

restricted area, which is 28°45.8' N, 89°29.5' W.

**Classification**

The Regional Administrator, Southeast Region, NMFS has determined that this correcting amendment is necessary for the conservation and management of Gulf reef fish resources and is consistent with the framework action, the FMP, the Magnuson-Stevens Fishery Conservation and Management Act, and other applicable law.

This correcting amendment has been determined to be not significant under Executive Order 12866.

Pursuant to 5 U.S.C. 553(b)(B), the Assistant Administrator for Fisheries, NOAA, finds good cause to waive prior notice and opportunity for additional public comment because it would be unnecessary and contrary to the public interest. This correcting amendment corrects a waypoint for the longline and buoy gear restricted area. Providing prior notice and opportunity for public

comment is unnecessary and contrary to the public interest because this is a non-substantive change and retaining the incorrect waypoint will cause confusion among the affected fishers and law enforcement. The current waypoint error results in an inshore boundary of the federally-managed restricted that is inconsistent with the provisions of the 2016 and 2017 Appropriations Acts.

For the same reasons, the Assistant Administrator also finds good cause, pursuant to 5 U.S.C. 553(d), to waive the 30-day delay in effective date for this correcting amendment. This non-substantive correction will prevent confusion about the location of the boundary for the longline and buoy gear restricted area.

Because prior notice and opportunity for public comment are not required for this rule by 5 U.S.C. 553, or any other law, the analytical requirements of the Regulatory Flexibility Act, 5 U.S.C. 601 *et seq.*, are inapplicable. Accordingly, no Regulatory Flexibility Analysis is required and none has been prepared.

**List of Subjects in 50 CFR Part 622**

Boundary, Commercial, Coordinates, Fisheries, Fishing, Greater amberjack, Gulf of Mexico, Reef fish, Trip limits.

Dated: May 27, 2020.

**Samuel D. Rauch, III,**

*Deputy Assistant Administrator for Regulatory Programs National Marine Fisheries Service.*

Accordingly, 50 CFR part 622 is corrected by making the following correcting amendment:

**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 appendix B to part 622, in table 1, revise the coordinates of point 19 to read as follows:

**Appendix B to Part 622—Gulf Areas**

TABLE 1 OF APPENDIX B TO PART 622—SEAWARD COORDINATES OF THE LONGLINE AND BUOY GEAR RESTRICTED AREA

Point number and reference location <sup>1</sup>	North lat.	West long.
19 South of Southwest Pass of Mississippi River .....	28°45.8'	89°29.5'

\* \* \* \* \*

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**DEPARTMENT OF COMMERCE**

**National Oceanic and Atmospheric Administration**

**50 CFR Part 622**

[Docket No. 1710319998630-02; RTID 0648-XS029]

**Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Snapper-Grouper Resources of the South Atlantic; 2020 Red Snapper Commercial and Recreational Fishing Seasons**

**AGENCY:** National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

**ACTION:** Temporary rule; 2020 fishing seasons notice.

**SUMMARY:** NMFS announces the limited opening of commercial and recreational red snapper in the exclusive economic

zone (EEZ) of the South Atlantic for the 2020 fishing year. This notice announces the red snapper commercial season opening date and the opening and closing dates for the red snapper recreational season, according to the accountability measures (AMs). This season announcement for South Atlantic red snapper allows fishers to maximize their opportunity to harvest the commercial and recreational annual catch limits (ACLs) while also managing harvest to protect the red snapper resource.

**DATES:** The 2020 commercial red snapper season opens at 12:01 a.m., local time, July 13, 2020. The 2020 recreational red snapper season opens at 12:01 a.m., local time, on July 10, 2020, and closes at 12:01 a.m., local time, on July 13, 2020; then reopens at 12:01 a.m., local time, on July 17, 2020, and closes at 12:01 a.m., local time, on July 18, 2020, unless changed by subsequent notification in the **Federal Register**.

**FOR FURTHER INFORMATION CONTACT:** Frank Helies, NMFS Southeast Regional Office, telephone: 727-824-5305, email: [frank.helies@noaa.gov](mailto:frank.helies@noaa.gov).

**SUPPLEMENTARY INFORMATION:** The South Atlantic snapper-grouper fishery includes red snapper and is managed under the Fishery Management Plan for the Snapper-Grouper Fishery of the South Atlantic Region (FMP). The South Atlantic Fishery Management Council (Council) prepared the FMP, and the FMP is implemented by NMFS under the authority of the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act) by regulations at 50 CFR part 622.

The final rule implementing Amendment 43 to the FMP (83 FR 35428; July 26, 2018) describes red snapper management measures including the specific timing for red snapper commercial and recreational fishing seasons. The final rule also revised the commercial and recreational ACLs for red snapper. The commercial AM requires the sector to close when commercial landings reach or are projected to reach the commercial ACL. The recreational AM is the length of the recreational season, with NMFS projecting the season length based on catch rate estimates from previous years.

The commercial ACL is 124,815 lb (56,615 kg), and this ACL was not exceeded in 2019. The recreational ACL is 29,656 fish, and preliminary landings information show this ACL was exceeded in the 5-day fishing season in 2019. For 2020, NMFS has determined that the landings from the recreational sector are expected to reach the recreational ACL in 4 days.

At the March 2020 Council meeting, NMFS presented estimates showing a possible 3-day recreational red snapper season for 2020. Subsequent to that meeting, NMFS determined that a 4-day recreational red snapper season was appropriate.

For South Atlantic red snapper, the commercial season begins each year on the second Monday in July and closes when the commercial ACL is reached or is projected to be reached. Accordingly, the 2020 commercial season opens on July 13, 2020. The commercial season will remain open until 12:01 a.m., local time, on January 1, 2021, unless the commercial ACL is reached or projected to be reached prior to this date. During the commercial fishing season, the commercial trip limit is 75 lb (34 kg), gutted weight. NMFS will monitor commercial landings during the open season, and if commercial landings reach or are projected to reach the commercial ACL, then NMFS will file a notification with the Office of the Federal Register to close the commercial sector for red snapper for the remainder of the fishing year.

The recreational season begins on the second Friday in July. Accordingly, the 2020 recreational red snapper season opens at 12:01 a.m., local time, on July 10, 2020, and closes at 12:01 a.m., local time, on July 13, 2020; then reopens at 12:01 a.m., local time, on July 17, 2020, and closes at 12:01 a.m., local time, on July 18, 2020. During the recreational season, the recreational bag limit is one red snapper per person, per day. After the recreational sector closure, the bag and possession limits for red snapper are zero.

Additionally, during both the commercial and recreational open seasons, there is not a red snapper minimum or maximum size limit for either sector.

#### Classification

The Regional Administrator, Southeast Region, NMFS, has determined this temporary rule is necessary for the conservation and management of South Atlantic red snapper and is consistent with the FMP, the Magnuson-Stevens Act, and other applicable laws.

This action is taken under 50 CFR 622.183(b)(5)(i) and 622.193(y) and is exempt from review under Executive Order 12866.

These measures are exempt from the procedures of the Regulatory Flexibility Act because the temporary rule is issued without opportunity for prior notice and comment.

This action responds to the best scientific information available. The Assistant Administrator for Fisheries, NOAA (AA), finds that the need to implement the notice of the dates for the red snapper fishing seasons constitutes good cause to waive the requirements to provide prior notice and opportunity for public comment pursuant to the authority set forth in 5 U.S.C. 553(b)(B), because prior notice and opportunity for public comment on this temporary rule is unnecessary. Such procedures are unnecessary because the rule establishing the red snapper ACLs and AMs has already been subject to notice and comment, and all that remains is to notify the public of the respective commercial and recreational fishing seasons. Additionally, announcing the fishing seasons now allows each sector to prepare for the upcoming harvest and provides opportunity to for-hire fishing vessels to book trips that could increase their revenues and profits.

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

Dated: June 1, 2020.

**Hélène M.N. Scalliet,**

*Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service.*

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## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

#### 50 CFR Part 622

[Docket No. 200528-0150]

RIN 0648-B181

#### Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Snapper-Grouper Fishery Off the Southern Atlantic Region; Regulatory Amendment 29

**AGENCY:** National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

**ACTION:** Final rule.

**SUMMARY:** NMFS issues regulations to implement Regulatory Amendment 29 to the Fishery Management Plan for the Snapper-Grouper Fishery of the South

Atlantic Region (FMP) (Regulatory Amendment 29), as prepared and submitted by the South Atlantic Fishery Management Council (Council). This final rule requires descending devices to be on board vessels and requires the use of specific fish hook types while fishing for or possessing snapper-grouper species. This rule also allows the use of powerheads in Federal waters off South Carolina to harvest snapper-grouper species. The purpose of this rule is to modify fishing gear requirements to promote best fishing practices and to ensure consistent regulations for the dive component of the snapper-grouper fishery.

**DATES:** This final rule is effective on July 15, 2020.

**ADDRESSES:** Electronic copies of Regulatory Amendment 29 may be obtained from [www.regulations.gov](http://www.regulations.gov) or the NMFS Southeast Regional Office website at <https://www.fisheries.noaa.gov/action/regulatory-amendment-29-gear-requirements-south-atlantic-snapper-grouper-species>. Regulatory Amendment 29 includes an environmental assessment, a Regulatory Flexibility Act (RFA) analysis, and a regulatory impact review.

**FOR FURTHER INFORMATION CONTACT:** Frank Helies, NMFS Southeast Regional Office, telephone: 727-824-5305, or email: [frank.helies@noaa.gov](mailto:frank.helies@noaa.gov).

**SUPPLEMENTARY INFORMATION:** NMFS and the Council manage the snapper-grouper fishery under the FMP. The FMP was prepared by the Council and is implemented by NMFS through regulations at 50 CFR part 622 under the authority of the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act) (16 U.S.C. 1801 *et seq.*).

On April 21, 2020, NMFS published a proposed rule for Regulatory Amendment 29 in the **Federal Register** and requested public comment (85 FR 22118, April 21, 2020). The proposed rule and Regulatory Amendment 29 outline the rationale for the actions contained in this final rule. A summary of the management measures described in Regulatory Amendment 29 and implemented by this final rule is provided below.

#### Management Measures Contained in This Final Rule

This final rule requires: Descending devices be on board all commercial, charter vessels and headboats (for-hire), and private recreational vessels while fishing for or possessing snapper-grouper species; the use of non-offset, non-stainless steel circle hooks when