

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

Adam Bailey 8/18/2016 11:17 AM  
**Comment [1]:** Actions 2, 3, 5 have no codified text.

**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 § 622.1, revise the Table 1 entry for "FMP for the Snapper-Grouper Fishery of the South Atlantic Region", and add footnote 8 to Table 1 to read as follows:

Adam Bailey 8/18/2016 11:17 AM  
**Comment [2]:** Action 1, Pref. Alt. 2, Pref. Sub-alt. 2c

**§ 622.1 Purpose and scope.**

\* \* \* \* \*

**Table 1 to § 622.1--FMPs Implemented Under Part 622**

FMP title	Responsible fishery management council(s)	Geographic area
* * * * *		
FMP for the Snapper-Grouper Fishery of the South Atlantic Region	SAFMC	South Atlantic. <sup>6 8</sup>

* * * * *		
-----------	--	--

\* \* \* \* \*

<sup>8</sup> Hogfish in the Gulf EEZ are managed under the FMP from the South Atlantic and Gulf of Mexico intercouncil boundary specified in § 600.105(c) and north to 25°09' N. lat. off the west coast of Florida. Hogfish in the remainder of the Gulf EEZ are managed under the FMP for the Reef Fish Resources of the Gulf of Mexico.

3. In § 622.183, revise paragraph (b) (4) to read as follows:

**§ 622.183 Area and seasonal closures.**

\* \* \* \* \*

(b) \* \* \*

(4) Hogfish recreational sector off the Florida Keys and east Florida. From January through April and from November through December each year, the recreational harvest or possession of hogfish in or from the South Atlantic EEZ off the Florida Keys and east Florida, and in the EEZ north to 25°09' N. lat. off the west coast of Florida is prohibited, and the bag and possession limits are zero.

\* \* \* \* \*

4. In § 622.185, revise paragraph (c) (3) to read as follows:

**§ 622.185 Size limits.**

\* \* \* \* \*

Adam Bailey 9/6/2016 11:37 AM  
**Comment [3]:** Action 11, Pref. Alt. 2, Pref. Sub-alts. 2a & 2d.

(c) \* \* \*

(3) *Hogfish*. (i) In the South Atlantic EEZ off North Carolina, South Carolina, and Georgia--17 inches (43.2 cm), fork length.

(ii) In the South Atlantic EEZ off the Florida Keys and east Florida, and in the EEZ north to 25°09' N. lat. off the west coast of Florida--16 inches (38.1 cm), fork length.

\* \* \* \* \*

5. In § 622.187, revise paragraph (b) (3) to read as follows:

§ 622.187 **Bag and possession limits.**

\* \* \* \* \*

(b) \* \* \*

(3) *Hogfish*. (i) In the South Atlantic EEZ off North Carolina, South Carolina, and Georgia--2.

(ii) In the South Atlantic EEZ off the Florida Keys and east Florida, and in the EEZ north to 25°09' N. lat. off the west coast of Florida--1.

\* \* \* \* \*

6. In § 622.191, add paragraph (a) (12) to read as follows:

§ 622.191 **Commercial trip limits.**

\* \* \* \* \*

(a) \* \* \*

(12) *Hogfish*. (i) Until the commercial ACL specified in

Adam Bailey 8/18/2016 11:17 AM  
**Comment [4]:** Action 1, Alt. 2.

Adam Bailey 8/18/2016 11:17 AM  
**Comment [5]:** Action 8, Alt. 2, Pref. Sub-alt. 2b.

Adam Bailey 8/18/2016 11:17 AM  
**Comment [6]:** Action 1, Alt. 2.

Adam Bailey 8/18/2016 11:17 AM  
**Comment [7]:** Action 8, Alt. 3, Pref. Sub-alt. 3c.

Adam Bailey 8/18/2016 11:17 AM  
**Comment [8]:** Action 10, Pref. Alt. 2, Pref. Sub-alt. 2a.  
Action 10, Pref. Alt. 3, Pref. Sub-alt. 3c.

Adam Bailey 8/18/2016 11:17 AM  
**Comment [9]:** Action 9.

§ 622.193(u) (1) (iii) (A) is reached or is projected to be reached off North Carolina, South Carolina, and Georgia, 500 lb (227 kg), round weight.

Adam Bailey 8/18/2016 11:17 AM  
**Comment [10]:** Action 9, Pref. Alt. 2, Pref. Sub-alt. 2c.

(ii) Until the applicable commercial ACL specified in § 622.193(u) (2) (iii) (A) is reached or is projected to be reached off the Florida Keys and east Florida, and north to 25°09' N. lat. off the west coast of Florida, 25 lb (11 kg), round weight.

Adam Bailey 8/18/2016 11:17 AM  
**Comment [11]:** Action 9, Pref. Alt. 3, Pref. Sub-alt. 3a.

(iii) See § 622.193(u) (1) (i) or (2) (i) for the limitations regarding hogfish after a commercial ACL is reached.

\* \* \* \* \*

7. In § 622.193, revise paragraph (u) to read as follows:  
**§ 622.193 Annual catch limits (ACLs), annual catch targets (ACTs), and accountability measures (AMs).**

Adam Bailey 8/18/2016 11:17 AM  
**Comment [12]:** Action 12.

\* \* \* \* \*

(u) *Hogfish*--(1) *Hogfish off North Carolina, South Carolina, and Georgia*--(i) **Commercial sector**. (A) If commercial landings for hogfish, as estimated by the SRD, reach or are projected to reach the commercial ACL specified in § 622.193(u) (1) (iii) (A), 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 hogfish in or from the South Atlantic EEZ off North Carolina, South

Adam Bailey 9/6/2016 11:38 AM  
**Comment [13]:** Action 12, Pref. Alt. 2, Pref. Sub-alt. 2a.

Carolina, and Georgia is prohibited, and harvest or possession of this species is limited to the bag and possession limits. These bag and possession limits apply for this hogfish stock 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.

(B) If commercial landings for hogfish, as estimated by the SRD, exceed the commercial ACL specified in § 622.193(u) (1) (iii) (A), and the combined commercial and recreational ACL specified in § 622.193(u) (1) (iii) (C) is exceeded during the same fishing year, and the stock 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 commercial ACL for the stock in the following fishing year by the amount of the commercial ACL overage in the prior fishing year.

(ii) *Recreational sector.* (A) If recreational landings for hogfish, as estimated by the SRD, reach or are projected to reach the recreational ACL specified in § 622.193(u) (1) (iii) (B), 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 regardless if the stock is overfished, unless

Adam Bailey 9/6/2016 11:38 AM

**Comment [14]:** Action 12, Pref. Alt. 2, Pref. Sub-alt. 2a.

Adam Bailey 9/6/2016 11:39 AM

**Comment [15]:** Action 12, Pref. Alt. 3, Pref. Sub-alt. 3b.

Adam Bailey 9/6/2016 11:39 AM

**Comment [16]:** Action 12, Pref. Alt. 3, Pref. Sub-alt. 3b.

NMFS 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 limits for hogfish in or from the South Atlantic EEZ off North Carolina, South Carolina, and Georgia are zero.

(B) If recreational landings for hogfish, as estimated by the SRD, exceed the recreational ACL specified in § 622.193(u) (1) (iii) (B), then during the following fishing year recreational landings will be monitored for a persistence in increased landings. If necessary, the AA will file a notification with the Office of the Federal Register to reduce the length of the following recreational fishing season and recreational ACL in the following fishing year by the amount of the recreational ACL overage if the hogfish stock is overfished, based on the most recent Status of U.S. Fisheries Report to Congress, and the combined commercial and recreational ACL is exceeded during the same fishing year to ensure recreational landings do not exceed the recreational ACL in the following fishing year. NMFS will use the best scientific information available to determine if reducing the length of the recreational fishing season and recreational ACL is necessary. When a recreational sector is closed as a result of NMFS reducing the length of the following recreational fishing season and ACL,

Adam Bailey 9/6/2016 11:39 AM

**Comment [17]:** Action 12, Pref. Alt. 4, Pref. Sub-alt. 4a.

Adam Bailey 8/18/2016 11:17 AM

**Comment [18]:** Action 7, Alts. 2 & 3.

the bag and possession limits for hogfish in or from the South Atlantic EEZ off North Carolina, South Carolina, and Georgia are zero.

(iii) ACLs and ACT for the Georgia-North Carolina stock. This stock includes hogfish off North Carolina, South Carolina, and Georgia. All weights are given in round weight.

(A) *Commercial ACL*--23,456 lb (10,639 kg).

(B) *Recreational ACL*--988 fish.

(C) The combined commercial and recreational ACL for the Georgia-North Carolina stock of hogfish is 33,930 lb (15,390 kg).

(D) *Recreational ACT*--840 fish.

(2) *Hogfish off the Florida Keys and east Florida, and north to 25°09' N. lat. off the west coast of Florida*--(i) Commercial sector. (A) If commercial landings for hogfish, as estimated by the SRD, reach or are projected to reach the applicable commercial ACL specified in § 622.193(u) (2) (iii) (A), the AA will file a notification with the Office of the Federal Register to close the applicable commercial sector for the remainder of the fishing year. On and after the effective date of such a notification, all sale or purchase of hogfish in or from the EEZ off the Florida Keys and east Florida, and north to 25°09' N. lat. off the west coast of Florida is prohibited, and harvest

Adam Bailey 9/2/2016 3:56 PM

**Comment [19]:** Action 4, Alt. 2, Pref. Sub-alt. 2b ACL=OY=95% ABC.

Adam Bailey 9/2/2016 3:54 PM

**Comment [20]:** Action 7, Pref. Alt. 2, Pref. Sub-alt. 2b. ACT=85% of rec ACL.

or possession of this species is limited to the bag and possession limits. These bag and possession limits apply for this hogfish stock 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.

(B) If commercial landings for hogfish, as estimated by the SRD, exceed the applicable commercial ACL specified in § 622.193(u) (2) (iii) (A), and the applicable combined commercial and recreational ACL specified in § 622.193(u) (2) (iii) (C) is exceeded during the same fishing year, and the stock 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 commercial ACL for the stock in the following fishing year by the amount of the applicable commercial ACL overage in the prior fishing year.

(ii) *Recreational sector.* (A) If recreational landings for hogfish, as estimated by the SRD, reach or are projected to reach the applicable recreational ACL specified in § 622.193(u) (2) (iii) (B), 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 regardless if the stock is overfished, unless NMFS determines that no closure is

Adam Bailey 9/6/2016 11:39 AM

**Comment [21]:** Action 12, Pref. Alt. 2, Pref. Sub-alt. 2b.

Adam Bailey 9/6/2016 11:39 AM

**Comment [22]:** Action 12, Pref. Alt. 3, Pref. Sub-alt. 3d.

Adam Bailey 9/6/2016 11:40 AM

**Comment [23]:** Action 12, Pref. Alt. 3, Pref. Sub-alt. 3d.

necessary based on the best scientific information available. On and after the effective date of such a notification, the bag and possession limits for hogfish in or from the EEZ off the Florida Keys and east Florida, and north to 25°09' N. lat. off the west coast of Florida are zero.

(B) If recreational landings for hogfish, as estimated by the SRD, exceed the applicable recreational ACL specified in § 622.193(u) (2) (iii) (B), then during the following fishing year recreational landings will be monitored for a persistence in increased landings. If necessary, the AA will file a notification with the Office of the Federal Register to reduce the length of the following applicable recreational fishing season and recreational ACL in the following fishing year by the amount of the recreational ACL overage if the hogfish stock is overfished, based on the most recent Status of U.S. Fisheries Report to Congress, and the applicable combined commercial and recreational ACL is exceeded during the same fishing year to ensure recreational landings do not exceed the recreational ACL in the following fishing year. NMFS will use the best scientific information available to determine if reducing the length of the recreational fishing season and recreational ACL is necessary. When a recreational sector is closed as a result of NMFS reducing the length of the following recreational fishing

Adam Bailey 9/6/2016 11:40 AM

**Comment [24]:** Action 12, Pref. Alt. 4, Pref. Sub-alt. 4b.

Adam Bailey 9/2/2016 4:04 PM

**Comment [25]:** Action 7, Alts. 2 & 3.

season and ACL, the bag and possession limits for hogfish in or from the EEZ off the Florida Keys and east Florida, and north to 25°09' N. lat. off the west coast of Florida are zero.

(iii) ACLs and ACT for the Florida Keys-East Florida stock.

This stock includes hogfish off the Florida Keys and east Florida, and north to 25°09' N. lat. off the west coast of Florida.

(A) *Commercial ACL*. See the following table. All weights are given in round weight.

Year	Commercial ACL
2017	3,510 lb (1,592 kg)
2018	4,524 lb (2,052 kg)
2019	5,670 lb (2,572 kg)
2020	6,926 lb (3,142 kg)
2021	8,277 lb (3,754 kg)
2022	9,703 lb (4,401 kg)
2023	11,179 lb (5,071 kg)
2024	12,677 lb (5,750 kg)
2025	14,167 lb (6,426 kg)
2026	15,621 lb (7,086 kg)
2027	17,018 lb (7,719 kg)

(B) *Recreational ACL*. See the following table. The

Adam Bailey 8/18/2016 11:17 AM

**Comment [26]:** Action 6, Alt. 2, Pref. Sub-alt. 2b ACL=OY=95% ABC.

recreational ACL is in numbers of fish.

Year	Recreational ACL
2017	15,689
2018	18,617
2019	21,574
2020	25,086
2021	29,096
2022	33,358
2023	37,671
2024	41,934
2025	46,046
2026	49,949
2027	53,610

(C) *Combined commercial and recreational ACL.* See the following table. The combined commercial and recreational ACL is in numbers of fish.

Year	Combined commercial and recreational ACL
2017	17,034
2018	20,350
2019	23,746

2020	27,740
2021	32,267
2022	37,076
2023	41,954
2024	46,791
2025	51,474
2026	55,934
2027	60,130

(D) *Recreational ACT*. See the following table. The recreational ACT is in numbers of fish.

Year	Recreational ACT
2017	13,335
2018	15,824
2019	18,338
2020	21,323
2021	24,731
2022	28,354
2023	32,020
2024	35,644
2025	39,139
2026	42,457

Adam Bailey 9/2/2016 3:50 PM

**Comment [27]:** Action 7, Pref. Alt. 3, Pref. Sub-alt. 3b. ACT=85% of rec ACL.

2027	45,568
------	--------

\* \* \* \* \*