

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, 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, paragraph (b)(6) is revised to read as follows:

§ 622.183 Area and seasonal closures.

* * * * *

(b) * * *

(6) *Seasonal closure of the commercial black sea bass pot component of the snapper-grouper fishery.* The closed area is that area and time period described in (b)(5)(i) and (b)(5)(ii) of this section, respectively. During the applicable closure, no person may harvest or possess black sea bass in or from the closed area within the South Atlantic EEZ either with sea bass pots or from a vessel with sea bass pots on board. In addition, sea bass pots must be removed from the water in the applicable closed area within the South Atlantic EEZ before the applicable time period, and may not be on board a vessel in the closed area within the South Atlantic EEZ during the applicable closure, except for such sea bass pot gear appropriately stowed on board

a vessel in transit through the closed area. See paragraph (b)(5)(iii) of this section for black sea bass pot transit and gear stowage requirements through the closed areas.

(i) From November 1 through November 30 and from April 1 through April 30, black sea bass may not be harvested by sea bass pots in the South Atlantic EEZ inshore of the rhumb lines connecting, in order, the following points:

| Point | North lat. | West long. |
|-------|------------|--------------------|
| 1 | 35°15' | State/EEZ boundary |
| 2 | 35°15' | 75°09' |
| 3 | 35°06' | 75°22' |
| 4 | 35°06' | 75°39' |
| 5 | 35°01' | 75°47' |
| 6 | 34°54' | 75°46' |
| 7 | 34°52' | 76°04' |
| 8 | 34°33' | 76°22' |
| 9 | 34°23' | 76°18' |
| 10 | 34°21' | 76°27' |

Comment [SS1]: This is for Preferred Alt 11 coordinates are from table 2.1.10

| | | |
|----|--------|--------|
| 11 | 34°25' | 76°51' |
| 12 | 34°09' | 77°19' |
| 13 | 33°44' | 77°38' |
| 14 | 33°25' | 77°27' |
| 15 | 33°22' | 77°40' |
| 16 | 33°28' | 77°41' |
| 17 | 33°32' | 77°53' |
| 18 | 33°22' | 78°26' |
| 19 | 33°06' | 78°31' |
| 20 | 33°05' | 78°40' |
| 21 | 33°01' | 78°43' |
| 22 | 32°56' | 78°57' |
| 23 | 32°44' | 79°04' |
| 24 | 32°42' | 79°13' |
| 25 | 32°34' | 79°23' |
| 26 | 32°25' | 79°25' |

| | | |
|----|--------|--------------------|
| 27 | 32°23' | 79°37' |
| 28 | 31°53' | 80°09' |
| 29 | 31°31' | 80°33' |
| 30 | 30°43' | 80°49' |
| 31 | 30°30' | 81°01' |
| 32 | 29°45' | 81°01' |
| 33 | 29°31' | 80°58' |
| 34 | 29°13' | 80°52' |
| 35 | 29°13' | State/EEZ boundary |

(ii) From December 1 through March 31, black sea bass may not be harvested by sea bass pots in the South Atlantic EEZ inshore of the rhumb lines connecting, in order, the following points:

| Point | North lat. | West long. |
|-------|------------|--------------------|
| 1 | 35°15' | State/EEZ boundary |
| 2 | 35°15' | 75°08' |
| 3 | 34°58' | 75°41' |

Comment [SS2]: This is for Preferred Alt 11. December through March coordinates are from table 2.1.2

| | | |
|----|--------|--------|
| 4 | 34°49' | 75°50' |
| 5 | 34°47' | 76°05' |
| 6 | 34°31' | 76°18' |
| 7 | 34°20' | 76°13' |
| 8 | 34°12' | 77°00' |
| 9 | 33°43' | 77°30' |
| 10 | 33°21' | 77°21' |
| 11 | 33°18' | 77°41' |
| 12 | 33°22' | 77°56' |
| 13 | 33°12' | 78°20' |
| 14 | 33°05' | 78°22' |
| 15 | 33°01' | 78°38' |
| 16 | 32°40' | 79°01' |
| 17 | 32°36' | 79°18' |
| 18 | 32°19' | 79°22' |
| 19 | 32°16' | 79°37' |

| | | |
|----|--------|--------------------|
| 20 | 32°03' | 79°48' |
| 21 | 31°39' | 80°27' |
| 22 | 30°58' | 80°47' |
| 23 | 30°13' | 81°01' |
| 24 | 29°32' | 80°39' |
| 25 | 29°22' | 80°44' |
| 26 | 28°50' | 80°22' |
| 27 | 28°21' | 80°18' |
| 28 | 28°21' | State/EEZ boundary |

(iii) For the purpose of paragraph (b)(5) of this section, transit means non-stop progression through the area; fishing gear appropriately stowed means all black sea bass pot gear must be out of the water and on board the deck of the vessel.

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3. § 622.189, paragraph (g) is added to read as follows:

§ 622.189 Restrictions and requirements for sea bass pots.

* * * * *

(g) *Sea bass pot buoy line marking requirement.* In addition to the gear marking requirements specified in § 229.32(b), from

Comment [SS3]: Action 2, preferred Alt 4, buoy line marking to have a 12" purple band next to the currently required (ALWTRP) 12" marks.

November 15 through April 15, each year, in the Southeast Restricted Area North as described in § 229.32(f) and from September 1 through May 31, each year in the Offshore Trap/Pot Area and the Southern Nearshore Trap/Pot Area, as described in §§ 299.32(c)(6) and (9), respectively, the buoy line must be marked with a purple color code. The color code must be clearly visible when the gear is hauled or removed from the water, including if the color of the rope is the same as, or similar, to the color code. The purple band must be marked directly adjacent to the buoy line markings specified in § 229.32(b), that is, at the top, middle, and bottom of each buoy line deployed by, or onboard the vessel. Each of the three purple bands must be a 12-inch (30.5 cm) color mark. In marking or affixing the purple band, the line may be dyed, painted, or marked with thin colored whipping line, thin colored plastic, or heat-shrink tubing, or other material.

Comment [SS4]: The specific time and area color coding requirements for Action 2, Preferred Alt 4. The areas are defined in the Atlantic large whale take reduction plan regulations and are referenced here.

Comment [SS5]: Note, much of the text describing how to mark and the requirements of a color mark are the same as that used in the ALWTRP regs for buoy line marking.