Deepwater Horizon Oil Spill: NOAA Publishes a Rule to Expedite the Closing and Opening of Areas in the Oil-Affected Portions of the Gulf of Mexico

Closed Area Modification effective 6 p.m. EST Today

Emergency Rule
On May 11, 2010, NOAA Fisheries Service filed an emergency rule to establish a protocol to more quickly and effectively revise the closing and opening of areas affected by the BP oil spill. This rule is effective May 11, 2010. Due to the shifting currents and winds, rapid changes in the location and extent of the spill are occurring, which requires NOAA Fisheries Service to update the dimensions of the closed area, as necessary, to ensure fisher and consumer safety without needlessly restricting productive fisheries in areas that are not affected by the spill.

This emergency rule establishes a protocol to alter the closed area to better reflect the location of the BP oil spill. NOAA Fisheries Service will announce revisions to the closed area via:

- NOAA Weather Radio,
- Southeast Fishery Bulletin, and
- Web site updates (see below).

To give fishermen enough time to come into compliance with revisions to the closed area, NOAA Fisheries Service will make daily announcements regarding the closure at 12 noon, eastern time (11 a.m. central time). Revisions will become effective at 6 p.m. eastern time (5 p.m. central time). If no changes are made to the closed area on a given day, that will be announced as well. To obtain the coordinates of the closed area at any given time, go to the following Web site: http://sero.nmfs.noaa.gov/deepwater_horizon_oil_spill.htm or call the NOAA Fisheries Service Southeast Regional Office, Sustainable Fisheries Division at 727-824-5305 (after-hours message includes the coordinates of the closure).

Updated Closure
Current revisions to the closure, described below, will be effective on May 11, 2010 at 6 p.m. eastern time (5 p.m. central time).

This revised closed area is bounded by rhumb lines connecting, in order, the following coordinates: From the point where 30°01' N. lat. intersects with the 3 nautical mile Louisiana state boundary; proceeding southeasterly to the point 29°50' N. lat. and 88°14' W. long.; thence, easterly to the point 29°50' N. lat. and 87°28' W. long.; thence, southeasterly to the point 29°27' N. lat. and 86°31' W. long.; thence southwesterly to the point 27°59' N. lat. and 88° W. long.; thence, westerly to the point 27°59' N. lat. and 88°17' W. long.; thence, northwesterly to the point 28°30' N. lat. and 89° W. long.; thence, northwesterly to the point 28°39' N. lat. and 90°25' W. long.; thence northwesterly to the
point where 90°30' W. long. intersects with the 3
nautical mile Louisiana state boundary; thence
along the seaward limit of Louisiana’s waters.

Modeling and mapping the actual and projected
spill area is not an exact science. NOAA Fisheries
Service strongly advises fishermen not to fish in
areas where oil or oil sheens (very thin layers of
floating oil) are present, even if those areas are not
currently closed to fishing. Fish and shellfish in oil
affected waters may be contaminated with
hydrocarbons above baseline levels. The U.S. Food
and Drug Administration considers such seafood to
be adulterated.

Addresses & Comments
Electronic copies of rule are available from the
Southeast Regional Office (address below) or at the
Enter the following docket number into the
“Search” box: NOAA-NMFS-2010-0103. You may
submit comments on this rule through **June 10,**
**2010,** identified by “0648-AY90” by any of the
following methods:

- **Electronic Submissions:** Submit all electronic
  public comments via the Federal e-Rulemaking
- **Mail:** Anik Clemens, Southeast Regional
  Office, NMFS, 263 13th Avenue South, St.
  Petersburg, FL 33701.

Instructions: No comments will be posted for
public viewing until after the comment period. All
comments received are a 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.

This bulletin provides only a summary of the
information pertinent to the rule. Any discrepancies
between this bulletin and the rule as published in
the Federal Register will be resolved in favor of the
Federal Register.

**Need more information on these topics?**
Southeast Regional Office’s Web page:
http://sero.nmfs.noaa.gov

Links for more information about the BP oil spill:
**NOAA’s Fisheries Service**
http://sero.nmfs.noaa.gov/deepwater_horizon_oil_s
pill.htm

**NOAA’s National Ocean Service**
http://response.restoration.noaa.gov

**Deepwater Horizon Response**
http://www.deepwaterhorizonresponse.com

Fishermen who wish to contact BP about a claim
should call 1-800-440-0858.