

For the reasons set out in the preamble, 50 CFR part 622 is 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 § 622.187, the first sentence of paragraph (b)(2) is revised and paragraph (b)(12) is added to read as follows:

§ 622.187 Bag and possession limits.

\* \* \* \* \*

(b) \* \* \*

(2) Grouper and tilefish, combined, excluding blueline tilefish--3. \* \* \*

\* \* \* \* \*

(12) No more than one fish per vessel may be a blueline tilefish.

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3. In § 622.191, paragraph (a)(10) is added to read as follows:

§ 622.191 Commercial trip limits.

\* \* \* \* \*

(a) \* \* \*

(10) Blueline tilefish. Until the applicable ACL specified in § 622.193(z)(1)(iii) is reached or projected to be reached, 200 lb

**Comment [SS1]:** Action 8: NO PREFERRED  
If in Action 8, Alts 2 and 4 were to be selected as preferred alternatives. This is a separate limit from the grouper/tilefish aggregate. Placeholder

(91 kg), gutted weight; 224 lb (102 kg), round weight. See § 622.193(z)(1)(i) for the limitations regarding blueline tilefish after the commercial ACL is reached.

**Comment [SS2]:** Action 7: NO PREFERRED  
If for Action 7, Alternative 3 is preferred. Gutted weight included for consistency with S-G trip limit regs. The alternative would be in gutted weight. Placeholder

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4. In § 622.193, the suspension on paragraph (h) is lifted and paragraph (h) is revised, and paragraph (z) is added to read as follows:

§ 622.193 Annual catch limits (ACLs), annual catch targets (ACTs), and accountability measures (AMs).

\* \* \* \* \*

(h) Deep-water complex (including yellowedge grouper, silk snapper, misty grouper, queen snapper, sand tilefish, black snapper, and blackfin snapper)--(1) Commercial sector--(i) If commercial landings for the deep-water complex, as estimated by the SRD, reach or are projected to reach the commercial ACL of 131,634 lb (59,708 kg), round weight, the AA will file a notification with the Office of the Federal Register to close the commercial sector for the remainder of the fishing year. On and after the effective date of such a notification, all sale or purchase of deep-water complex species is prohibited and harvest or possession of these species in or from the South Atlantic EEZ is limited to the bag and possession limit. This bag and possession limit applies in the South Atlantic on board a vessel for which a valid Federal commercial or charter

**Comment [SS3]:** Action 1, preferred alt 2

vessel/headboat permit for South Atlantic snapper-grouper has been issued, without regard to where such species were harvested, i.e., in state or Federal waters.

(ii) If commercial landings exceed the ACL, and the combined commercial and recreational ACL (total ACL) specified in paragraph (h)(3) of this section, is exceeded, and at least one of the species in the deep-water complex is overfished, based on the most recent Status of U.S. Fisheries Report to Congress, AA will file a notification with the Office of the Federal Register, at or near the beginning of the following fishing year to **reduce the commercial ACL for that following year by the amount of the commercial ACL overage** in the prior fishing year.

**Comment [SS4]:** Action 5, preferred alt 2c. commercial payback.

(2) Recreational sector. (i) If recreational landings for the deep-water complex, as estimated by the SRD, are projected to reach the recreational ACL of **38,644 lb (17,529 kg)**, round weight, the AA will file a notification with the Office of the Federal Register to close the recreational sector for the remainder of the fishing year, unless the SRD determines that no closure is necessary based on the best scientific information **available**. On and after the effective date of such a notification, the bag and possession limit is zero. This bag and possession limit applies in the South Atlantic on board a vessel for which a valid Federal commercial or charter vessel/headboat permit for South Atlantic snapper-grouper has been

**Comment [SS5]:** Action 1, preferred alt 2.

**Comment [SS6]:** Action 6, Preferred Alt 4. Inseason closure when reach the recreational ACL.

issued, without regard to where such species were harvested, i.e. in state or Federal waters.

(ii) If recreational landings for the deep-water complex, exceed the applicable recreational ACL, and the combined commercial and recreational ACL (total ACL) specified in paragraph (h)(3) of this section is exceeded, and at least one of the species in the deep-water complex is overfished, based on the most recent Status of U.S. Fisheries Report to Congress, the AA will file a notification with the Office of the Federal Register, to reduce the length of the recreational fishing season in the following fishing year to ensure recreational landings do not exceed the recreational ACL the following fishing year. When NMFS reduces the length of the following recreational fishing season, the following closure provisions apply: the bag and possession limit for the deep-water complex in or from the South Atlantic EEZ is zero. This bag and possession limit also applies in the South Atlantic on board a vessel for which a valid Federal commercial or charter vessel/headboat permit for South Atlantic snapper-grouper has been issued, without regard to where such species were harvested, i.e., in state or Federal waters. Additionally, the recreational ACL will be reduced by the amount of the recreational ACL overage in the prior fishing year. The fishing season and recreational ACL will not be reduced if the

**Comment [SS7]:** Action 6, preferred 2c, overfished and total ACL exceeded.

**Comment [SS8]:** Action 6, preferred 2c. reduce length of season in following year.

**Comment [SS9]:** Action 6, preferred 2c, recreational ACL payback.

SRD determines, using the best scientific information available that no reduction is necessary.

(3) The combined commercial and recreational sector ACL (total ACL) is 170,278 lb (77,237 kg), round weight.

Comment [SS10]: Action 1, pref alt 2

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(z) Blueline tilefish--(1) Commercial sector. (i) If commercial landings for blueline tilefish, as estimated by the SRD, reach or are projected to reach the applicable ACL in paragraph (z)(1)(iii) of this section, the AA will file a notification with the Office of the Federal Register to close the commercial sector for the remainder of the fishing year. On and after the effective date of such a notification, all sale or purchase of blueline tilefish is prohibited and harvest or possession of this species in or from the South Atlantic EEZ is limited to the bag and possession limit. This bag and possession limit applies in the South Atlantic on board a vessel for which a valid Federal commercial or charter vessel/headboat permit for South Atlantic snapper-grouper has been issued, without regard to where such species were harvested, i.e., in state or Federal waters.

(ii) If commercial landings exceed the ACL, and the combined commercial and recreational ACL (total ACL) specified in paragraph (z)(3) of this section is exceeded, and blueline tilefish are overfished, based on the most recent Status of U.S. Fisheries Report

to Congress, the AA will file a notification with the Office of the Federal Register, at or near the beginning of the following fishing year to reduce the commercial ACL for that following year by the amount of the commercial ACL overage in the prior fishing year.

**Comment [SS11]:** Action 5, preferred alt 2c. commercial payback.

(iii) The applicable commercial ACLs, in round weight, are 17,841 lb (8,093 kg) for 2015, 26,766 lb (12,141 kg) for 2016, 35,785 lb (16,232 kg) for 2017, and 44,048 lb (19,980 kg) for 2018 and subsequent fishing years. The commercial ACL will not increase automatically in a subsequent fishing year if landings exceed or are projected to exceed the total ACL in the prior fishing year, as specified in paragraph (z)(3) of this section.

**Comment [SS12]:** Action 3, preferred alt 3.

**Comment [SS13]:** Action 3, pref alt 3

(2) Recreational sector. (i) If recreational landings for blueline tilefish, as estimated by the SRD, are projected to reach the applicable ACL in paragraph (z)(2)(iii) of this section, the AA will file a notification with the Office of the Federal Register to close the recreational sector for the remainder of the fishing year, unless the SRD determines that no closure is necessary based on the best scientific information available. On and after the effective date of such a notification, the bag and possession limit is zero. This bag and possession limit applies in the South Atlantic on board a vessel for which a valid Federal commercial or charter vessel/headboat permit for South Atlantic snapper-grouper has been

**Comment [SS14]:** Action 6, Preferred Alt 4. Inseason closure when reach the recreational ACL.

issued, without regard to where such species were harvested, i.e. in state or Federal waters.

(ii) If recreational landings for blueline tilefish, exceed the applicable recreational ACL, and the combined commercial and recreational ACL (total ACL) specified in paragraph (z)(3) of this section, is exceeded, and blueline tilefish is overfished, based on the most recent Status of U.S. Fisheries Report to Congress, the AA will file a notification with the Office of the Federal Register, to reduce the length of the recreational fishing season in the following fishing year to ensure recreational landings do not exceed the recreational ACL the following fishing year. When NMFS reduces the length of the following recreational fishing season, the following closure provisions apply: the bag and possession limit for blueline tilefish in or from the South Atlantic EEZ is zero. This bag and possession limit also applies in the South Atlantic on board a vessel for which a valid Federal commercial or charter vessel/headboat permit for South Atlantic snapper-grouper has been issued, without regard to where such species were harvested, i.e., in state or Federal waters. Additionally, the recreational ACL will be reduced by the amount of the recreational ACL overage in the prior fishing year. The fishing season and recreational ACL will not be reduced if the SRD determines, using the best scientific information available that no reduction is necessary

**Comment [SS15]:** Action 6, preferred 2c, overfished and total ACL exceeded.

**Comment [SS16]:** Action 6, preferred 2c, reduce length of season in following year.

**Comment [SS17]:** Action 6, preferred 2c, recreational ACL payback.

(iii) The applicable recreational ACLs, in round weight, are 17,791 lb (8,070 kg) for 2015, 26,691 lb (12,107 kg) for 2016, 35,685 lb (16,186 kg) for 2017, and 43,925 lb (19,924 kg) for 2018 and subsequent fishing years. The recreational ACL will not increase automatically in a subsequent fishing year if landings exceed or are projected to exceed the total ACL in the prior fishing year, as specified in paragraph (z)(3) of this section.

Comment [SS18]: Action 3, preferred alt 3.

Comment [SS19]: Action 3, pref alt 3

(3) Without regard to overfished status, if the combined commercial and recreational ACL (total ACL), as estimated by the SRD, is exceeded in a fishing year, then during the following fishing year, an automatic increase will not be applied to the commercial and recreational ACLs. The SRD will evaluate the landings data to determine whether or not an increase in the commercial and recreational ACLs will be applied. The applicable combined commercial and recreational sector ACLs (total ACLs), in round weight are 35,632 lb (16,162 kg) for 2015, 53,457 lb (24,248 kg) for 2016, 71,469 lb (32,418 kg) for 2017, and 87,974 lb (39,904 kg) for 2018 and subsequent fishing years.

Comment [SS20]: Action 3, Preferred Alt 3. No bump-ups for both sectors if total ACL is exceeded.