

unless authorized by the Captain of the Port, Hampton Roads or his designated representatives.

(2) The operator of any vessel in the immediate vicinity of this safety zone shall:

(i) Stop the vessel immediately upon being directed to do so by any commissioned, warrant or petty officer on shore or on board a vessel that is displaying a U.S. Coast Guard Ensign.

(ii) Proceed as directed by any commissioned, warrant or petty officer on shore or on board a vessel that is displaying a U.S. Coast Guard Ensign.

(A) The Captain of the Port, Hampton Roads and the Sector Duty Officer at Sector Hampton Roads in Portsmouth, Virginia can be contacted at telephone Number (757) 668-5555 or (757) 484-8192.

(B) The Coast Guard Representatives enforcing the safety zone can be contacted on VHF-FM 13 and 16.

(d) *Effective date:* This regulation is effective from 8:45 p.m. to 10 p.m. on July 1, 2006.

Dated: May 2, 2006.

**Patrick B. Trapp,**

*Captain, U.S. Coast Guard, Captain of the Port, Hampton Roads.*

[FR Doc. E6-7532 Filed 5-17-06; 8:45 am]

**BILLING CODE 4910-15-P**

## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

#### 50 CFR Part 622

[I.D. 051106B]

RIN 0648-AT75

#### Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Snapper-Grouper Fishery Off the Southern Atlantic States; Amendment 13C

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

**ACTION:** Announcement of availability of an amendment to a fishery management plan; request for comments.

**SUMMARY:** The South Atlantic Fishery Management Council (Council) has submitted Amendment 13C to the Fishery Management Plan for the Snapper-Grouper Fishery of the South Atlantic Region (FMP) for review, approval, and implementation by NMFS. The amendment would end overfishing of snowy grouper, golden tilefish, vermilion snapper, and black sea bass, and increase the catch of red

porgy consistent with an updated stock assessment.

**DATES:** Comments must be received no later than 5 p.m., eastern time, on July 17, 2006.

**ADDRESSES:** You may submit comments by any of the following methods:

• E-mail: [0648-AT75.NOAA@noaa.gov](mailto:0648-AT75.NOAA@noaa.gov). Include in the subject line the following document identifier: 0648-AT75.

• Federal e-Rulemaking Portal: <http://www.regulations.gov>. Follow the instructions for submitting comments.

• Mail: Julie Weeder, Southeast Regional Office, NMFS, 263 13<sup>th</sup> Avenue South, St. Petersburg, FL 33701.

• Fax: 727-824-5308; Attention: Julie Weeder.

Copies of Amendment 13C, which includes a Final Environmental Impact Statement, a Regulatory Impact Review, and an Initial Regulatory Flexibility Analysis, are available from the South Atlantic Fishery Management Council, 1 Southpark Circle, Suite 306, Charleston, SC 29407-4699; e-mail: [safmc@safmc.net](mailto:safmc@safmc.net).

**FOR FURTHER INFORMATION CONTACT:** Julie Weeder, 727-551-5753; fax: 727-824-5308; e-mail: [julie.weeder@noaa.gov](mailto:julie.weeder@noaa.gov).

**SUPPLEMENTARY INFORMATION:** The snapper-grouper fishery off the southern Atlantic states is managed under the FMP. The FMP was prepared by the Council and is implemented under the authority of the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act) by regulations at 50 CFR part 622.

The Magnuson-Stevens Act requires a regional fishery management council to submit any amendment to a fishery management plan to NMFS for review, approval, disapproval, or partial approval. The Magnuson-Stevens Act also requires that NMFS, upon receiving an amendment, publish a notice in the *Federal Register* stating that the amendment is available for public review and comment.

#### Background

The Council began developing the actions in Amendment 13C in 2003 to eliminate or phase out overfishing of snowy grouper, golden tilefish, vermilion snapper, and black sea bass, as mandated by the Magnuson-Stevens Act. The amendment will also allow an increase in the catch of red porgy, consistent with an updated stock assessment.

#### Proposed Actions

Amendment 13C, if implemented, would reduce and phase in the snowy grouper quota and trip limit over 3 years and limit possession to one per person

per day within the 5-grouper per person per day aggregate recreational bag limit. For golden tilefish, the annual commercial quota and trip limit would be reduced. The golden tilefish commercial trip limit would be further reduced each year if 75 percent of the quota was taken by September 1, in an attempt to achieve a year-round fishery. For the recreational sector, possession would be limited to one per person per day within the 5-grouper per person per day aggregate bag limit. An annual commercial quota would be established for vermilion snapper, and the recreational minimum size limit would increase from 11 inches (27.9 cm) total length (TL) to 12 inches (30.5 cm) TL. For black sea bass, an annual commercial quota would be established and phased in over 3 years; fishermen would be required to use at least 2-inch (5.1-cm) mesh for the entire back panel of black sea bass pots; the commercial and recreational fishing year would change from the calendar year to June 1 through May 31; and black sea bass pots would be required to be removed from the water once the commercial quota is met. A black sea bass recreational allocation would also be established and would be phased in over 3 years; the recreational size limit would increase from 10 inches (25.4 cm) TL to 12 inches (30.5 cm) TL and be phased in over 2 years; and the recreational bag limit would be reduced from 20 to 15 per person per day. For red porgy, a commercial quota would be established, the commercial trip limit would be increased, and the recreational bag limit would increase from 1 to 3 red porgy per person per day.

The Council believes these actions provide the most biological, social, and economic benefits while allowing for adaptive management. The Magnuson-Stevens Act requires the regional fishery management councils and NMFS to implement measures to end overfishing. Recent stock assessments indicated snowy grouper, golden tilefish, vermilion snapper, and black sea bass are undergoing overfishing, and that red porgy is rebuilding from an overfished status and is not undergoing overfishing. This action proposes measures to reduce harvests and end overfishing of these species. Additional background and rationale for the measures discussed above are contained in Amendment 13C.

#### Proposed Rule

A proposed rule that would implement the measures in Amendment 13C has been received from the Council. In accordance with the Magnuson-Stevens Act, NMFS is evaluating the

proposed rule to determine whether it is consistent with the FMP, the Magnuson-Stevens Act, and other applicable law. If that determination is affirmative, NMFS will publish the proposed rule in the **Federal Register** for public review and comment.

#### Consideration of Public Comments

Comments received by the end of the comment period on the notice of availability of the FMP, whether specifically directed to the FMP or the proposed rule, will be considered by NMFS in its decision to approve, disapprove, or partially approve Amendment 13C. Comments received after that date will not be considered by NMFS in this decision. All comments received by NMFS on Amendment 13C or the proposed rule during their respective comment periods will be addressed in the preamble of the final rule.

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

**Dated:** May 12, 2006.

**Alan D. Risenhoover,**

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

[FR Doc. E6-7586 Filed 5-17-06; 8:45 am]

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## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

#### 50 CFR Parts 622 and 635

[Docket No. 060425111-6111-01; I.D. 041906B]

**RIN 0648-AN09**

#### Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Reef Fish Fishery of the Gulf of Mexico; Amendment 18A

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

**ACTION:** Proposed rule; request for comments.

**SUMMARY:** NMFS issues this proposed rule to implement Amendment 18A to the Fishery Management Plan for the Reef Fish Resources of the Gulf of Mexico (Amendment 18A) prepared by the Gulf of Mexico Fishery Management Council (Council). This proposed rule would prohibit vessels from retaining reef fish caught under the recreational size and bag/possession limits when commercial quantities of Gulf reef fish are on board; adjust the number of persons allowed onboard when a vessel

with both commercial and charter vessel/headboat reef fish permits and a Certificate of Inspection (COI) is fishing commercially; prohibit use of Gulf reef fish, except sand perch or dwarf sand perch, as bait in any commercial or recreational fishery in the exclusive economic zone (EEZ) of the Gulf of Mexico, with a limited exception for crustacean trap fisheries; require a NMFS-approved vessel monitoring system (VMS) on board vessels with Federal commercial permits for Gulf reef fish, including charter vessels/headboats with such commercial permits; and require owners and operators of vessels with Federal commercial or charter vessel/headboat permits for Gulf reef fish to comply with sea turtle and smalltooth sawfish release protocols, possess on board specific gear to ensure proper release of such species, and comply with guidelines for proper care and release of incidentally caught sawfish and sea turtles. NMFS is also proposing to require annual permit application rather than application every 2 years (biennial). In addition, Amendment 18A would revise the total allowable catch (TAC) framework procedure to reflect current practices and terminology. The intended effects of this proposed rule are to improve enforceability and monitoring in the reef fish fishery in the Gulf of Mexico and to reduce mortality of incidentally caught sea turtles and smalltooth sawfish.

**DATES:** Comments must be received no later than 5 p.m., eastern time, on July 3, 2006.

**ADDRESSES:** You may submit comments on the proposed rule by any of the following methods:

- E-mail: 0648-AN09.Proposed@noaa.gov. Include in the subject line the following document identifier: 0648-AN09.
- Federal e-Rulemaking Portal: <http://www.regulations.gov>. Follow the instructions for submitting comments.
- Mail: Peter Hood, Southeast Regional Office, NMFS, 263 13<sup>th</sup> Avenue South, St. Petersburg, FL 33701.
- Fax: 727-824-5308; Attention: Peter Hood.

Copies of the Amendment 18A, which includes a Regulatory Impact Review (RIR), an Initial Regulatory Flexibility Analysis (IRFA), and an Environmental Assessment, may be obtained from the Gulf of Mexico Fishery Management Council, 2203 N. Lois Avenue, Suite 1100, Tampa, FL 33607; telephone: 813-348-1630; fax: 813-348-1711; e-mail: [gulfcouncil@gulfcouncil.org](mailto:gulfcouncil@gulfcouncil.org). Copies of the amendments may also be

downloaded from the Council's Web site at [www.gulfcouncil.org](http://www.gulfcouncil.org).

Comments regarding the burden-hour estimates or other aspects of the collection-of-information requirements contained in this proposed rule may be submitted in writing to Jason Rueter at the Southeast Regional Office address and to David Rostker, Office of Management and Budget (OMB), by e-mail at [David\\_Rostker@omb.eop.gov](mailto:David_Rostker@omb.eop.gov), or by fax to 202-395-7285.

#### FOR FURTHER INFORMATION CONTACT:

Peter Hood, telephone: 727-824-5305; fax: 727-824-5308; e-mail:

[Peter.Hood@noaa.gov](mailto:Peter.Hood@noaa.gov).

**SUPPLEMENTARY INFORMATION:** The fishery for reef fish is managed under the Fishery Management Plan for the Reef Fish Resources of the Gulf of Mexico (FMP) that was prepared by the Council. The FMP was approved by NMFS and implemented under the authority of the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act) by regulations at 50 CFR part 622.

#### Background

This proposed rule is intended to resolve several issues related to monitoring and enforcement of existing regulations and to reduce bycatch mortality of incidentally caught endangered sea turtles and smalltooth sawfish. In addition, Amendment 18A would update the framework procedure for setting TAC to reflect current terminology and stock assessment procedures.

#### Simultaneous Commercial and Recreational Harvest on a Vessel

This proposed rule would improve enforceability of the prohibition on sale of reef fish caught under the recreational bag limit by prohibiting persons aboard a vessel with a commercial reef fish permit from retaining reef fish species caught under recreational size and possession limits when the vessel has commercial quantities, i.e., fish in excess of applicable bag/possession limits, of any Gulf reef fish species aboard. By prohibiting retention of recreational reef fish catches on a commercial fishing trip, this alternative adds an at-sea component to enforcement of the prohibition on sale of recreationally caught reef fish. This measure also makes consistent across all reef fish the rules regarding retention of recreationally harvested fish on a commercial fishing vessel. Regulations for red grouper, gag, and black grouper specifically prohibit commercial reef fish vessels from possessing those species during the February 15 to March