

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 § 622.187, revise paragraph (b) (2) (i) to read as follows:

§ 622.187 Bag and possession limits.

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(b) * * *

(2) * * *

(i) No more than one fish may be gag or black grouper, combined. However, no gag or black grouper may be retained by the captain or crew of a vessel operating as a charter vessel or headboat. The bag limit for such captain and crew is zero;

(A) In addition to the bag limits specified in paragraph (b) (2) (i) of this section, for gag, the vessel limit for a vessel operating as a private recreational vessel may not exceed 2 fish per vessel per day.

(B) In addition to the bag limits specified in paragraph (b) (2) (i) of this section, for gag, the vessel

Commented [SS1]: Sub Action 5b, Preferred Alternative 2. no captain/crew retention.

Commented [SS2]: Action 5a, Preferred Alternative 2a

limit for a vessel operating as a charter vessel or headboat may not exceed 2 fish per vessel per trip.

Commented [SS3]: Action 5a, Preferred Alternative 3a

(C) In addition to the bag limits specified in paragraph (b) (2) (i) of this section, for black grouper, the vessel limit for a vessel operating as a private recreational vessel may not exceed 2 fish per vessel per day.

Commented [SS4]: Action 7a, Preferred Alternative 2a

(D) In addition to the bag limits specified in paragraph (b) (2) (i) of this section, for black grouper, the vessel limit for a vessel operating as a charter vessel or headboat may not exceed 2 fish per vessel per trip.

Commented [SS5]: Action 7a, Preferred Alternative 3a

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3. In § 622.190, revise introductory paragraph (a) and paragraph (a) (7) to read as follows:

§ 622.190 Quotas.

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(a) *South Atlantic snapper-grouper, excluding wreckfish.* The quotas apply to persons who are not subject to the bag limits. (See § 622.11 for applicability of the bag limits.) The quotas are in gutted weight, that is eviscerated but otherwise whole, except for the quotas in paragraphs (a) (4) through (6) of this section which are in both gutted weight and round weight.

Commented [SS6]: Revised the paragraph reference since in Am53, gag weights are all in gutted weight.

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(7) *Gag*.

(i) For the 2023 fishing year - 85,326 lb (38,703 kg), gutted weight.

Commented [SS7]: Action 3, Preferred Alternatives 4 and 4b. Commercial ACLs (Commercial Quotas).

(ii) For the 2024 fishing year - 128,096 lb (58,103 kg), gutted weight.

(iii) For the 2025 fishing year - 171,687 lb (77,876 kg), gutted weight.

(iv) For the 2026 fishing year - 215,051 lb (97,545 kg), gutted weight.

(v) For the 2027 fishing year - 259,823 lb (117,854 kg), gutted weight.

(vi) For the 2028 fishing year - 306,400 lb (138,981 kg), gutted weight.

(vii) For the 2029 fishing year - 353,220 lb (160,218 kg), gutted weight.

(viii) For the 2030 fishing year - 397,555 lb (180,328 kg), gutted weight.

(ix) For the 2031 fishing year - 437,390 lb (198,397 kg), gutted weight.

(x) For the 2032 and subsequent fishing years - 471,966 lb (214,080 kg), gutted weight.

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4. In § 622.191, revise paragraph (a) (7) to read as follows:

§ 622.191 Commercial trip limits.

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(a) * * *

(7) *Gag*. Until the applicable commercial quota specified § 622.190(a) (7) is reached - 300 lb (136 kg), gutted weight. See § 622.190(c) (1) for the limitations regarding gag after the commercial quota is reached.

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5. In § 622.193, revise paragraph (c) to read as follows:

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

* * * * *

(c) *Gag*

(1) *Commercial sector*.

(i) If commercial landings for gag, as estimated by the SRD, reach or are projected to reach the commercial ACL (commercial quota) specified in § 622.190(a) (7), the AA will file a notification with the Office of the Federal Register to close the commercial sector for gag for the remainder of the fishing year. Applicable restrictions after a commercial quota closure are specified in § 622.190(c).

Commented [SS8]: Action 4, Preferred Alt 3.

(ii) If the commercial landings for gag, as estimated by the SRD, exceed the commercial ACL specified in § 622.190(a)(7), and the combined commercial and recreational ACL specified in paragraph (c)(3) of this section, is exceeded during the same fishing year, and gag 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 to reduce the commercial ACL for that following fishing year by the amount of the commercial ACL overage in the prior fishing year.

Commented [SS9]: paragraph (c)(1)(ii) is the same except for the reference to where the combined comm and rec ACL is located. I moved that to a new paragraph (c)(3) for clarity.

(2) *Recreational sector.* (i) If recreational landings for gag, as estimated by the SRD, reach or are projected to reach the recreational ACL, 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 regardless if the stock is overfished, unless NMFS determines that no closure is necessary based on the best scientific information available. On and after the effective date of such notification, the bag and possession limits for gag in or from the South Atlantic EEZ are zero.

Commented [SS10]: (2)(i) is the current recreational inseason AM and this does not change under Preferred Alternative 4. (i) is the current text.

The recreational ACL for gag is 90,306 lb (40,962 kg), gutted weight, for 2023; 133,075 lb (60,362 kg), gutted weight, for 2024; 176,666 lb (80,134 kg), gutted weight,

Commented [SS11]: Action 3, Preferred Alternatives 4 and 4b. Rec ACLs.

for 2025; 220,030 lb (99,804 kg), gutted weight, for 2026; 264,802 lb (120,112 kg), gutted weight, for 2027; 311,379 lb (141,239 kg), gutted weight, for 2028; 358,199 lb (162,476 kg), gutted weight, for 2029; 402,534 lb (182,586 kg), gutted weight, for 2030; 442,369 lb (200,655 kg), gutted weight, for 2031; 476,945 lb (216,339 kg), gutted weight, for 2032 and subsequent years.

(ii) If recreational landings, as estimated by the SRD, exceed the recreational ACL specified in paragraph (c) (2) (i) of this section, then during the following fishing year, the AA will file a notification with the Office of the Federal Register to reduce the length of the recreational fishing season by the amount necessary to prevent the recreational ACL from being exceeded. NMFS will use the best scientific information available to determine if reducing the length of the recreational fishing season is necessary. When the recreational sector is closed as a result of NMFS reducing the length of the recreational fishing season, the bag and possession limits for gag in or from the South Atlantic EEZ are zero.

(3) *Combined commercial and recreational ACL.* The combined commercial and recreational ACL for gag is 175,632 lb (79,665 kg), gutted weight, for 2023; 261,171 lb (118,465 kg), gutted weight, for 2024; 348,352 lb (158,010

Commented [SS12]: Action 6, Rec AMs. Preferred Alt 4. recreational post-season AM.

Commented [SS13]: Action 2, Preferred Alternative 2.

kg), gutted weight, for 2025; 435,081 lb (192,349 kg),
gutted weight, for 2026; 524,625 lb (237,965 kg), gutted
weight, for 2027; 617,778 lb (280,219 kg), gutted weight,
for 2028; 711,419 lb (322,694 kg), gutted weight, for 2029;
800,088 lb (362,914 kg), gutted weight, for 2030; 879,758
lb (399,052 kg), gutted weight, for 2031; 948,911 lb
(430,419 kg), gutted weight, for 2032 and subsequent years.

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