

**UNITED STATES DEPARTMENT OF COMMERCE**  
**National Oceanic and Atmospheric Administration**

NATIONAL MARINE FISHERIES SERVICE  
Southeast Regional Office  
9450 Koger Boulevard  
St. Petersburg, FL 33702

**DEC 16, 1993**

FISE011:RS

Thomas Wallin, Chairman  
Gulf of Mexico Fishery Management Council  
5401 West Kennedy Boulevard, Suite 331  
Tampa, Florida 33609

Dear Mr. Wallin:

This is to advise you that Amendment 5 to the Fishery Management Plan for the Reef Fish Resources of the Gulf of Mexico has been partially disapproved. Based on my review, and with the concurrence of the Assistant Administrator for Fisheries, NOAA, I am disapproving that part of Amendment 5 concerning the special management zone (SMZ) designation of tracts B and C off Alabama and reef fish fishing gear restrictions associated with those tracts. I am approving the remainder of Amendment 5, and the final rule is expected to become effective approximately January 31, 1994.

My action is based on public comments and the minority report which raised concerns about designating all three of the areas off Alabama as SMZs. According to public comments, there are significant amounts of hard bottom in proposed tracts B and C, which historically have supported an important fishery for vermilion snapper. This fishery' reportedly depends on fishermen being able to use bandit gear lines with 20 or more hooks. NMFS landings data supports the contention of an important vermilion snapper fishery in tracts B and C, and discussions with port agents and fishermen support the need to use more than three hooks when fishing for vermilion snapper. Additionally, concern was raised about the adverse impact of excluding reef fish longline gear from a portion of proposed tract C.

If the Council decides to resubmit tracts B and/or C as proposed SMZs (with appropriate restrictions on fishing), it is encouraged to do so through the approved Amendment 5 framework procedure for designation of future SMZs. This approach will provide for thorough evaluation of the potential impacts of the proposed areas and full opportunity for participation of all affected fishery interests.

Sincerely,

Andrew J. Kemmerer  
Regional Director