

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 § 622.2, the definition of migratory group is revised to read as follows:

\* \* \* \* \*

Migratory group, for king mackerel, Spanish mackerel, and cobia, means a group of fish that may or may not be a separate genetic stock, but that is treated as a separate stock for management purposes. King mackerel, Spanish mackerel, and cobia are divided into migratory groups--the boundaries between these groups are specified in § 622.369.

\* \* \* \* \*

3. In § 622.7, paragraph (b)(1) is revised to read as follows:

§ 622.7 Fishing years.

\* \* \* \* \*

(b) \* \* \*

(1) Gulf migratory group king mackerel--(i) Eastern Zone--

(A) Northern Zone--October 1 through September 30.

Comment [AME1]: Action 2, pref alt 3, option b

(B) Southern Zone--July 1 through June 30.

Comment [AME2]: Action 2, NO ACTION

(ii) Western Zone--September 1 through August 31.

Comment [AME3]: Action 2, Alt 2, option a; this is the Gulf Council preferred. The South Atlantic Council's current preferred is Alt 2, NO ACTION: July 1-June 30.

4. Add § 622.369 to subpart Q to read as follows:

§ 622.369 Description of zones.

Comment [AME4]: New section in the regulations. Reorganizes the CMP zone descriptions into a centralized location.

(a) Migratory groups of king mackerel. King mackerel are divided into the Gulf migratory group and the Atlantic migratory group. The Gulf migratory group is bound by a line extending east of the U.S./Mexico border and the summer/winter jurisdictional boundary. The Atlantic migratory group is bound by the summer/winter jurisdictional boundary and a line from the intersection point of Connecticut, Rhode Island, and New York (as described in § 600.105(a) of this chapter). From April 1 through October 31, the summer jurisdictional boundary separates the Gulf and Atlantic migratory groups of king mackerel by a line extending due west from the Monroe/Collier County, FL, boundary to the outer limit of the EEZ. From November 1 through March 31, the winter jurisdictional boundary separates the Gulf and Atlantic migratory groups of king mackerel by a line extending due east from the Volusia/Flagler County, FL, boundary to the outer limit of the EEZ. See Table 1 of this section for the boundary coordinates. See Figures 1 and 2 in Appendix G of this part for illustration.

(1) Gulf migratory group. The Gulf migratory group is divided into western and eastern zones separated by a line

extending due south from the Alabama/Florida border. See Table 1 of this section for the boundary coordinates. See Figures 1 and 2 in Appendix G of this part for illustration.

(i) Western zone. The western zone encompasses an area of the EEZ north of a line extending east of the US/Mexico border, and west of a line extending due south of the Alabama/Florida border, including the EEZ off Texas, Louisiana, Mississippi, and Alabama. This zone remains the same year round.

(ii) Eastern zone. The eastern zone is divided into the Florida west coast subzone and the Florida east coast subzone.

(A) Florida west coast subzone. The Florida west coast subzone is further divided into the northern and southern subzones by a line extending due west from the Lee/Collier County, FL, boundary.

(1) Northern subzone. The northern subzone encompasses an area of the EEZ east of a line extending due south of the Florida/Alabama border, and north of a line extending due west of the Lee/Collier County, FL, boundary, and remains the same area year round.

(2) Southern subzone. From November 1 through March 31, the southern subzone encompasses an area of the EEZ south of a line extending due west of the Lee/Collier County, FL, boundary on the Florida west coast, and south of a line extending due east of the Monroe/Miami-Dade County, FL, boundary on the

Florida east coast, which includes the EEZ off Collier and Monroe Counties, FL. From April 1 through October 31, the southern subzone is reduced to the EEZ off Collier County, and the EEZ off Monroe County becomes part of the Atlantic migratory group area.

(B) Florida east coast subzone. From November 1 through March 31, the Florida east coast subzone encompasses an area of the EEZ south of a line extending due east of the Flagler/Volusia County, FL, boundary, and north of a line extending due east of the Miami-Dade/Monroe County, FL, boundary. From April 1 through October 31, the Florida east coast subzone is not part of the Gulf migratory group king mackerel area; it is part of the Atlantic migratory group king mackerel area.

(2) Atlantic migratory group. The Atlantic migratory group is divided into the northern and southern zones separated by a line extending from the North Carolina/South Carolina border, as specified in § 622.2. See Table 1 of this section for the boundary coordinates. See Figures 1 and 2 in Appendix G of this part for illustration. See § 622.385(a)(1) for a description of the areas for Atlantic migratory group king mackerel commercial trip limits.

(i) Northern zone. The northern zone encompasses an area of the EEZ south from a line extending from the intersection

**Comment [AME5]:** New Atl migratory group zones for king mackerel from this amendment; Action 4.1, pref alt 3, option b

point of New York, Connecticut, and Rhode Island (as described in § 600.105(a) of this chapter), and north of a line extending from the North Carolina/South Carolina border, as specified in § 622.2, including the EEZ off each state from North Carolina to New York.

(ii) Southern zone. The southern zone encompasses an area of the EEZ south of a line extending south from the North Carolina/South Carolina border, as specified in § 622.2, and north of a line extending due east of the Monroe/Miami-Dade County, FL, boundary, including the EEZ off South Carolina, Georgia, and Florida.

Table 1 to § 622.369--King Mackerel Description of Zones. (For illustration, see Figures 1 and 2 in Appendix G of this part.)

Area	Boundary 1	Boundary 2	
		Summer	Winter
Gulf Migratory Group--Western Zone	A line east of the intersection of 25°58'30.57"N lat. and 96°55'27.37"W long.	AL/FL 87°31'6"W long.	
Gulf Migratory Group--Eastern Zone: Northern	AL/FL 87°31'6"W long.	Lee/Collier 26°19'48"N lat.	
Gulf Migratory Group--Eastern Zone: Southern	Lee/Collier 26°19'48"N lat.	Collier/Monroe 25°48'N lat.	Monroe/Miami-Dade 25°20'24"N lat.
Gulf Migratory	Monroe/Miami-	NA	Volusia/Flagler

Group--Eastern Zone: East Coast	Dade 25°20'24"N lat.		29°25'N lat.
Atlantic Migratory Group-- Northern Zone	NY/CT/RI 41°18'16.249"N lat. and 71°54'28.477"W long. southeast to 37°22'32.75"N lat. and the intersection point with the outward boundary of the EEZ	NC/SC, a line extending in a direction of 135°34'55" from true north beginning at 33°51'07.9"N lat. and 78°32'32.6"W long. to the intersection point with the outward boundary of the EEZ	NC/SC, a line extending in a direction of 135°34'55" from true north beginning at 33°51'07.9"N lat. and 78°32'32.6"W long. to the intersection point with the outward boundary of the EEZ
Atlantic Migratory Group-- Southern Zone	NC/SC, a line extending in a direction of 135°34'55" from true north beginning at 33°51'07.9"N lat. and 78°32'32.6"W long. to the intersection point with the outward boundary of the EEZ	Collier/Monroe 25°48'N lat.	Volusia/Flagler 29°25'N lat.

(b) Migratory groups of Spanish mackerel--(1) Gulf migratory group. The Gulf migratory group is bounded by a line extending east of the US/Mexico border and a line extending due east of the Monroe/Miami-Dade County, FL, boundary. See Table 2 of this section for the boundary coordinates. See Figure 3 in Appendix G of this part for illustration.

(2) Atlantic migratory group. The Atlantic migratory group is bounded by a line extending due east of the Monroe/Miami-Dade County, FL, boundary and a line extending from the intersection point of New York, Connecticut, and Rhode Island (as described in § 600.105(a) of this chapter). The Atlantic migratory group is divided into the northern and southern zones. See Table 2 of this section for the boundary coordinates. See Figure 3 in Appendix G of this part for illustration. See § 622.385(b)(1) for a description of the areas for Atlantic migratory group Spanish mackerel commercial trip limits.

**Comment [AME6]:** New Atl migratory group zones for Spanish mackerel from this amendment; Action 4.2, pref alt 3, option b

(i) Northern zone. The northern zone encompasses an area of the EEZ south of a line extending from the intersection point of New York, Connecticut, and Rhode Island (as described in § 600.105(a) of this chapter), and north of a line extending from the North Carolina/South Carolina border, as specified in § 622.2, including the EEZ off each state from North Carolina to New York.

(ii) Southern zone. The southern zone encompasses an area of the EEZ south of a line extending from the North Carolina/South Carolina border, as specified in § 622.2, and north of a line extending due east of the Monroe/Miami-Dade County, FL, boundary, including the EEZ off South Carolina, Georgia, and Florida.

Table 2 to § 622.369--Spanish Mackerel Description of Zones.

(For illustration, see Figure 3 in Appendix G of this part.)

Area	Boundary 1	Boundary 2
Gulf Migratory Group	US/Mexico A line east of the intersection of 25°58'30.57"N lat. and 96°55'27.37"W long.	Monroe/Miami-Dade 25°20'24"N lat.
Atlantic Migratory Group--Northern Zone	NY/CT/RI 41°18'16.249"N lat. and 71°54'28.477"W long. southeast to 37°22'32.75"N lat. and the intersection point with the outward boundary of the EEZ	NC/SC, a line extending in a direction of 135°34'55" from true north beginning at 33°51'07.9"N lat. and 78°32'32.6"W long. to the intersection point with the outward boundary of the EEZ
Atlantic Migratory Group--Southern Zone	NC/SC, a line extending in a direction of 135°34'55" from true north beginning at 33°51'07.9"N lat. and 78°32'32.6"W long. to the intersection point with the outward boundary of the EEZ	Monroe/Miami-Dade 25°20'24"N lat.

(c) Migratory groups of cobia--(1) Gulf migratory group.

Comment [AME7]: New cobia zones from this amendment; Action 6, pref alt 3d

The Gulf migratory group is bounded by a line extending east from the U.S./Mexico border and a line extending due east from the Florida/Georgia border. See Table 3 of this section for the boundary coordinates. (See Figure 4 in Appendix G of this part for illustration.)



(i) Gulf zone. The Gulf zone encompasses an area of the EEZ north of a line extending east of the U.S./Mexico border, and north and west of the line of demarcation between the Atlantic Ocean and the Gulf of Mexico (as described in § 600.105(c) of this chapter).

(ii) Florida east coast zone. The Florida east coast zone encompasses an area of the EEZ south and east of the line of demarcation between the Atlantic Ocean and the Gulf of Mexico (as described in § 600.105(c) of this chapter), and south of a line extending from the Florida/Georgia border.

(2) Atlantic migratory group. The Atlantic migratory group is bounded by a line extending from the intersection point of New York, Connecticut, and Rhode Island (as described in § 600.105(a) of this chapter) and a line extending due east of the Florida/Georgia border. See Table 3 of this section for the boundary coordinates.

Table 3 to § 622.369--Cobia Description of Zones. (For illustration, see Figure 4 in Appendix G of this part.)

<u>Area</u>	<u>Boundary 1</u>	<u>Boundary 2</u>
Gulf Migratory Group--Gulf Zone	US/Mexico A line east of the intersection of 25°58'30.57"N lat. and 96°55'27.37"W long.	Council Boundary - the intersection of the outer boundary of the EEZ and 83°00'W long., north to 24°35'N lat., (near the Dry Tortugas Islands), then east to the mainland

Gulf Migratory Group--Florida East Coast Zone	Council Boundary - the intersection of the outer boundary of the EEZ and 83°00'W long., north to 24°35' N lat., (near the Dry Tortugas Islands), then east to the mainland	FL/GA 30°42'45.6"N lat.
Atlantic Migratory Group	NY/CT/RI 41°18'16.249"N lat. and 71°54'28.477"W long. southeast to 37°22'32.75"N lat. and the intersection point with the outward boundary of the EEZ	FL/GA 30°42'45.6"N lat.

5. Section § 622.378 is revised to read as follows:

§ 622.378 Area and seasonal closures.

(a) Seasonal closures of the gillnet component for Gulf migratory group king mackerel. The gillnet component for Gulf group king mackerel in or from the Gulf west coast southern subzone is closed each fishing year from July 1 until 6 a.m. eastern time on the day after the Martin Luther King Jr. Federal holiday. The gillnet component is open on the first weekend following the Martin Luther King Jr. holiday, provided a notification of closure has not been filed under § 622.8(b). The gillnet component is closed all subsequent weekends and observed Federal holidays. Weekend closures are effective from 6 a.m. Saturday to 6 a.m. Monday. Holiday closures are effective from 6 a.m. on the observed Federal holiday to 6 a.m.

the following day. All times are eastern standard time. During these closures, a person aboard a vessel using or possessing a gillnet with a stretched-mesh size of 4.75 inches (12.1 cm) or larger in the southern Florida west coast subzone may not fish for or possess Gulf migratory group king mackerel.

(b) Transit provisions applicable in areas closed due to a quota closure for king mackerel. A vessel with a valid commercial vessel permit for king mackerel that has onboard king mackerel harvested in an open area of the EEZ may transit through areas closed to the harvest of king mackerel due to a quota closure, if fishing gear is appropriately stowed. For the purpose of paragraph (b) of this section, transit means direct and non-stop continuous course through the area; fishing gear appropriately stowed means--

Comment [AME8]: Action 3, pref alt 3

(i) A gillnet must be left on the drum. Any additional gillnets not attached to the drum must be stowed below deck.

(ii) A rod and reel must be removed from the rod holder and stowed securely on or below deck. Terminal gear (i.e., hook, leader, sinker, flasher, or bait) must be disconnected and stowed separately from the rod and reel. Sinkers must be disconnected from the down rigger and stowed separately.

6. In § 622.384, the introductory paragraph, and paragraphs (a), (b)(1), (b)(2), (c)(2), (d)(1), and (d)(2) are revised to read as follows:

§ 622.384 Quotas.

See § 622.8 for general provisions regarding quota applicability and closure and reopening procedures. See § 622.369 for the descriptions of the zones. This section provides quotas and specific quota closure restrictions for coastal migratory pelagic fish. All weights are round or eviscerated weights unless specified otherwise.

(a) King and Spanish mackerel quotas apply to persons who fish under commercial vessel permits for king or Spanish mackerel, as required under § 622.370(a)(1) or (3). A fish is counted against the quota for the area where it is caught.

(b) \* \* \*

Comment [AME9]: King Mackerel quotas

(1) The Gulf migratory group is divided into zones and subzones. The descriptions of the zones and subzones are specified in § 622.369(a). Quotas for the eastern and western zones are as follows:

(i) Eastern zone. The eastern zone is divided into subzones with quotas as follows:

(A) Florida east coast subzone--1,102,896 lb (500,265 kg).

(B) Florida west coast subzone--(1) Southern subzone. The hook-and-line quota is 551,448 lb (250,133 kg) and the run-around gillnet quota is 551,448 lb (250,133 kg).

(2) Northern subzone--178,848 lb (81,124 kg).

(ii) Western zone--1,071,360 lb (485,961 kg).

(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:

Comment [AME10]: Action 4.1, pref alt 3, option b

(i) Northern zone--1,292,988 lb (586,489 kg). No more than 0.40 million lb (0.18 million kg) may be harvested by purse seines.

Comment [AME11]: These will not be effective until early next year, so these quotas will not apply to the current fishing year.

(ii) Southern zone--2,587,012 lb (1,173,449 kg).

Comment [AME12]: Purse seines are only allowed in the Northern zone.

(iii) Quota transfers. North Carolina or Florida, in consultation with the other states in their respective zones, may request approval from the RA to transfer part or all of their respective zone's annual commercial quota to another zone. Requests for transfer of commercial quotas for king mackerel must be made by a letter signed by the principal state official with marine fishery management responsibility and expertise of the state requesting the transfer, or his/her previously named designee. The letter must certify that all pertinent state requirements have been met and identify the states involved and the amount of quota to be transferred. Landings associated with any transferred quota will be evaluated relative to the total ACL for the Atlantic migratory group.

Comment [AME13]: Action 4.1, pref alt 4

(A) Within 10 working days following the receipt of the letter from the state requesting the transfer, the RA shall notify the appropriate state officials of the disposition of the

request. In evaluating requests to transfer a quota, the RA shall consider whether:

(1) The transfer would preclude the overall annual quota from being fully harvested;

(2) The transfer is consistent with the objectives of the FMP and the Magnuson-Stevens Act.

(B) The transfer of quota will be valid only for the fishing year for which the request was made. A transfer of quota does not alter the quotas specified in paragraphs (b)(2)(i) and (b)(2)(ii) of this section.

(c) \* \* \*

Comment [AME14]: Spanish mackerel quotas

(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(b). Quotas for the northern and southern zones are as follows:

Comment [AME15]: Action 4.2, pref alt 3, option b

(i) Northern zone--622,621 lb (282,416 kg).

(ii) Southern zone--2,507,379 lb (1,137,328 kg).

(iii) Quota transfers. North Carolina or Florida, in consultation with the other states in their respective zones, may request approval from the RA to transfer part or all of their respective zone's annual commercial quota to another zone. Requests for transfer of commercial quotas for Spanish mackerel must be made by a letter signed by the principal state official with marine fishery management responsibility and expertise, or

Comment [AME16]: Action 4.2, pref alt 4

his/her previously named designee, for each state involved. The letter must certify that all pertinent state requirements have been met and identify the states involved and the amount of quota to be transferred. Landings associated with any transferred quota will be evaluated relative to the total ACL for the Atlantic migratory group.

(A) Within 10 working days following the receipt of the letter from the states involved, the RA shall notify the appropriate state officials of the disposition of the request. In evaluating requests to transfer a quota, the RA shall consider whether:

(1) The transfer would preclude the overall annual quota from being fully harvested;

(2) The transfer is consistent with the objectives of the FMP and the Magnuson-Stevens Act.

(B) The transfer of quota will be valid only for the fishing year for which the request was made. A transfer of quota does not alter any zone's quota specified in paragraph (c)(2)(i) or (c)(2)(ii) of this section.

\* \* \* \* \*

(d) \* \* \*

Comment [AME17]: Cobia quotas

(1) Gulf migratory group--(i) Gulf zone. For the 2014 fishing year, the stock quota for the Gulf migratory group of cobia in the Gulf zone is 1,420,000 lb (644,101 kg). For the

Comment [AME18]: Action 6, pref alt 3d

2015 fishing year, the stock quota is 1,450,000 lb (657,709 kg). For the 2016 fishing year and subsequent fishing years, the stock quota is 1,500,000 lb (680,389 kg).

(ii) Florida east coast zone. The following quota applies to persons who fish for cobia and sell their catch. The quota for the Gulf migratory group of cobia in the Florida east coast zone is 70,000 lb (31,751 kg).

(2) Atlantic migratory group. The following quotas apply to persons who fish for cobia and sell their catch. For the 2014 and 2015 fishing years, the quota for the Atlantic migratory group of cobia is 60,000 lb (27,216 kg). The quota for the 2016 fishing year and subsequent fishing years is 50,000 lb (22,680 kg).

Comment [AME19]: Action 6, pref alt 3

\* \* \* \* \*

7. In § 622.385, the last sentence in the introductory paragraph, the second sentence in paragraph (a)(2), and paragraph (a)(2)(ii)(B) are revised; paragraph (a)(2)(iii) is removed; paragraph (a)(2)(iv) is revised and redesignated as paragraph (a)(2)(iii); and the introductory paragraph in paragraph (b)(1) is revised to read as follows:

§ 622.385 Commercial trip limits.

\* \* \* Commercial trip limits apply as follows (all weights are given in round weight).

(a) \* \* \*

Comment [AME20]: Gulf migratory group king mackerel trip limits



(2) \* \* \* (See § 622.369(a)(2) for descriptions of the eastern and western zones and § 622.369(a)(2)(ii) for descriptions of the subzones in the eastern zone.)

\* \* \* \* \*

(ii) \* \* \*

(B) Hook-and-line gear. In the Florida west coast subzone, king mackerel in or from the EEZ may be possessed on board or landed from a vessel with a commercial permit for king mackerel, as required by § 622.370(a)(1), and operating under the hook-and-line gear quotas in § 622.384(b)(1)(i)(B)(1) or (b)(1)(i)(B)(2):

(1) Northern subzone. From October 1, each fishing year, until the northern subzone's hook-and-line gear quota has been harvested--in amounts not exceeding 1,250 lb (567 kg) per day.

Comment [AME21]: Action 1, pref alt 4, option b

(2) Southern subzone. From July 1, each fishing year, until the southern subzone's hook-and-line gear quota has been harvested--in amounts not exceeding 1,250 lb (567 kg) per day.

Comment [AME22]: Action 1, pref alt 4, option c

(iii) Western zone. In the western zone, king mackerel in or from the EEZ may be possessed on board or landed from a vessel for which a commercial permit for king mackerel has been issued, as required under § 622.370(a)(1), from September 1, each fishing year, until a closure of the western zone has been effected under § 622.8(b)--in amounts not exceeding 3,000 lb (1,361 kg) per day.

Comment [AME23]: Action 2, Alt 2, option a; this is the Gulf Council preferred. The South Atlantic Council's current preferred is Alt 2, NO ACTION: July 1-June 30.

Comment [AME24]: Action 1, pref alt 3, option a

(b) \* \* \*

(1) Atlantic migratory group. The following trip limits apply to vessels for which commercial permits for Spanish mackerel have been issued, as required under § 622.370(a)(3). (See § 622.369(b)(2) for descriptions of the northern and southern subzones for Atlantic migratory group Spanish mackerel.)

\* \* \* \* \*

8. In § 622.388, an introductory paragraph is added, and paragraphs (a)(1), (a)(3), (b)(1), (d)(1), (e), and (f) are revised to read as follows:

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

All weights are round or eviscerated weights unless specified otherwise.

(a) \* \* \*

(1) Commercial sector--(i) If commercial landings, as estimated by the SRD, reach or are projected to reach the applicable quota specified in § 622.384(b)(1), the AA will file a notification with the Office of the Federal Register to close the commercial sector for that zone, subzone, or gear type for the remainder of the fishing year.

(ii) The commercial ACL for the Gulf migratory group of king mackerel is 3.456 million lb (1.568 million kg). This ACL

**Comment [AME25]:** Gulf migratory group king mackerel ACLs and AMs

is further divided into a commercial ACL for vessels fishing with hook-and-line and a commercial ACL for vessels fishing with run-around gillnets. The hook-and-line ACL (which applies to the entire Gulf) is 2,904,552 lb (1,317,483 kg) and the run-around gillnet ACL (which applies to the Gulf eastern zone southern Florida west coast subzone) is 551,448 lb (250,133 kg).

(2) \* \* \*

(3) For purposes of tracking the ACL, recreational landings will be monitored based on the commercial fishing year.

\* \* \* \* \*

(b) \* \* \*

(1) Commercial sector--(i) If commercial landings, as estimated by the SRD, reach or are projected to reach the applicable quota specified in § 622.384(b)(2), the AA will file a notification with the Office of the Federal Register to close the commercial sector for that zone for the remainder of the fishing year.

(ii) In addition to the measures specified in paragraph (b)(1)(i) of this section, if 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, and Atlantic migratory group king mackerel are overfished, based on the most recent status of U.S. Fisheries Report to Congress, the AA will file a notification with the Office of the Federal

**Comment [AME26]:** Action 4.1, pref alt 3, option b.

**Comment [AME27]:** Atlantic migratory group king mackerel ACLs and AMs

Register, at or near the beginning of the following fishing year to reduce the commercial quota for that zone for that following year by the amount of any commercial sector overage in the prior fishing year for that zone.

(iii) The commercial ACL for the Atlantic migratory group of king mackerel is 3.88 million lb (1.76 million kg).

\* \* \* \* \*

(d) \* \* \*

(1) Commercial sector. (i) If commercial landings, as estimated by the SRD, reach or are projected to reach the applicable quota specified in § 622.384(c)(2), the AA will file a notification with the Office of the Federal Register to close the commercial sector for that zone for the remainder of the fishing year.

(ii) In addition to the measures specified in paragraph (d)(1)(i) of this section, if the sum of the commercial and recreational landings, as estimated by the SRD, exceeds the stock ACL, as specified in paragraph (d)(3) of this section, and Atlantic migratory group Spanish mackerel are overfished, based on the most recent status of U.S. Fisheries Report to Congress, 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 commercial quota for that zone for that following year by the amount of any commercial sector overage in the prior

**Comment [AME28]:** Action 4.2, pref alt 3, option b.

**Comment [AME29]:** Atlantic migratory group Spanish mackerel ACLs and AMs

fishing year for that zone.

(iii) The commercial ACL for the Atlantic migratory group Spanish mackerel is 3.13 million lb (1.42 million kg).

\* \* \* \* \*

(e) Gulf migratory group cobia--(1) Gulf zone. (i) If the sum of all cobia landings, as estimated by the SRD, reaches or is projected to reach the stock quota (stock ACT), specified in § 622.384(d)(1), the AA will file a notification with the Office of the Federal Register to prohibit the harvest of Gulf migratory group cobia in the Gulf zone for the remainder of the fishing year. On and after the effective date of such a notification, all sale and purchase of Gulf migratory group cobia in the Gulf zone is prohibited and the possession limit of this species in or from the Gulf EEZ is zero. This bag and possession limit also applies in the Gulf on board a vessel for which a valid Federal charter vessel/headboat permit for coastal migratory pelagic fish has been issued, without regard to where such species were harvested, i.e. in state or Federal water.

(ii) The stock ACLs for Gulf migratory group cobia in the Gulf zone, are 1,570,000 lb (712,140 kg) for 2014, 1,610,000 lb (730,284 kg) for 2015, and 1,660,000 lb (752,963 kg) for 2016 and subsequent fishing years.

(2) Florida east coast zone--(i) The following ACLs and AMs apply to cobia that are sold. (A) If the sum of cobia landings

Comment [AME30]: Gulf migratory group cobia ACLs and AMs

Comment [AME31]: Action 6, pref alt 3d

that are sold, as estimated by the SRD, reach or are projected to reach the quota specified in § 622.384(d)(1)(ii) (ACL), the AA will file a notification with the Office of the Federal Register to prohibit the sale and purchase of cobia in or from the Florida east coast zone for the remainder of the fishing year.

(B) In addition to the measures specified in paragraph (e)(2)(i)(A) of this section, if the sum of cobia landings that are sold and not sold in or from the Florida east coast zone, as estimated by the SRD, exceeds the stock ACL for the Florida east coast zone, as specified in paragraph (e)(2)(iii) of this section, and Gulf migratory group cobia are overfished, based on the most recent status of U.S. Fisheries Report to Congress, 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 quota (ACL) for the Florida east coast zone cobia that are sold for that following year by the amount of any overage in the prior fishing year.

(ii) The following ACLs and AMs apply to cobia that are not sold. (A) If the sum of cobia landings that are sold and not sold, as estimated by the SRD, exceeds the stock ACL, as specified in paragraph (e)(2)(iii) 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 length of the following fishing season by the amount necessary to ensure landings may achieve the applicable ACT, but do not exceed the applicable ACL in the following fishing year. Further, during that following year, if necessary, the AA may file additional notification with the Office of the Federal Register to readjust the reduced fishing season to ensure harvest achieves but does not exceed the intended harvest level. The applicable ACTs for the Florida east coast zone of cobia are 670,000 lb (303,907 kg) for 2014, 680,000 lb (308,443 kg) for 2015, and 710,000 lb (322,051 kg) for 2016 and subsequent fishing years. The applicable ACLs for the Florida east coast zone of cobia, in round weight, are 810,000 lb (367,410 kg) for 2014, 830,000 lb (376,482 kg) for 2015, and 860,000 lb (390,089 kg) for 2016 and subsequent fishing years.

(B) In addition to the measures specified in paragraph (e)(2)(ii)(A) of this section, if the sum of the cobia landings that are sold and not sold in or from the Florida east coast zone, as estimated by the SRD, exceeds the stock ACL, as specified in paragraph (e)(2)(iii) of this section, and Gulf migratory group cobia are overfished, based on the most recent status of U.S. Fisheries Report to Congress, 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 applicable ACL and applicable ACT for the Florida east coast

zone for that following year by the amount of any applicable ACL overage in the prior fishing year.

(C) Landings will be evaluated relative to the ACL based on a moving multi-year average of landings, as described in the FMP.

(iii) The stock ACLs for Florida east coast zone cobia are 880,000 lb (399,161 kg) for 2014, 900,000 lb (408,233 kg) for 2015, and 930,000 lb (421,841 kg) for 2016 and subsequent fishing years.

(f) Atlantic migratory group cobia--(1) The following ACLs and AMs apply to cobia that are sold. (i) If the sum of the cobia landings that are sold, as estimated by the SRD, reach or are projected to reach the quota specified in § 622.384(d)(2) (ACL), the AA will file a notification with the Office of the Federal Register to prohibit the sale and purchase of cobia for the remainder of the fishing year.

(ii) In addition to the measures specified in paragraph (f)(1)(i) of this section, if the sum of the cobia landings that are sold and not sold in or from the Atlantic migratory group, as estimated by the SRD, exceeds the stock ACL, as specified in paragraph (f)(3) of this section, and Atlantic migratory group cobia are overfished, based on the most recent status of U.S. Fisheries Report to Congress, the AA will file a notification with the Office of the Federal Register, at or near the

**Comment [AME32]:** Atlantic migratory group cobia ACLs and AMs

**Comment [AME33]:** Action 6, pref alt 3d



beginning of the following fishing year to reduce the applicable quota (ACL) for that following year by the amount of any applicable ACL overage in the prior fishing year.

(2) The following ACLs and AMs apply cobia that are not sold.

(i) If the sum of the cobia landings that are sold and not sold, as estimated by the SRD, exceeds the stock ACL, as specified in paragraph (f)(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 length of the following fishing season by the amount necessary to ensure landings may achieve the applicable ACT, but do not exceed the applicable ACL in the following fishing year. Further, during that following year, if necessary, the AA may file additional notification with the Office of the Federal Register to readjust the reduced fishing season to ensure harvest achieves but does not exceed the intended harvest level. The applicable ACTs for the Atlantic migratory group of cobia are 550,000 lb (249,476 kg) for 2014, 520,000 lb (235,868 kg) for 2015, and 500,000 lb (226,796 kg) for 2016 and subsequent fishing years. The applicable ACLs for the Atlantic migratory group of cobia are 670,000 lb (303,907 kg) for 2014, 630,000 lb (285,763 kg) for 2015, and 620,000 lb (281,227 kg) for 2016 and subsequent fishing years.

(iii) Landing will be evaluated relative to the ACL based on a moving multi-year average of landings, as described in the FMP.

(3) The stock ACLs for Atlantic migratory group cobia are 730,000 lb (331,122 kg) for 2014, 690,000 lb (312,979 kg) for 2015, and 670,000 lb (303,907 kg) for 2016 and subsequent fishing years.

9. Section 622.389 is revised to read as follows:

§ 622.389 Adjustment of management measures.

In accordance with the framework procedures of the FMP for Coastal Migratory Pelagic Resources, the RA may establish or modify, and the applicable council is required to approve, the following items specified in paragraph (a) of this section for coastal migratory pelagic fish. (Note: the applicable council refers to the council whose jurisdiction applies to the management measures.)

Comment [AC34]: Action 5, Alt 4

(a) For a species or species group: reporting and monitoring requirements, permitting requirements, bag and possession limits (including a bag limit of zero), size limits, vessel trip limits, closed seasons or areas and reopenings, acceptable biological catches (ABCs) and ABC control rules, annual catch limits (ACLs) and ACL control rules, accountability measures (AMs), annual catch targets (ACTs), quotas (including a quota of zero), MSY (or proxy), OY, management parameters such

Comment [AC35]: Action 5, Alt 2

as overfished and overfishing definitions, gear restrictions (ranging from regulation to complete prohibition), gear markings and identification, vessel markings and identification, rebuilding plans, sale and purchase restrictions, transfer at sea provisions, and restrictions relative to conditions of harvested fish (maintaining fish in whole condition, use as bait).

(b) [Reserved]