

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 622.1, revise the Table 1 entry for "FMP for Coastal Migratory Pelagic Resources", and add footnote 9 to Table 1 to read as follows:

§ 622.1 Purpose and scope.

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

FMP title	Responsible fishery management council(s)	Geographical area
FMP for Coastal Migratory Pelagic Resources	GMFMC/SAFMC	Gulf ^{1,9} , Mid-Atlantic ^{1,9} , South Atlantic ^{1,9} .
* * * * *		

⁹ Cobia is managed by the FMP in the Gulf EEZ and in the South Atlantic EEZ south of a line extending due east from the Florida/Georgia border.
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Comment [SS1]: All instructions in the regulatory text are based on the selection of Preferred Alternative 2 in Action 1.

Comment [SS2]: added footnote 9 to show the regulated area authority for the Gulf only for CMP cobia. This removes FMP applicability for the Mid and South Atlantic. I included the #9 footnote for MA and SA as well since otherwise that could be confused for reduced authority with respect to KM and SM.

3. In § 622.369, remove and reserve paragraph (c)(2) and revise Table 3 to § 622.369 to read as follows:

§ 622.369 Description of zones.

Table 3 to § 622.369--Cobia Description of Zones

(For illustration, see Figure 3 in Appendix G of this part.)

Comment [SS3]: remove Atlantic group cobia from table

<u>Area</u>	<u>Boundary 1</u>	<u>Boundary 2</u>
Gulf Migratory Group--Gulf Zone	US/Mexico A line east of the intersection of 25°58'30.57" N. lat. and 96°55'27.37" W. long.	Council Boundary - the intersection of the outer boundary of the EEZ and 83°00' W. long., north to 24°35' N. lat., (near the Dry Tortugas Islands), then east to the mainland
Gulf Migratory Group--Florida East Coast Zone	Council Boundary - the intersection of the outer boundary of the EEZ and 83°00' W. long., north to 24°35' N. lat., (near the Dry Tortugas Islands), then east to the mainland	FL/GA 30°42'45.6" N. lat.

4. In § 622.375, revise paragraph (a)(2) to read as follows:

Comment [SS4]: In this section, remove authorized gear list for cobia in mid and south atlantic.

§ 622.375 Authorized and unauthorized gear.

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(a) * * *

(2) *Cobia, Gulf migratory group*. Subject to the prohibitions on gear/methods specified in §622.9, the following

are the only fishing gears that may be used in the Gulf EEZ for
cobia--all gear except drift gillnet and long gillnet.

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5. In § 622.380, remove and reserve paragraph (a)(2).

Comment [SS5]: removes paragraphs for size limits for mid and south atlantic cobia.

6. In § 622.381, revise the first sentence of paragraph (a)
to read as follows:

§ 622.381 Landing fish intact.

(a) Cobia in or from the Gulf, and king mackerel and
Spanish mackerel in or from the Gulf, Mid-Atlantic, or South
Atlantic EEZ, except as specified for king mackerel and Spanish
mackerel in paragraph (b) of this section, must be maintained
with head and fins intact. Such fish may be eviscerated, gilled,
and scaled, but must otherwise be maintained in a whole
condition. * * *

Comment [SS6]: revise to specify cobia from gulf only

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7. In § 622.382, revise the heading for paragraph (a) and
remove paragraph (a)(1)(vi) to read as follows:

§ 622.382 Bag and possession limits.

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(a) *King mackerel and Spanish mackerel*--* * *

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Comment [SS7]: remove Atlantic cobia from the heading and remove rec bag limit for Atlantic cobia. Fyi, there is not a bag limit specified in this section for Gulf cobia since its described as a limited harvest species.

8. In § 622.384, remove and reserve paragraph (d)(2).

Comment [SS8]: revise this paragraph to remove quota for Atlantic group cobia.

9. In § 622.385, remove paragraph (c).

Comment [SS9]: this removes the commercial trip limit for Atlantic cobia. Fyi, there is not a trip limit specified in this section for Gulf cobia since its described as a limited harvest species

10. § 622.388, remove paragraph (E).

Comment [SS10]: This removes ACL and AM for Atlantic cobia.

11. Revise Figure 3 of Appendix G to Part 622 to read as

Comment [SS11]: This revises the cobia zone figure to remove atlantic group.

follows:

Appendix G to Part 622—Coastal Migratory Pelagics Zone

Illustrations

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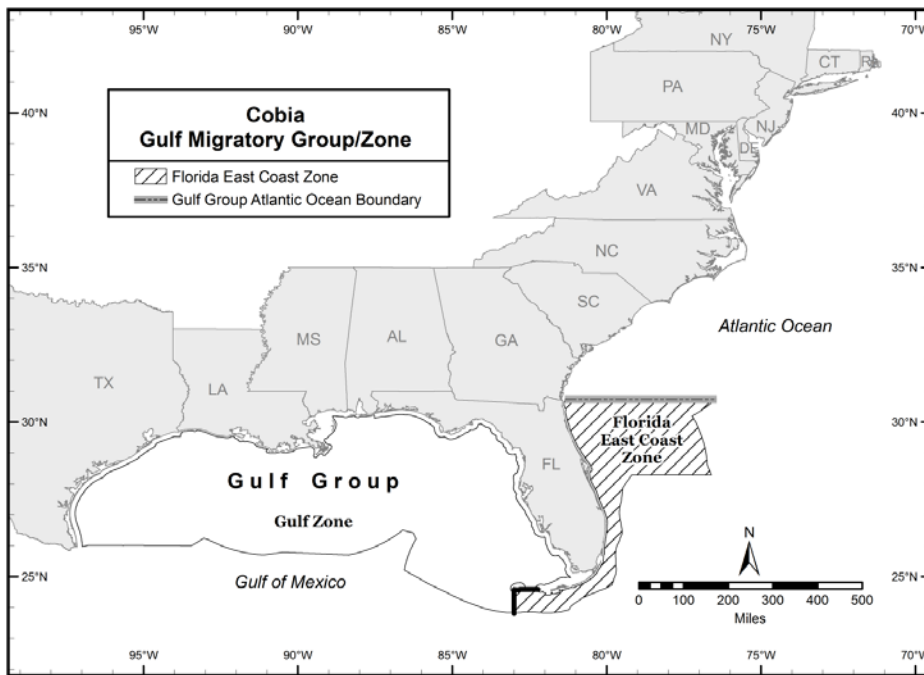


Figure 3 of Appendix G to Part 622--Cobia