

DEPARTMENT OF COMMERCE**National Oceanic and Atmospheric Administration****50 CFR Part 622****[I.D. 070296D]****Reef Fish Fishery of the Gulf of Mexico; Amendment 12**

AGENCY: National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

ACTION: Notice of availability of an amendment to a fishery management plan; request for comments.

SUMMARY: NMFS announces that the Gulf of Mexico Fishery Management Council (Council) has submitted Amendment 12 to the Fishery Management Plan for the Reef Fish Resources of the Gulf of Mexico for review, approval, and implementation by NMFS. Written comments are requested from the public.

DATES: Written comments must be received on or before October 3, 1996.

ADDRESSES: Comments must be mailed to the Southeast Regional Office, NMFS,

9721 Executive Center Drive N., St. Petersburg, FL 33702.

Requests for copies of Amendment 12, which includes an environmental assessment and a regulatory impact review, should be sent to the Gulf of Mexico Fishery Management Council, 5401 W. Kennedy Boulevard, Suite 331, Tampa, FL 33609-2486, phone: 813-228-2815; fax: 813-225-7015.

FOR FURTHER INFORMATION CONTACT: Robert Sadler, 813-570-5305.

SUPPLEMENTARY INFORMATION: The Magnuson Fishery Conservation and Management Act (Magnuson Act), requires that a Council-prepared amendment to a fishery management plan be submitted to NMFS for review and approval, disapproval, or partial disapproval.

Amendment 12 would reduce the minimum size limit for red snapper harvested in the commercial fishery from 15 inches (38.1 cm) to 14 inches (35.6 cm) and eliminate the scheduled, automatic increase to 16 inches (40.6 cm) for the commercial fishery in 1998; establish a minimum size limit of 28 inches (71.1 cm) fork length for banded rudderfish and lesser amberjack taken under the bag limits; establish a bag

limit for banded rudderfish, greater amberjack, and lesser amberjack, combined, of one fish; and establish a 20-fish aggregate bag limit for reef fish species for which there is no other bag limit.

Based on a preliminary evaluation of Amendment 12, NMFS has disapproved the proposed size limit reduction and the future, automatic size increase for red snapper harvested in the commercial fishery, because NMFS determined that those measures were inconsistent with the Magnuson Act and the agency's policy of risk-averse decisionmaking.

Proposed regulations to implement the measures of Amendment 12 that were not disapproved based on the preliminary evaluations are scheduled to be published for public comment.

Authority: 16 U.S.C. 1801 *et seq.*

Dated: August 13, 1996.

Richard W. Surdi,

Acting Director, Office of Fisheries Conservation and Management, National Marine Fisheries Service.

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