

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 § 622.181, remove and reserve paragraph (b)(2) and add paragraph (c)(2) to read as follows:

§ 622.181 Prohibited and limited-harvest species.

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(b) * * *

(2) [Reserved]

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(c) * * *

(2) Red snapper. Red snapper may only be harvested or possessed in or from the South Atlantic EEZ during the commercial and recreational seasons as specified in § 622.183(b)(5) and § 622.193(y). Any red snapper caught in the South Atlantic EEZ during a time other than the specified commercial or recreational seasons specified in § 622.193(y) must be released immediately with a minimum of harm. In addition, for a person on board a vessel for which a valid

Comment [SS1]: Now RS to be listed under Limited harvest species vs currently listed under prohibited species.

Federal commercial or charter vessel/headboat permit for South Atlantic snapper-grouper has been issued, the prohibition on the harvest or possession of red snapper applies in the South Atlantic, regardless of where such fish are harvested or possessed, *i.e.*, in state or Federal waters.

3. In § 622.183, revise paragraph (b)(5) to read as follows:

§ 622.183 Area and seasonal closures.

* * * * *

(b) * * *

(5) Closures of the commercial and recreational sectors for red snapper--(i) The commercial and recreational sectors for red snapper are closed (*i.e.*, red snapper may not be harvested or possessed, or sold or purchased) in or from the South Atlantic EEZ, except as specified in § 622.193(y). NMFS will announce the season opening dates in the *Federal Register*. The recreational fishing season would consist of consecutive Fridays, Saturdays, and Sundays, unless otherwise specified. NMFS will project the length of the recreational fishing season and announce the recreational fishing season end date in the *Federal Register*. See § 622.193(y), for establishing the end date of the commercial fishing season.

(ii) If the RA determines tropical storm or hurricane

conditions exist, or are projected to exist, in the South Atlantic, during a commercial or recreational fishing season, the RA may modify the opening and closing dates of the fishing season by filing a notification to that effect with the Office of the Federal Register, and announcing via NOAA Weather Radio and a Fishery Bulletin any change in the dates of the red snapper commercial or recreational fishing season.

(iii) If the projected commercial or recreational fishing season is determined by NMFS to be 3 days or less, then the commercial or recreational fishing season will not open for that fishing year.

4. In § 622.187, revise paragraph (b)(9) to read as follows:

§ 622.187 Bag and possession limits.

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(b) * * *

(9) *Red snapper*--1.

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5. In § 622.191, add paragraph (a)(9) to read as follows:

§ 622.191 Commercial trip limits.

* * * * *

(a) * * *

(9) *Red snapper*. Until the commercial ACL specified in §

622.193(y)(1) is reached, 75 lb (34 kg), gutted weight.

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6. In § 622.193, revise paragraph (y) to read as follows:

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

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(y) *Red snapper*--(1) *Commercial sector*. The commercial ACL for red snapper is xx,xxx lb (xx kg), round weight. The commercial season will begin on the second Monday in July. See § 622.183(b)(5) for details on the commercial fishing season. NMFS will monitor commercial landings during the season, and if commercial landings, as estimated by the SRD, reach or are projected to reach the commercial ACL, the AA will file a notification with the Office of the Federal Register to close the commercial sector for red snapper for the remainder of the year. On and after the effective date of the closure notification, all sale or purchase of red snapper is prohibited and harvest or possession of red snapper is limited to the bag and possession limits. This bag and possession limit and the prohibition on sale/purchase apply 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

Comment [SS2]: Action 1, Commercial ACL in pounds of fish.
No preferred selected

or possessed, *i.e.*, in state or Federal waters.

(2) *Recreational sector*. The recreational ACL for red snapper is xxx fish. The AA will file a notification with the Office of the Federal Register to announce the limited recreational ACL and the length of the recreational fishing season for the current fishing year. The recreational season, which consists of weekends only (Fridays, Saturdays, and Sundays) begins on the second Friday in July. The length of the recreational fishing season for red snapper serves as the in-season accountability measure. See § 622.183(b)(5) for details on the recreational fishing season. On and after the effective date of the recreational closure notification, the bag and possession limits for red snapper are zero.

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Comment [SS3]: Action 1, Recreational ACL in # of fish.
No preferred selected