

Regulatory Amendment 37 under the Fishery Management Plan for the Snapper-Grouper Fishery of the South Atlantic Region

Draft Regulatory Text

For the reasons set out in the preamble, NMFS proposes to amend 50 CFR part 622 as follows:

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

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

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

2. Amend § 622.183, by adding paragraph (b)(12) to read as follows:

§ 622.183 Area and seasonal closures.

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(b) * * *

(12) *Black sea bass spawning season closure.* The commercial and recreational harvest, possession, sale, or purchase of black sea bass in or from the South Atlantic EEZ is prohibited each year from February 1 through March 31. As specified by table 1 to § 622.1, footnote 2, commercial and recreational management of black sea bass in the South Atlantic EEZ applies south of 35°15.19' N latitude, the latitude of Cape Hatteras Light, North Carolina.

3. Amend § 622.187, by revising paragraph (b)(7) to read as follows:

§ 622.187 Bag and possession limits.

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(b) * * *

(7) *Black sea bass*--2.

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4. Amend § 622.190, by revising paragraph (a)(5) to read as follows:

§ 622.190 Quotas.

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(a) * * *

(5) *Black sea bass*--41,150 lb (18,665 kg) in gutted weight or 48,557 lb (22,025 kg) in round weight.

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5. Amend § 622.193, by revising the section heading and by revising paragraph (e) to read as follows:

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

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(e) *Black sea bass*--(1) *Commercial sector*. (i) The commercial ACL is 234,314 lb (106,283 kg) in gutted weight or 276,490 lb (125,414 kg) in round weight.

(ii) The commercial ACT is set equal to the commercial quota specified in § 622.190(a)(5).

(iii) If NMFS estimates that commercial landings will reach the commercial quota specified in § 622.190(a)(5) during the fishing year, 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.

(iv) If commercial landings exceed the commercial ACL specified in paragraph (e)(1)(i) of this section during the fishing year, 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, unless NMFS determines that no overage adjustment is necessary based on the best scientific information available.

(2) *Recreational sector.* (i) The recreational ACL is 310,602 lb (140,887 kg) in gutted weight or 366,510 lb (166,246 kg) in round weight.

(ii) The recreational ACT is 53,511 lb (24,272 kg) in gutted weight or 63,143 lb (28,641 kg) in round weight.

(iii) NMFS will project the length of the recreational fishing season based on when NMFS projects the recreational ACT specified in paragraph (e)(2)(ii) of this section is expected to be met and announce the recreational fishing season end date in the **Federal Register** prior to the start of the recreational fishing year on April 1. On and after the effective date of the recreational closure notification, the bag and possession limits for black sea bass in or from the South Atlantic EEZ are zero. The bag and possession limits apply in the South Atlantic on a vessel for which a valid Federal charter vessel/headboat permit for South Atlantic snapper-grouper has been issued, and applies to such species harvested in state or Federal waters.

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