

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:

Comment [SS1]: All instructions in the regulatory text are based on the selection of Preferred Alternative 2 in Action 1.

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} .
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¹ Regulated area includes adjoining state waters for purposes of data collection and quota monitoring.

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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 [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

Area	Boundary 1	Boundary 2
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:

§ 622.375 Authorized and unauthorized gear.

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

(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, and in the South Atlantic EEZ south of a line extending due east from the Florida/Georgia border for cobia--all gear except drift gillnet and long gillnet.

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5. In § 622.380, revise paragraph (a)(1) and remove and reserve paragraph (a)(2).

§ 622.380 Size limits.

* * * * *

(a) * * *

(1) In the Gulf and in the South Atlantic EEZ south of a line extending due east from the Florida/Georgia border—33 inches (83.8 cm), fork length.

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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 in the South Atlantic EEZ south of a line extending due east from the Florida/Georgia border, and king mackerel and Spanish mackerel in or from the

Comment [SS5]: removes paragraphs for size limits for south atlantic migratory group cobia. revising gulf to include FL East coast zone

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

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. * * *

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

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

10. § 622.388, remove paragraph (f).

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

follows:

Appendix G to Part 622—Coastal Migratory Pelagics Zone

Illustrations

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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.

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

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

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

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

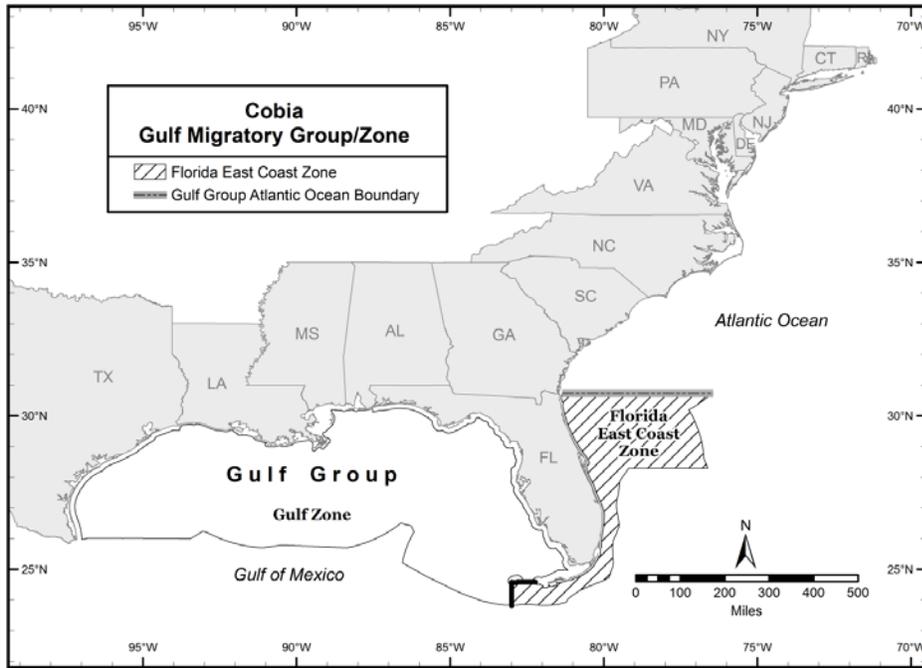


Figure 3 of Appendix G to Part 622--Cobia