fishery and is intended to discourage speculative entry into a fishery.

At its December 2008 meeting, the Council voted to establish a control date for the commercial black sea bass pot fishery in the South Atlantic EEZ. The control date will allow the Council to evaluate fishery participation and address any level of overcapacity.

The establishment of this control date does not commit the Council or NOAA Fisheries Service to any particular management regime or criteria for entry into this fishery. Fishermen would not be guaranteed future participation in the fishery regardless of their entry date or intensity of participation in the fishery before or after the control date under consideration.

The Council may choose to use a different control date, or to give variably weighted consideration to fishermen active in the fishery before and after the control date. Other qualifying criteria, such as documentation of landings and sales, may be considered for entry into the fishery. The Council may choose to take no further action to control entry or access to the fishery, in which case the control date may be rescinded.

Request for Comments

Written comments on this advanced notice of proposed rulemaking must be received no later than 5 p.m., Eastern time, on March 23, 2009, in order to be considered by NOAA Fisheries Service. See the **Addresses** section for information on where and how to submit comments.

Addresses

Electronic copies of the advanced notice of proposed rulemaking, published in the *Federal Register* on February 20, 2009, may be obtained from the *Federal Register* Web site at <http://www.gpoaccess.gov/fr/index.html>, or by sending a written request to:

NOAA Fisheries Service
Southeast Regional Office
Sustainable Fisheries Division
263 13th Avenue South
St. Petersburg, Florida 33701

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. Attachments to electronic comments will be accepted in Microsoft Word, Excel, WordPerfect, or Adobe PDF file formats only.
- Mail: Kate Michie
NOAA Fisheries Service
Southeast Regional Office
Sustainable Fisheries Division
263 13th Avenue South
St. Petersburg, Florida 33701
- Fax: 727-824-5308, Attention: Kate Michie