

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, AND SOUTH ATLANTIC

1. The authority citation for part 622 continues to read as follows:

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

§ 622.35 [Amended]

2. In § 622.35, paragraph (k) is removed and **reserved**.

**Comment [SS1]:** If Action 4, Alt 2 is selected. Removes the vermilion recreational closed season.

3. In § 622.42, the last sentence in paragraph (e), and paragraphs (e)(4) and (e)(6) are revised to read as follows:

§ 622.42 Quotas.

\* \* \* \* \*

(e) \* \* \* The quotas are in gutted weight, that is eviscerated but otherwise whole, except for the quotas in paragraphs (e)(4), (e)(**5**), and (e)(6) which are in both **gutted weight and round weight**.

**Comment [SS2]:** Black sea bass is also currently given in both gutted and round weight, paragraph intro wasn't revised previously.

**Comment [SS3]:** Changing quotas for vermilion and red porgy to show both gutted and round weights.

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(4) Vermilion snapper--(i) For the period January through May each **year**.

**Comment [SS4]:** If Action 3, Alt 2, Subalternative 2a is selected. Modify commercial season for vermilion.

(A) For the 2013 fishing year--420,252 lb (190,623 kg), gutted weight; 466,480 lb (211,592 kg), round **weight**.

**Comment [SS5]:** These quota numbers in (i) and (ii) reflect if in Action 1, Alt 2 is preferred.

(B) For the 2014 fishing year--401,874 lb (182,287 kg), gutted weight; 446,080 lb (202,338 kg), round weight.

(C) For the 2015 fishing year--394,829 lb (179,091 kg), gutted weight; 438,260 lb (198,791 kg), round weight.

(D) For the 2016 and subsequent fishing years--388,703 lb (176,313 kg), gutted weight; 431,460 lb (195,707 kg), round weight.

(ii) For the period June through December each year.

(A) For the 2013 fishing year--420,252 lb (190,623 kg), gutted weight; 466,480 lb (211,592 kg), round weight.

(B) For the 2014 fishing year--401,874 lb (182,287 kg), gutted weight; 446,080 lb (202,338 kg), round weight.

(C) For the 2015 fishing year--394,829 lb (179,091 kg), gutted weight; 438,260 lb (198,791 kg), round weight.

(D) For the 2016 and subsequent fishing years--388,703 lb (176,313 kg), gutted weight; 431,460 lb (195,707 kg), round weight.

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(6) Red porgy--(i) For the 2013 fishing year--147,115 lb (66,730 kg), gutted weight; 153,000 lb (69,400 kg), round weight.

(ii) For the 2014 fishing year--148,558 lb (67,385 kg), gutted weight; 154,500 lb (70,080 kg), round weight.

(iii) For the 2015 fishing year--157,692 lb (71,528 kg), gutted weight; 164,000 lb (74,389 kg), round weight.

**Comment [SS6]:** These revised commercial quotas are based on selection of Action 5, Alt 2 as preferred.

(iv) For the 2016 fishing year--170,192 lb (77,198 kg), gutted weight; 177,000 lb (80,286 kg), round weight.

(v) For the 2017 fishing year--182,212 lb (82,650 kg), gutted weight; 189,500 lb (85,956 kg), round weight.

(vi) For the 2018 and subsequent fishing years--192,788 lb (87,447 kg), gutted weight; 200,500 lb (90,945 kg), round weight.

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4. In § 622.44, the first sentence of paragraph (c)(6) is revised to read as follows:

§ 622.44 Commercial trip limits.

\* \* \* \* \*

(c) \* \* \*

(6) \* \* \* Until either quota specified in § 622.42(e)(4)(i) or (ii) is reached, 1,000 lb (454 kg), gutted weight; 1,110 lb (503 kg), round **weight**. \* \* \*

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5. In § 622.49, paragraphs (b)(6) and (b)(22) are revised to read as follows:

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

\* \* \* \* \*

(b) \* \* \*

**Comment [SS7]:** Vermilion snapper commercial trip limit, if Action 2. Alt 2 is selected as preferred. Also revised text to include both gutted and round weights.

(6) Vermilion snapper--(i) Commercial sector. If commercial landings, as estimated by the SRD, reach or are projected to reach the applicable commercial ACL (commercial quota) specified in § 622.42(e)(4)(i) or (ii), the AA will file a notification with the Office of the Federal Register to close the commercial sector for that portion of the fishing year applicable to the respective quota.

**Comment [SS8]:** Changed "fishery" to "sector" in this paragraph and added "applicable commercial ACL (commercial quota)".

(ii) Recreational sector. (A) If recreational landings, as estimated by the SRD, reach or are projected to reach the applicable recreational ACL specified in paragraph (b)(6)(ii)(D) of this section and vermilion snapper 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 close the recreational sector for vermilion snapper for the remainder of the fishing year. On and after the effective date of such notification, the bag and possession limit of vermilion snapper in or from the South Atlantic EEZ is zero. This bag and possession limit also applies in the South Atlantic on board a vessel for which a valid Federal commercial or charter vessel/headboat permit for South Atlantic snapper-grouper has been issued, without regard to where such species were harvested, i.e., in state or Federal waters.

**Comment [SS9]:** Changed "fishery" to "sector" in this paragraph.

(B) Without regard to overfished status, if vermilion

snapper recreational landings exceed the applicable recreational ACL, 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 fishing year by the amount of the overage.

**Comment [SS10]:** Added "applicable recreational ACL"

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

**Comment [SS11]:** Revised para (C) to remove the specific year references that had been in place and instead refer evaluation of landings as described in the FMP.

(D) The recreational ACL for vermilion snapper is 395,532 lb (179,410 kg), gutted weight, 439,040 lb (199,145 kg), round weight, for 2013; 378,234 lb (171,564 kg), gutted weight, 419,840 lb (190,436 kg), round weight, for 2014; 371,604 lb (168,557 kg), gutted weight, 412,480 lb (187,098 kg), round weight, for 2015; and 365,838 lb (165,941 kg), gutted weight, 406,080 lb (184,195 kg), round weight, for 2016 and subsequent fishing years.

**Comment [SS12]:** The recreational ACL for 2013-2016 and beyond are based on if Action 1, Alt 2 is selected.

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(22) Red pogy--(i) Commercial sector--(A) If commercial landings for red pogy, as estimated by the SRD, reach or are projected to reach the applicable commercial ACL (commercial quota) specified in § 622.42(e)(6), the AA will file a notification with the Office of the Federal Register to close the commercial sector for the remainder of the fishing year.

(B) If commercial landings exceed the applicable commercial ACL, and red porgy 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 fishing year to reduce the ACL for that following year by the amount of the overage in the prior fishing year.

Comment [SS13]: added applicable commercial ACL

(ii) Recreational sector--(A) If recreational landings for red porgy, as estimated by the SRD, exceed the applicable recreational ACL specified in paragraph (b)(22)(ii)(B) of this section then during the following fishing year, recreational landings will be monitored for a persistence in increased landings and, if necessary, the AA will file a notification with the Office of the Federal Register, to reduce the length of the following recreational fishing season by the amount necessary to ensure recreational landings do not exceed the recreational ACL in the following fishing year. However, the length of the recreational fishing season will not be reduced during the following fishing year if recreational landings do not exceed the applicable ACL or if the RA determines, using the best scientific information available, that a reduction in the length of the following fishing season is unnecessary.

(B) The recreational ACL for red porgy is 147,115 lb

(66,730 kg), gutted weight, 153,000 lb (69,400 kg), round weight, for 2013; 148,558 lb (67,385 kg), gutted weight, 154,500 lb (70,080 kg), round weight, for 2014; 157,692 lb (71,528 kg), gutted weight, 164,000 lb (74,389 kg), round weight, for 2015; 170,192 lb (77,198 kg), gutted weight, 177,000 lb (80,286 kg), round weight, for 2016; 182,212 lb (82,650 kg), gutted weight, 189,500 lb (85,956 kg), round weight, for 2017; and 192,788 lb (87,447 kg), gutted weight, 200,500 lb (90,945 kg), round weight, for 2018 and subsequent fishing years.

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**Comment [SS14]:** Red porgy recreational ACLs are based on if Action 5, Alt 2 is selected as preferred.