

Amendment 56 to the Fishery Management Plan for the Reef
Fish Resources of the Gulf of Mexico

Draft Regulatory Text

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 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 § 622.34, revise paragraph (e) to read as
follows:

**§ 622.34 Seasonal and area closures designed to protect
Gulf reef fish.**

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(e) *Seasonal closure of the recreational sector for
gag.* The recreational harvest of gag in or from the Gulf
EEZ is closed from January 1 through August 31. During the
closure, the bag and possession limits for gag harvested in
or from the Gulf EEZ are zero.

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3. In § 622.39, revise paragraph (a)(1)(iii)(B) to

Commented [A1]: Action 1 would modify status determination criteria and would not affect regulations by itself. Accordingly, Action 1 is not noted further.

Commented [A2]: Action 4, Alternative 3. Recreational season.

Commented [A3]: This instruction would apply to a final rule implemented the day following the effectiveness of the temporary rule for gag.

read as follows:

§ 622.39 Quotas.

* * * * *

(a) * * *

(1) * * *

(iii) * * *

(B) *Gag*. See Table 1.

Table 1 to Paragraph (a) (1) (iii) (B)

Year	Commercial quota in lb (kg)
2024	147,000 (66,818)
2025	204,000 (92,727)
2026	255,000 (115,909)
2027	313,000 (142,273)
2028	383,000 (174,091)

Commented [A4]: Action 3.2, Alternative 3. Set the commercial quota equal to the commercial ACT. See also § 622.41(d)(1) below.

Commented [A5]: The preamble will address that the 2028 catch levels would continue until modified.

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4. In § 622.41, revise paragraph (d) to read as follows:

Commented [A6]: This instruction would apply to a final rule implemented the day following the effectiveness of the temporary rule for gag.

§ 622.41 Annual catch limits (ACLs), annual catch targets (ACTs), and accountability measures (AMs).

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(d) *Gag*--(1) *Commercial sector*. See Table 1 for the commercial ACLs in gutted weight. The commercial ACT for gag is equal to the applicable commercial quota specified in § 622.39(a) (1) (iii) (B). The IFQ program for groupers and tilefishes in the Gulf of Mexico serves as the accountability measure for the commercial harvest of gag.

Commented [A7]: Action 3.2, Alternative 3. Commercial quota equal to commercial ACT.

Table 1 to Paragraph (d) (1)

Year	Commercial ACL in lb (kg)
2024	155,000 (70,455)
2025	215,000 (97,727)
2026	269,000 (122,273)
2027	330,000 (150,000)
2028	404,000 (183,636)

Commented [A8]: Action 2, Alternative 3b.

(2) *Recreational sector.*

(i) See Table 1 for the recreational ACLs and ACTs in gutted weight.

Table 1 to Paragraph (d) (2) (i)

Year	Recreational ACL in lb (kg)	Recreational ACT in lb (kg)
2024	288,000 (130,909)	230,000 (104,545)
2025	399,000 (181,364)	319,000 (145,000)
2026	499,000 (226,818)	399,000 (181,364)
2027	613,000 (278,636)	490,000 (222,727)
2028	751,000 (341,364)	600,000 (272,727)

Commented [A9]: Action 2, Alternative 3b.

Commented [A10]: Action 3.1, Alternative 3.

(ii) If the NMFS SRD estimates that gag recreational landings have reached or are projected to reach the applicable recreational ACT specified in paragraph (d) (2) (i) of this section, the AA will file a notification with the Office of the Federal Register to close the recreational sector for the remainder of the fishing year.

Commented [A11]: Action 4, Alternative 3. "Modify the AMS to direct to NMFS prohibit harvest when the recreational ACT is projected to be met."

On and after the effective date of such a notification, the bag and possession limits of gag in or from the Gulf EEZ are zero. These bag and possession limits apply in the Gulf on board a vessel for which a valid Federal charter

vessel/headboat permit for Gulf reef fish has been issued, without regard to where such species were harvested, *i.e.*, in state or Federal waters.

(iii) In addition to the measures specified in paragraph (d)(2)(ii) of this section, if the NMFS SRD estimates that gag recreational landings have exceeded the applicable ACL specified in paragraph (d)(2)(i) of this section and gag is overfished based on the most recent status of U.S. Fisheries Report to Congress, the following measure will apply. The AA will file a notification with the Office of the Federal Register, at or near the beginning of the following fishing year, to reduce the ACL for that following year by the amount of the ACL overage in the prior fishing year, unless the best scientific information available determines that a greater, lesser, or no overage adjustment is necessary.

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Commented [A12]: Action 4, Alternative 3. "...remove the provision that requires NMFS to maintain the prior year's ACT if the ACL is exceeded in the previous year."