

This notice is issued and published pursuant to sections 732(c)(2) and 777(i) of the Act, and 19 CFR 351.203(c).

Dated: August 4, 2026.

Christopher Abbott,

Deputy Assistant Secretary for Policy and Negotiations, performing the non-exclusive functions and duties of the Assistant Secretary for Enforcement and Compliance.

Appendix

Scope of the Investigations

The merchandise covered by these investigations is circular welded austenitic stainless line and pressure pipe of any diameter. This merchandise includes, but is not limited to, merchandise meeting the American Society for Testing and Materials (ASTM) and American Society of Mechanical Engineers (ASME) ASTM A-312/ASME SA312, ASTM A-358/ASME SA358, ASTM A-409/ASME SA409 or ASTM A-778 specifications, the American Petroleum Institute (API) specification 5LC, or comparable domestic or foreign specifications.

Excluded from the scope are: (1) welded stainless mechanical tubing, meeting ASTM A-554 or comparable domestic or foreign specifications; (2) boiler, heat exchanger, superheater, refining furnace, feedwater heater, and condenser tubing, meeting ASTM A-249, ASTM A-688 or comparable domestic or foreign specifications; (3) specialized tubing, meeting ASTM A-269, ASTM A-270 or comparable domestic or foreign specifications; and (4) welded stainless tubing having a wall thickness of less than 1.65 mm.

Also excluded from the scope of the investigations are any products covered by the existing antidumping and countervailing duty orders on *Welded Stainless Pressure Pipe from India*. See *Welded Stainless Pressure Pipe from India: Antidumping Duty and Countervailing Duty Orders*, 81 FR 81062 (November 17, 2016).

The subject imports are normally classified in subheadings 7305.31.6010, 7306.11.0010, 7306.11.0050, 7306.40.5005, 7306.40.5040, 7306.40.5062, 7306.40.5064, and 7306.40.5085 of the Harmonized Tariff Schedule of the United States (HTSUS). They may also enter under HTSUS subheadings 7306.40.5042, 7306.40.5044, 7306.40.5080, and 7306.40.5090. The HTSUS subheadings are provided for convenience and customs purposes only; the written description of the scope of these investigations is dispositive.

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[RTID 0648-XF938]

Snapper-Grouper Fishery of the South Atlantic; Requests for Exempted Fishing Permits

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

ACTION: Notice of receipt of applications for exempted fishing permits; request for comments.

SUMMARY: NMFS announces the receipt of three applications for exempted fishing permits (EFP) from the Florida Fish and Wildlife Conservation Commission (FWC), Georgia Department of Natural Resources (GADNR), and South Carolina Department of Natural Resources (SCDNR). If issued by NMFS, each EFP would exempt the applicable state agency and participating fishermen from specific Federal regulations applicable to the recreational harvest of red snapper in the South Atlantic. The applicants each propose to pilot test state data collection and management strategies for the recreational harvest of red snapper in 2026. The outcomes of the 2026 EFPs would inform the need and refinement of future EFP applications. The purposes of these EFPs are to improve data on recreational fishing effort, catch, and discards of red snapper in the South Atlantic and to inform the development of a long-term state-led management strategy for the recreational harvest of red snapper.

DATES: Written comments must be received no later than August 25, 2026.

ADDRESSES: You may submit electronic comments on any of the applications via the Federal e-Rulemaking Portal. Go to <https://www.regulations.gov> and type “NOAA-NMFS-2026-2245” in the Search box. Click the “Comment” icon, complete the required fields, and enter or attach your comments.

Comments sent by any other method, to any other address or individual, or received after the end of the comment period will not be considered by NMFS. All comments received are a part of the public record and will generally be posted for public viewing on <https://www.regulations.gov> without change. All personal identifying information (e.g., name and address), confidential business information, or otherwise sensitive information submitted voluntarily by the sender will be publicly accessible. NMFS will accept

anonymous comments. Enter “N/A” in the required fields if you wish to remain anonymous.

Electronic copies of the EFP applications may be obtained from the Southeast Regional Office website at <https://www.fisheries.noaa.gov/southeast/recreational-fishing-data/south-atlantic-red-snapper-state-data-collection-and-management>.

FOR FURTHER INFORMATION CONTACT:

Andy Strelcheck, phone: 727-824-5305, email: andy.strelcheck@noaa.gov.

SUPPLEMENTARY INFORMATION:

Background

The EFPs are requested under the authority of the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act; 16 U.S.C. 1801 *et seq.*), regulations at 50 CFR 600.745(b) concerning exempted fishing, the Fishery Management Plan for the Snapper-Grouper Fishery of the South Atlantic Region (Snapper-Grouper FMP), and the implementing regulations at 50 CFR part 622, subpart I.

On July 10, 2026, FWC, GADNR, and SCDNR (collectively, “the applicants”) each submitted an EFP application for NMFS review. The North Carolina Division of Marine Fisheries (NCDMF) did not submit an EFP application and has instead requested a separate Federal waters recreational red snapper season. The stated primary purposes for these EFPs are to improve data on recreational fishing effort, catch, and discards of red snapper in the South Atlantic, and to inform the development of a long-term state-led management strategy for the recreational harvest of red snapper. Additional purposes for the EFPs include: (1) evaluating mandatory electronic reporting programs for monitoring catch; (2) providing recreational fishermen on privately owned vessels (private vessels, private anglers) and the owners or operators of charter vessels or headboats (for-hire fishermen) increased fishing opportunities for red snapper; (3) quantifying angler participation and characterizing angler behavior; and (4) collecting related biological information from the fishery. The percent standard error estimates for the recreational harvest of red snapper are high, indicating low precision and significant uncertainty that would benefit from improved data collection efforts and approaches. Better data could reduce the uncertainty around the estimates of harvest and discards from the recreational sector. These proposed EFPs aim to address these challenges by improving recreational catch estimation

and reducing discards so fishing opportunities can increase.

The geographic locations of the states' proposed projects are South Atlantic state and Federal waters off Florida, Georgia, and South Carolina. Currently, red snapper data from the recreational sector are collected through NMFS' Marine Recreational Information Program (MRIP) and the Southeast Headboat Survey, and supplemented by FWC's specialized East Coast Red Snapper (ECRS) survey and various state carcass collection programs. NMFS collaborated with Florida to develop the ECRS in 2012 to provide more accurate estimates of in-season red snapper landings given MRIP's limitations in generating precise and timely in-season estimates during the short Federal seasons supported by recreational annual catch limits (ACLs) in recent years.

The applicants propose to use an existing state-based survey (FWC) certified by NMFS, or test new mandatory or voluntary electronic methods for data collection (FWC, GADNR, SCDNR) during extended state and Federal recreational red snapper fishing seasons to further increase the precision of recreational catch, effort, and discard estimates. The applicants collaborated to develop similar proposals, and this notice addresses the three state applications together due to similarities between the applicants' desired timing for the proposed projects. This notice summarizes the states' applications for EFPs by the shared features, and then describes unique project elements by state. Reference the individual state EFP applications for complete details of each proposed project at the website in the **ADDRESSES** section.

None of the applicants' proposed projects would apply to commercial harvest of red snapper in South Atlantic state or Federal waters. Commercial harvest in South Atlantic Federal waters opened on July 13, 2026, and will close if NMFS determines landings reach or are projected to reach the 102,951-pound commercial ACL during the fishing year.

Project Descriptions and Shared Elements

The proposed projects summarized in this notice would apply to the recreational harvest of red snapper in state and Federal waters off Florida, Georgia, and South Carolina during 2026. The applicants state that the proposed EFP projects would provide more precise estimates of recreational fishermen targeting red snapper, fishing effort and catch, and would gather

information that may be used for further state involvement in management of the resource.

Each of the applicants have proposed harvest limits for red snapper off the respective states for the 2026 recreational seasons. FWC has requested a limit of 185,379 red snapper, GADNR has requested a limit of 10,759 red snapper, and SCDNR has requested a limit of 19,253 red snapper. The applications detail the methods used to calculate the expected harvest amounts during the extended recreational seasons and proposed limits. In summary, the applicants first removed commercial landings and dead discards (the number fish not kept and estimated to die) from the 509,000 fish total ACL specified in the final rule for Secretarial Amendment 59 to the Snapper-Grouper FMP (Secretarial Amendment) (90 FR 24527, June 11, 2025). The applicants then reduced the estimated recreational dead discards associated with the total ACL (463,033 fish) using the ratio of MRIP to FWC State Reef Fish Survey (SRFS) dead discards from 2021 through 2024 (2.15). The SRFS-equivalent amount of dead discards (215,344 fish) was then subtracted from the recreational portion of dead discards associated with the total ACL, resulting in a difference of 247,688 fish. The current recreational ACL of 22,797 fish (landings only), established by the Secretarial Amendment, was then converted to a SRFS equivalent of 2,871 fish using the ratio of MRIP to SRFS landings from 2021 through 2024 (7.94). The resulting amount of landed fish was then added to the difference in dead discards to calculate a proposed total harvest level for South Atlantic red snapper (247,688 plus 2,871 equals 250,559 fish). The catch level of 250,559 fish is inclusive of catch that was also expected to occur off North Carolina. The cumulative harvest level requested by FWC, GADNR, and SCDNR is 215,391 red snapper.

The applicants would manage red snapper harvest through near real-time monitoring of trip-level notification and reporting requirements. GADNR and SCDNR would use a census-based electronic data collection method to generate effort and catch estimates from private anglers, while FWC would estimate monthly private angler effort and catch using SRFS and secondarily using a voluntary smartphone web-based application (phone app) to gather trip level information. For-hire effort and catch will be estimated via the MRIP For-hire Survey in Florida, the Federal for-hire logbook reporting program in South Carolina and Georgia, and Southeast Region Headboat Survey

across all three states. Red snapper harvest would also be managed through bag limits, a size limit (SCDNR), and enforcement and outreach support.

Participants, Permits, and License Requirements

Recreational fishermen participating under an EFP would include state-permitted private anglers, and state or federally permitted for-hire fishermen. Any discussion in this notice that relates to an angler that has paid, or provided other compensation, to access fish from a for-hire vessel is described as a paying angler on a for-hire vessel.

Each project would allow the recreational harvest of red snapper in state and Federal waters daily during October with additional fishing days possible in December. All red snapper harvest would be closed in November under all proposed projects. During November, each applicant would evaluate its October landings data relative to its proposed harvest limit to determine whether further red snapper harvest is available in December under an EFP. If an applicant determines that red snapper landings have not reached its proposed harvest limit, the applicant would allow for further fishing days in December so its participants could harvest up to the proposed limit and would communicate those dates to NMFS. If an applicant estimates that the number of fish landed under an EFP will reach the proposed harvest limit during the recreational season, the applicant would prohibit harvest under its individual EFP and in state waters for the rest of 2026. The applicant would communicate a harvest closure with participants through email and other electronic media. The applicants proposed other harvest accountability measures and those are discussed in the state sections later. All of the proposed projects would end after December 31, 2026. The applicants proposed these recreational seasons to gather baseline data over a longer and more varied period compared to recent Federal seasons, and after consideration of fishery and environmental data, and public input.

To participate as a private angler or for-hire fisherman in any of the proposed projects and be exempted from Federal regulations for recreational red snapper harvest, a participant must follow all of the requirements under the EFP issued to the state in which they are licensed and will land the fish. Participating private anglers and for-hire operators landing red snapper in the states granted EFPs would be required to have the necessary state and Federal permits and licenses for the states where

they will land the fish. All of the applicants have proposed that any fishing trip under an EFP would need to begin and end in the respective state.

Bag Limits

The recreational bag limit would be one red snapper per person per day. Additionally, each of the applicants propose that the captain and crew of a for-hire vessel may not retain red snapper. Further harvest controls by each state applicant as applicable are summarized later.

Monitoring and Reporting

Participants in all states would be required to submit a mandatory trip declaration prior to each trip. Participants in Georgia and South Carolina would be required to report electronically to the applicable state agency after a fishing trip. Participants in Florida would be required to report to SRFS and may also voluntarily report through an FWC phone app. Participants in Georgia and South Carolina would be required to complete and submit a trip report before they can initiate a new trip. Methods to submit the mandatory trip report would vary by state and whether fishing would occur as a private angler or on a vessel operated by a for-hire fisherman. More information on reporting requirements are found in the Project Summaries by State section of this notice.

Reports to NMFS

The applicants would meet with NMFS near the end of 2026 to discuss outcomes of the recreational fishing season and provide final project reports to NMFS by April 30 (GADNR and SCDNR) and May 31, 2027 (FWC). The reports would contain the various data with analyses of results and how project goals were achieved while outlining lessons learned and suggested improvements to enhance data collection, reporting, and future management. The applicants would use the data to refine harvest estimates and project parameters for any subsequent EFP applications.

These proposed extended recreational seasons would replace the Federal recreational season annually announced by NMFS under current regulations. Unless specifically exempted under an EFP, current Federal regulations will continue to apply. For example, if a regulatory closure occurs in-season for any species other than for recreationally harvested red snapper, EFP participants would be prohibited from harvesting that species. Participation under each EFP may require additional or more restrictive provisions than current

Federal regulations, such as a state license requirement or different harvest limit, and those provisions are summarized later by state and detailed in each application.

Project Summaries by State

Florida

The pilot project would test two methods of recreational data collection to improve monitoring of red snapper fishing effort, landings, and discards by private anglers and for-hire fishermen in state and Federal waters during the proposed recreational fishing season in 2026. FWC has requested a harvest limit of 185,379 red snapper.

Participants, Permits, and License Requirements

FWC would allow for participation under the proposed project if applicable state license and Federal permit requirements are met. A private angler would need a valid saltwater recreational fishing license issued by Florida (or otherwise be exempt) and a valid SRFS endorsement to fish in state and Federal waters. For-hire fishermen would need a state for-hire permit to fish in state waters only, while the same state permit and a Federal charter vessel/headboat permit for snapper-grouper would be required to fish in state and Federal waters. FWC would also require state and federally licensed for-hire participants to sign up for the Atlantic For-Hire Reef Fish Registry. FWC proposes that the harvest of red snapper under an EFP would be allowed by hook-and-line and spearfishing gear.

Aggregate Bag Limit

In addition to a maximum of one red snapper per person each day, FWC proposes to manage red snapper harvest as part of a 10-fish aggregate bag limit of multiple snapper-grouper species to test whether such a limit could reduce discard mortality of the aggregate species. The proposed composition and limits for the species in the aggregate are detailed in the FWC application linked in the **ADDRESSES** section. Once a participant reaches any combination of 10 fish from the aggregate bag limit, they would be required to stop bottom fishing for federally managed snapper-grouper species for the remainder of the trip to minimize catch and reduce discard mortality of other snapper-grouper species. Fishermen may still target other species managed by the state or NMFS after reaching the aggregate limit, such as coastal migratory pelagic species, like king mackerel.

Monitoring and Reporting

FWC would use SRFS and a voluntary phone app for trip reporting. FWC would require private anglers and for-hire operators to submit a mandatory trip declaration using the phone app before each fishing trip. A trip declaration could provide additional insight into intended and actual fishing effort during the fishing season. Private anglers and for-hire captains fishing under the EFP would be required to report information about the trip, landings, and discards through SRFS. FWC would also encourage participants to voluntarily submit the same trip information through the voluntary phone app. Trip reports submitted voluntarily through the phone app would need to occur within 24 hours after a fishing trip ends. FWC would evaluate the utility of the phone app as a method for collecting recreational data and comparing those data with those sourced through SRFS. Data collected would include elements such as the number of fish harvested and released, and the number of fish released alive and dead. For-hire fishermen would continue to report all for-hire trips under an EFP as required by existing regulations (50 CFR 622.176(b)).

FWC would monitor landings and prohibit red snapper harvest if landings reached the proposed harvest limit. Moreover, if red snapper landed under an EFP during 2026 reach 141.5 percent of the proposed harvest limit, FWC has proposed to discuss with NMFS a potentially reduced red snapper harvest limit in any future EFP application.

Enforcement

FWC's proposed enforcement strategy for the pilot project would combine direct field monitoring by state and Federal agents with efforts to educate stakeholders regarding the project's requirements. FWC managers would closely coordinate with law enforcement, field biologists, and phone staff to ensure all parties are informed of the project's specific requirements, such as the aggregate bag limit. Participant registration would allow for law enforcement to verify participants' identities. Furthermore, FWC staff would conduct dockside sampling and angler interviews at access points to validate catch data and ensure adherence to the experimental fishing guidelines, including verifying the possession and recording the use of descending devices.

Outreach

FWC would implement a targeted outreach plan for EFP participants to

minimize confusion and increase compliance. Outreach would include information on how the aggregate bag limit would change throughout the fishing season for some snapper-grouper species as the fishing season for some species could be open or closed to harvest. FWC has already developed outreach materials for the aggregate bag limit, which have been tested recently under other issued EFPs. FWC would also disseminate information and requirements through community networks and fishing groups. Additionally, FWC would seek to match state water regulations with EFP requirements in Federal waters. Identical regulations in state and Federal waters would help to minimize confusion, enhance compliance, and augment enforcement.

Florida would provide NMFS with a draft progress report summarizing the preliminary results of project activities for review and comment by March 1, 2027.

Georgia

GADNR has requested an EFP to conduct a pilot study to test a state-based data collection system for the recreational harvest of red snapper off Georgia in state and Federal waters. GADNR has requested a harvest limit of 10,759 red snapper for its proposed recreational fishing season in 2026.

Participants, Permits, and License Requirements

GADNR would allow for participation under the proposed project if applicable state license and Federal permit requirements are met. Private anglers would be required to possess a valid Georgia recreational fishing license and a free annual Saltwater Information Program permit. For-hire fishermen would be required to be properly licensed in Georgia and, when operating in Federal waters, to hold a valid Federal charter vessel/headboat permit for snapper-grouper. GADNR would also provide each for-hire vessel a personalized letter of permission, which must be on the vessel during the EFP period. All participants would be required to register with the state's electronic data reporting application and follow all mandatory reporting conditions. GADNR does not propose a fishing gear limitation for participation in the EFP. Therefore, the current allowable gear types for recreational fishing in the snapper-grouper fishery would continue to apply.

Monitoring and Reporting

GADNR proposes to use VESL, an electronic reporting application

developed by Bluefin Data LLC, to collect data from private anglers. As a condition of participation under the EFP and before fishing may occur, private anglers would need to declare each trip via the VESL application no earlier than 5 days before departure. Upon declaring a trip, private anglers would receive a trip authorization code. Each participant would then need to complete and submit a mandatory trip report no later than 24 hours after the trip departure time. The mandatory trip report would need to be completed and submitted prior to receiving an authorization code to initiate a new trip. Consistent with current state law, the project would require each private angler to submit a report—except under certain circumstances, when an alternate trip participant would be allowed to submit data on another angler's behalf. For example, a participant that is a parent or guardian could report on behalf of a non-licensed child that is fishing under an EFP. The data collected through VESL could include trip length and end time, depth fished, the number of red snapper harvested or released, and whether fish were alive or dead upon release. Mandatory trip reporting by for-hire fishermen would continue under existing requirements at 50 CFR 622.176(b). During November, red snapper harvest would be closed, although GADNR would ask participants to continue to abide by trip notification and reporting requirements for any fishing trips occurring then.

Enforcement

Compliance with the EFP would be enforced by GADNR law enforcement in cooperation with other state and Federal partners, who would conduct at-sea and dockside intercepts to verify that private anglers have obtained the required licenses and trip authorization codes. Officers would also monitor for-hire fishing activity to ensure that mandatory trip reports are submitted following the landing of any red snapper. Additionally, GADNR would utilize law enforcement engagement and data from the existing MRIP to identify and determine rates of non-compliance during 2026. GADNR would provide weekly in-season reporting of unadjusted absolute landings to NMFS based on a Monday through Sunday reporting week.

Outreach

To support the successful implementation of the 2026 project, GADNR would develop and distribute a variety of outreach materials to educate private anglers and for-hire fishermen about the participation requirements

and expectations. These materials would include a dedicated web page to provide project information, support for VESL, and best fishing practices. Further, GADNR plans to staff a phone help line to assist project participants.

Georgia would provide to NMFS a draft progress report summarizing the preliminary results of the project for review and comment by January 31, 2027. Georgia would meet with the other applicants and NMFS in early 2027 to discuss outcomes of its EFP project and how improvements could be incorporated into future EFP applications.

South Carolina

SCDNR has applied for an EFP to conduct a pilot study to test a state-based data collection system for the recreational harvest of red snapper off South Carolina in state and Federal waters. SCDNR has requested a harvest limit of 19,253 red snapper for its proposed recreational fishing season in 2026.

Participants, Permits, and License Requirements

SCDNR would allow a fisherman to harvest red snapper under the EFP if applicable state license and Federal permit requirements are met. Private anglers would be required to possess an existing state saltwater fishing license (or otherwise be exempt) and a state-issued experimental red snapper harvest permit. To fish in Federal waters, a for-hire fisherman would need a state charter vessel or headboat license, and Federal charter vessel/headboat permit for snapper-grouper. To prevent causing an increase of new for-hire fishermen who seek to participate under an EFP and to harvest red snapper, SCDNR would require that fishermen must have been in possession of a valid Federal for-hire permit any time between July 1 and December 31, 2025. All participating private anglers and for-hire fishermen would need to possess a copy of the EFP while fishing. SCDNR would distribute a digital copy of the issued EFP to all participating private anglers and for-hire fishermen. Harvest of red snapper under an EFP would be allowed by hook-and-line (specifically rod and reel, handline, or bandit gear) and spearfishing gear.

Minimum Size Limit

In addition to the daily bag limit of one red snapper, SCDNR has proposed a minimum size limit for red snapper of 20 inches (approximately 51 centimeters) in total length, which would match the current minimum size limit in state waters. SCDNR stated that

such a limit in Federal waters off South Carolina would provide compliance and enforcement benefits across jurisdictions. All other provisions for red snapper and other species would remain in effect.

Monitoring and Reporting

Participating private anglers and for-hire fishermen would use VESL, a data reporting program to register to fish. VESL is the application currently used to collect electronic for-hire data from state licensed and federally permitted charter vessels and headboats. To participate under the EFP, private anglers must declare each trip via the VESL application no earlier than 5 days before departure, and then complete and submit a mandatory trip report no later than 24 hours after the trip departure time. Upon declaring a trip, private anglers would receive a trip authorization code, which must be presented to law enforcement for inspection upon request. Under certain circumstances, alternate trip participants may submit data on another angler's behalf. To ensure compliance and data integrity, the VESL system is designed so that a new trip cannot be initiated or authorized until the previous trip's report has been completed and submitted. For-hire fishermen would continue mandatory reporting through the same VESL application in compliance with existing requirements at 50 CFR 622.176(b). The data collected through the SCDNR project could include elements such as the number of red snapper harvested, the number of fish released alive or dead, primary depth fished, and total hours spent fishing. During November, red snapper harvest would be closed, although SCDNR would continue to require notification and reporting requirements for any fishing trips participants take that month. To encourage continued compliance in November with required trip declaration and report submissions, SCDNR would offer material incentives to participants.

Enforcement

Compliance with the EFP regulations would be enforced by SCDNR law enforcement officers, who would conduct inspections both at sea and at landing locations. Officers would verify that all private anglers and for-hire fishermen possess the necessary valid licenses and permits. During these encounters, enforcement personnel would verify the trip authorization code from private anglers for the specific trip. To ensure data integrity, enforcement officers would also monitor for-hire fishermen to verify that landed fish

correspond with submitted mandatory reports. SCDNR would provide unadjusted absolute harvest and discard values for red snapper collected during October.

Outreach

To support the successful implementation of the 2026 pilot program, SCDNR has proposed an outreach and education campaign to ensure angler compliance and build positive momentum for the new data reporting program. Prior to and during a red snapper recreational season, SCDNR would use email and other electronic communication, and in-person communication to clearly communicate permit and reporting requirements. A dedicated website would provide instructional videos for the VESL application, and guides to assist with accurate data entry and reporting. During the fishing season, SCDNR staff and law enforcement would engage directly with participants at docks to distribute materials, assist with the post-trip reporting process, and collect or verify biological data.

SCDNR would provide to NMFS a draft progress report summarizing the preliminary results of the project for review and comment by November 16, 2026. At this time, SCDNR would also coordinate with NMFS to determine the viability of a December harvest period.

Requested Exemptions

The applicants have each requested exemptions to certain Federal regulations for the proposed projects in the South Atlantic.

1. 50 CFR 622.181(c)(2) limits the harvest and possession of red snapper to the specified season, and applies these limitations to a federally permitted for-hire vessel in both state and Federal waters.

2. 50 CFR 622.183(b)(5)(i) specifies when the recreational season will occur each year.

3. 50 CFR 622.193(y)(2) specifies the annual catch limit and accountability measures applicable to the recreational harvest of red snapper.

NMFS Preliminary Finding

NMFS finds the applications warrant further consideration based on a preliminary review. The applications are considered together in this notice because of the similar nature. However, each application is independent and will be considered individually as part of the overall management of red snapper. If issued by NMFS, an EFP may impose possible conditions, including but not limited to a prohibition on fishing within marine

protected areas, marine sanctuaries, or special management zones without additional authorization.

Final decisions on issuance of EFPs and the regulatory exemptions will depend on NMFS' review of public comments received on the applications, consultations with the appropriate fishery management agencies of the affected states, the South Atlantic Fishery Management Council, and the U.S. Coast Guard, and a determination that the activities to be taken under the EFPs are consistent with all other applicable laws.

Additional Background

In early May 2026, NMFS issued EFPs to FWC, GADNR, SCDNR, and NCDMF. Each EFP authorized an expanded recreational fishing season in 2026 for South Atlantic red snapper in Federal waters off each respective state.

On May 5, 2026, Plaintiffs in *Southeastern Fisheries Association, Inc. v. Lutnick*, No. 1:26-cv-1533 (D.D.C.) filed a lawsuit challenging the issuance of the EFPs under the Administrative Procedure Act.

On May 21, 2026, the United States District Court for the District of Columbia issued an order granting the Plaintiffs' motion for a preliminary injunction, halting activities under all four of the EFPs that authorized the 2026 state recreational red snapper seasons in the South Atlantic.

On June 18, 2026, GADNR requested to withdraw their application and relinquish their EFP. On June 19, 2026, FWC, SCDNR, and NCDMF requested NMFS to cancel the issued EFPs. NMFS subsequently rescinded all four EFPs in a separate letter to each state on June 26, 2026.

The EFPs requested in the three new applications from FWC, GADNR, and SCDNR addressed in this notice include additional information found lacking by the Court and otherwise address issues where the Court found the underlying record insufficient to support the agency's decisions.

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

Dated: August 5, 2026.

Shannon Bettridge,

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

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