

For the reasons set out in the preamble, 50 CFR part 622 is proposed to be amended as follows:

**PART 622--FISHERIES OF THE CARIBBEAN, GULF OF MEXICO, AND SOUTH ATLANTIC**

1. The authority citation for part 622 continues to read as follows:

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

2. In § 622.183, revise the table in paragraph (a) (1) (i) (D), revise paragraphs (a) (1) (ii) (B) and (D), and add paragraph (a) (2) to read as follows:

**§ 622.183 Area and seasonal closures.**

(a) \* \* \*

(1) \* \* \*

(i) \* \* \*

(D) Charleston Deep Artificial Reef MPA is bounded by rhumb lines connecting, in order, the following points:

Points	North lat.	West long.
A	32° 05.04'	79° 13.575'
B	32° 09.65'	79° 09.2'
C	32° 07.155'	79° 05.595'
D	32° 02.36'	79° 09.975'
A	32° 05.04'	79° 13.575'

\* \* \* \* \*

(ii) For the purpose of paragraphs (a) (1) (i) and (a) (2) of this section, transit means direct, non-stop progression

Adam Bailey 2/29/2016 12:00 PM

**Comment [1]:** Action 1 - no codified text.

Action 2 - 622.194 Adjustment of management measures.

Action 3, 4 - 622.183 Area and seasonal closures.

Action 5 - Pref. Alt. 1 - no action - no codified text.

Action 6, 7, 8, 9 - 622.183 Area and seasonal closures.

Adam Bailey 2/23/2016 9:02 AM

**Comment [2]:** Action 7 - Pref. Alt. 2.

Adam Bailey 2/23/2016 9:02 AM

**Comment [3]:** Action 8, Pref. Alt. 2.

Adam Bailey 2/29/2016 11:59 AM

**Comment [4]:** This would make the requirements for gear stowage the same for MPAs and Spawning SMZs. That is, it would modify slightly the existing gear stowage requirements for MPAs. The Council may need to weigh in on whether this interpretation is correct, and if yes, add discussion to the amendment. If the interpretation is not correct and the Council wishes to keep the gear stowage requirements separate, then the Charleston Deep MPA, modified by Action 7, would have different gear stowage requirements than the Spawning SMZs in a similar area.

through the MPA or Spawning SMZ, respectively. Fishing gear appropriately stowed means—

\* \* \* \* \*

(B) Trawl or try nets, and the doors must be out of the water. Trawl or try nets and doors are not required to be on deck or secured on or below deck.

\* \* \* \* \*

(D) Terminal gear (i.e., hook, leader, sinker, flasher, or bait) used with an automatic reel, bandit gear, buoy gear, handline, or rod and reel must be disconnected and stowed separately from such fishing gear. Sinkers must be disconnected from the down rigger and stowed separately.

\* \* \* \* \*

(2) *Spawning SMZs*. Any fishing vessel in a Spawning SMZ is prohibited to fish for, harvest, or possess species in the snapper-grouper fishery management unit year-round. Except for Spawning SMZs of Area 51 and Area 53, the Spawning SMZs in this paragraph are effective from [month day], 2016, through [month day], 2025]. A person on board a fishing vessel may not anchor, use an anchor and chain, or use a grapple and chain while in the Spawning SMZs specified in paragraph (a) (2) of this section. The anchoring prohibition does not apply to fishing vessels in the Spawning SMZs of Area 51 and Area 53.

Adam Bailey 2/29/2016 12:06 PM

**Comment [5]:** Compared with existing regulations, the amendment removes try nets from the definition box under Action 8 for gear stowage; however, the amendment does not discuss removing try nets from the gear stowage requirements when transiting through the Spawning SMZs. I've re-inserted/kept the language here.

The amendment's discussion of Action 8, Alts. 2 & 3 does not give much detail. It says, "these two alternatives [anchoring & stowing gear] would track what is currently in place for the Oculina Experimental Closed Area and HAPCs." However, I'm not sure what "track" means. The restrictions in the MPAs section (622.183(a)(1)(ii)), where the language from Action 8 is based, are a little different from the Oculina HAPC codified text in 622.224.

Adam Bailey 2/24/2016 4:10 PM

**Comment [6]:** This sentence was written as a separate paragraph in the definition box under Action 8 for gear stowage; however, I placed the sentence here because sinkers are a terminal gear type and mentioned specifically in this paragraph.

Adam Bailey 2/23/2016 9:02 AM

**Comment [7]:** Action 9, Pref. Alt. 2, Pref. Sub-alt. 2b.

Adam Bailey 2/23/2016 9:02 AM

**Comment [8]:** Action 8, Pref. Alt. 3, Pref. Sub-alt. 3b.

(i) **South Cape Lookout Spawning SMZ** is bounded by rhumb lines connecting, in order, the following points:

Points	North lat.	West long.
A	33°53.040'	76°28.617'
B	33°52.019'	76°27.798'
C	33°49.946'	76°30.627'
D	33°51.041'	76°31.424'
A	33°53.040'	76°28.617'

Adam Bailey 2/23/2016 9:02 AM  
**Comment [9]:** Action 3, Pref. Alt. 5.

(ii) **Devil's Hole/Georgetown Hole Spawning SMZ** is bounded by rhumb lines connecting, in order, the following points:

Points	North lat.	West long.
A	32°34.311'	78°33.220'
B	32°34.311'	78°34.996'
C	32°32.748'	78°34.996'
D	32°32.748'	78°33.220'
A	32°34.311'	78°33.220'

Adam Bailey 2/23/2016 9:02 AM  
**Comment [10]:** Action 4, Pref. Alt. 2, Pref. Sub-alt. 2f.

(iii) **Area 51 Spawning SMZ** is bounded by rhumb lines connecting, in order, the following points:

[COORDINATES]

Adam Bailey 2/23/2016 9:02 AM  
**Comment [11]:** Action 4, Pref. Alt. 3.

(iv) **Area 53 Spawning SMZ** is bounded by rhumb lines connecting, in order, the following points:

[COORDINATES]

Adam Bailey 2/23/2016 9:02 AM  
**Comment [12]:** Action 4, Pref. Alt. 4.

(v) **Warsaw Hole/50 Fathom Hole Spawning SMZ** is bounded by rhumb lines connecting, in order, the following points:

Points	North lat.	West long.
A	24°22.277'	82°20.417'
B	24°22.277'	82°18.215'

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**Comment [13]:** Action 6, Pref. Alt. 2, Pref. Sub-alt. 2c.

C	24°20.932'	82°18.215'
D	24°20.932'	82°20.417'
A	24°22.277'	82°20.417'

3. In § 622.194, revise paragraph (a) to read as follows:

**§ 622.194 Adjustment of management measures.**

\* \* \* \* \*

(a) Biomass levels, age-structured analyses, target dates for rebuilding overfished species, MSY (or proxy), OY, ABC, TAC, quotas (including a quota of zero), annual catch limits (ACLs), annual catch targets (ACTs), AMs, maximum fishing mortality threshold (MFMT), minimum stock size threshold (MSST), trip limits, bag limits, size limits, gear restrictions (ranging from regulation to complete prohibition), seasonal or area closures, fishing year, rebuilding plans, definitions of essential fish habitat, essential fish habitat, essential fish habitat HAPCs or Coral HAPCs, restrictions on gear and fishing activities applicable in essential fish habitat and essential fish habitat HAPCs, and establish or modify Spawning SMZs.

\* \* \* \* \*

Adam Bailey 2/23/2016 9:02 AM  
**Comment [14]:** Action 2, Pref. Alt. 2.