Draft Regulatory Change for the Reef Fish Fishery Management Plan in the Gulf

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. In § 622.23, revise paragraph (b) to read as follows:

§ 622.23 State management of the red snapper recreational sector private angling component in the Gulf EEZ.

* * * * *

(b) *Post-season ACL adjustments for states with an active delegation.* If landings by a state's private angling component exceeded the component ACL specified in paragraph (a)(1)(ii) of this section and any of the conditions in paragraphs (b)(1) through (3) of this section applied during the same fishing year, and NMFS determined that a greater, lesser, or no reduction of the state's private angling component ACL was not necessary based on the best scientific information available, NMFS will reduce the component ACL during the following year by an equal amount.

(1) The state component landings exceeded the state private angling component ACL by an amount greater than 10 percent.

(2) The state component landings exceeded the state's private angling component ACL by any amount during more than 1 of the preceding 3 years, which include the most

recent fishing year.

(3) The cumulative landings from all state private angling components exceeded the private angling component quota specified in § 622.39(a)(2)(i)(C).* * * * *