

For the reasons set out in the preamble, 50 CFR part 622 is proposed to be amended 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 § 622.381, revised paragraphs (a) and (b) to read as follows:

§ 622.381 Landing fish intact.

(a) *Intact fish requirement.* Cobia in or from the Gulf and in the South Atlantic EEZ south of a line extending due east from the Florida/Georgia border, and king mackerel and Spanish mackerel in or from the Gulf, Mid-Atlantic, or South Atlantic EEZ, except as specified for king mackerel and Spanish mackerel in paragraph (b) of this section, must be maintained with head and fins intact. Such fish may be eviscerated, gilled, and scaled, but must otherwise be maintained in a whole condition. The operator of a vessel that fishes in the EEZ is responsible for ensuring that fish on that vessel in the EEZ are maintained intact and, if taken from the EEZ, are maintained intact through offloading ashore, as specified in this section.

(b) ~~Damaged~~ king or Spanish mackerel. (1) *Commercial.*

Damaged king or Spanish mackerel in the Gulf, Mid-Atlantic, and

Commented [SS1]: Based on SA committee on 3/8, removed language throughout paragraph (b) for "cut off".

Definition is then provided within the commercial and recreational KM and SM text in this section for what "damaged fish" means for this fish intact applicability.

For commercial in (b)(1), that is the only change.

South Atlantic EEZ that comply with the minimum size limits in § 622.380(b) and (c), respectively, and the trip limits in § 622.385(a) and (b), respectively, may be possessed in the Gulf, Mid-Atlantic, or South Atlantic EEZ on, and offloaded ashore from, a vessel that is operating under the respective trip limits. Such damaged fish also may be sold. A maximum of five additional damaged king mackerel, not subject to the size limits or trip limits, may be possessed or offloaded ashore but may not be sold or purchased and are not counted against the trip limit. For the purposes of this paragraph (b) (1), damaged fish, refers to king or Spanish mackerel that are damaged only through natural predation.

Commented [SS2]: Damaged fish definition

(2) *Recreational*. Damaged king or Spanish mackerel in the Mid-Atlantic and South Atlantic EEZ that comply with the minimum size limits § 622.380(b) and (c), respectively, and the recreational bag and possession limits in § 622.382(a), may be possessed in the Mid-Atlantic or South Atlantic EEZ on, and offloaded ashore from, a vessel that is operating under the respective bag and possession limits. For the purposes of this paragraph (b) (2), damaged fish, refers to king or Spanish mackerel that are damaged only through natural predation.

Commented [SS3]: Action 5, Preferred Alt 2, 2a, and 2b

3. In § 622.382, revise paragraph (a) (1) (i) to read as follows:

Commented [SS4]: Damaged fish definition

§ 622.382 Bag and possession limits

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(a) * * *

Commented [SS5]: KM and SM

(1) * * *

Commented [SS6]: Bag limits

(i) Atlantic migratory group king mackerel - 3.

Commented [SS7]: Action 4, Preferred Alt 2. Increase bag limit off Florida. Now all Atlantic migratory group is at 3.

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4. In § 622.384, revise introductory paragraph (b) (2), and paragraphs (b) (2) (i) and (b) (2) (ii) to read as follows:

§ 622.384 Quotas.

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(b) * * *

Commented [SS8]: KM

(2) *Atlantic migratory group*. The Atlantic migratory group is divided into northern and southern zones. The descriptions of the zones are specified in § 622.369(a). Quotas for the northern and southern zones are as follows:

Commented [SS9]: removed year note in this intro para. no longer needed.

(i) *Northern zone*. The quota is 2,663,507 lb (1,208,146 kg) for the 2022-2023 fishing year, 2,306,207 lb (1,046,078 kg) for the 2023-2024 fishing year, 2,062,594 lb (935,577 kg) for the 2024-2025 fishing year, 1,892,064 lb (858,226 kg) for the 2025-2026 fishing year, and 1,770,258 lb (802,976 kg) for the 2026-2027 and subsequent fishing years. No more than 0.40 million lb (0.18 million kg) may be harvested by purse seine gear.

Commented [SS10]: Action 2, preferred Alt 1 based on Pref Alt 3 in Action 1.

(ii) *Southern zone*. The quota is 8,896,853 lb (4,035,545 kg) for the 2022-2023 fishing year, 7,703,373 lb (3,494,191 kg) for the 2023-2024 fishing year, 6,889,636 lb (3,125,086 kg) for

Commented [SS11]: This is the current allowance and has not been changed in CMP Am 34.

Commented [SS12]: Action 2, preferred Alt 1 based on Pref Alt 3 in Action 1.

the 2024-2025 fishing year, 6,320,021 lb (2,866,713 kg) for the 2025-2026 fishing year, and 5,913,152 lb (2,682,161 kg) for the 2026-2027 and subsequent fishing years.

(A) For the period March 1 through September 30, each year, the seasonal quota is 5,338,112 lb (2,421,327 kg) for the 2022-2023 fishing year, 4,622,024 lb (2,096,515 kg) for the 2023-2024 fishing year, 4,133,782 lb (1,875,052 kg) for the 2024-2025 fishing year, 3,792,012 lb (1,720,028 kg) for the 2025-2026 fishing year, and 3,547,891 lb (1,609,296 kg) for the 2026-2027 fishing year and subsequent fishing years.

Commented [SS13]: Action 2, Preferred Alt 1.
updated numbers for the seasonal quotas

(B) For the period October 1 through the end of February each year, the seasonal quota is 3,558,741 lb (1,614,218 kg) for the 2022-2023 fishing year, 3,081,349 lb (1,397,676 kg) for the 2023-2024 fishing year, 2,755,854 lb (1,250,034 kg) for the 2024-2025 fishing year, 2,528,008 lb (1,146,685 kg) for the 2025-2026 fishing year, and 2,365,261 lb (1,072,864 kg) for the 2026-2027 fishing year and subsequent fishing years.

(C) Any unused portion of the quota specified in paragraph (b) (2) (ii) (A) of this section will be added to the quota specified in paragraph (b) (2) (ii) (B) of this section. Any unused portion of the quota specified in paragraph (b) (2) (ii) (B) of this section, including any addition of quota specified in paragraph (b) (2) (ii) (A) of this section that was unused, will

Commented [SS14]: (C) is unchanged.

become void at the end of the fishing year and will not be added to any subsequent quota.

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5. In § 622.388, revise paragraphs (b) (1) (iii), (b) (2) (i), and (b) (3) to read as follows:

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

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(b) * * *

Commented [SS15]: Atlantic migratory group king mackerel

(1) * * *

Commented [SS16]: Commercial

(iii) The commercial ACL for the Atlantic migratory group of king mackerel is 11,560,360 lb (5,243,691 kg) for the 2022-2023 fishing year, 10,009,580 lb (4,540,269 kg) for the 2023-2024 fishing year, 8,952,230 lb (4,060,663 kg) for the 2024-2025 fishing year, 8,212,085 lb (3,724,939 kg) for the 2025-2026 fishing year, and 7,683,410 lb (3,485,136 kg) for the 2026-2027 fishing year and subsequent fishing years.

Commented [SS17]: Action 2, Comm ACL. Pref Alt 1 based on Preferred Alt 3 in Action 1.

(2) *Recreational sector.*

(i) If the recreational landings exceed the recreational ACL as specified in this paragraph and the sum of the commercial and recreational landings, as estimated by the SRD, exceeds the stock ACL, as specified in paragraph (b) (3) of this section, 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 bag limit by the amount necessary to ensure recreational landings may achieve the recreational ACT, but do not exceed the recreational ACL, in the following fishing year.

The recreational ACT is 16,914,489 lb (7,672,283 kg) for the 2022-2023 fishing year, 14,645,472 lb (6,643,074 kg) for the 2023-2024 fishing year, 13,098,416 million lb (5,941,342 kg) for the 2024-2025 fishing year, 12,015,476 lb (5,450,128 kg) for the 2025-2026 fishing year, and 11,241,947 lb (5,099,261 kg) for the 2026-2027 fishing year and subsequent fishing years. The

Commented [SS18]: Action 3, Rec ACT. Pref Alt 1 based on Preferred Alt 3 in Action 1.

recreational ACL is 19,599,640 lb (8,890,247 kg) for the 2022-2023 fishing year, 16,970,420 lb (7,697,653 kg) for the 2023-2024 fishing year, 15,177,770 lb (6,884,521 kg) for the 2024-2025 fishing year, 13,922,915 lb (6,315,328 kg) for the 2025-2026 fishing year, and 13,026,590 lb (5,908,762 kg) for the 2026-2027 fishing year and subsequent fishing years.

Commented [SS19]: Action 2, Rec ACL. Pref Alt 1 based on Preferred Alt 3 in Action 1.

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(3) The stock ACL for Atlantic migratory group king mackerel is 31,160,000 lb (14,133,938 kg) for the 2022-2023 fishing year, 26,980,000 lb (12,237,922 kg) for the 2023-2024 fishing year, 24,130,000 lb (10,945,184 kg) for the 2024-2025 fishing year, 22,135,000 lb (10,040,267 kg) for the 2025-2026 fishing year, and 20,710,000 lb (9,393,898 kg) for the 2026-2027 fishing year and subsequent fishing years.

Commented [SS20]: Action 1, Preferred Alt 3.

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§ 622.413 [Amended]

6. In § 622.413, remove and reserve paragraph (b) (1).

Commented [SS21]: Action 4 removes the direct link of incorporation by reference for the Florida bag limit currently in 622.413. This instruction removes that reference since no longer needed.