

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, revise paragraph (b)(1) to read as follows:

§ 622.183 Area and seasonal closures.

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(b) * * *

(1) *Seasonal closure of the commercial and recreational sectors for gag and associated grouper species.* During January through April each year, no person may fish for, harvest, or possess in or from the South Atlantic EEZ any South Atlantic shallow-water grouper (SASWG): gag, black grouper, red grouper, scamp, red hind, rock hind, yellowmouth grouper, yellowfin grouper, graysby, and coney. Additionally, in the month of May, in the South Atlantic EEZ off North Carolina and off South Carolina, no person may fish for, harvest, or possess any South Atlantic red grouper. In addition, for a person on board a vessel for which a valid Federal commercial or charter

Commented [JDG1]: 1.Action 2: Modify the seasonal prohibition on recreational harvest and possession of red grouper in the Exclusive Economic Zone off South Carolina and North Carolina.
2.Action 3: Modify the seasonal prohibition on commercial harvest, possession, sale, and purchase of red grouper in the Exclusive Economic Zone off South Carolina and North Carolina.

vessel/headboat permit for South Atlantic snapper-grouper has been issued, the provisions of these closures apply in the South Atlantic, regardless of where such fish are harvested, *i.e.*, in state or Federal waters.

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3. In § 622.191, add paragraph (a)(14) to read as follows:

§ 622.191 Commercial trip limits.

(a) * * *

(14) *Red grouper*. Until the commercial ACL specified in § 622.193(d)(1)(iii) is reached— 200 lb (91 kg), gutted weight; 236 lb (107 kg), round weight. See § 622.193(d)(1) for the limitations regarding red grouper after the commercial ACL is reached.

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4. In § 622.192, revise paragraph (h) to read as follows:

§ 622.192 Restrictions on sale/purchase.

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(h) During January through April, no person may sell or purchase a gag, black grouper, red grouper, scamp, red hind, rock hind, yellowmouth grouper, yellowfin grouper, graysby, or coney harvested from or possessed in the South Atlantic EEZ or, if harvested or possessed by a vessel for

Commented [JDG2]: 3. Action 4: Establish a commercial trip limit for red grouper harvested in the South Atlantic Exclusive Economic Zone.
4.Pref. sub-alt. 2d.

which a valid Federal commercial permit for South Atlantic snapper-grouper has been issued, harvested from the South Atlantic, *i.e.*, in state or Federal waters. Additionally, in the month of May, in the South Atlantic EEZ off North Carolina and off South Carolina, no person may sell or purchase South Atlantic red grouper. The prohibitions on sale/purchase during January through May does not apply to such species that were harvested, landed ashore, and sold prior to January 1 and were held in cold storage by a dealer or processor. This prohibition also does not apply to a dealer's purchase or sale of such species harvested from an area other than the South Atlantic, provided such fish is accompanied by documentation of harvest outside the South Atlantic. The requirements for such documentation are specified in paragraph (i) of this section.

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Commented [JDG3]: 5. Action 3: Modify the seasonal prohibition on commercial harvest, possession, sale, and purchase of red grouper in the Exclusive Economic Zone off South Carolina and North Carolina.