

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 § 622.7, add paragraph (g) to read as follows:

**§ 622.7 Fishing years.**

\* \* \* \* \*

(g) *Atlantic migratory group cobia that are not sold (recreational sector)*--May 1 through April 30. (Note: The fishing year for the commercial sector for Atlantic migratory group cobia is January 1 through December 31).

**Comment [SS1]:** Action 2, Preferred Alt 2.  
Note, fishing year changes are not currently allowed through the framework procedures.

3. In § 622.380, revise paragraph (a) to read as follows:

**§ 622.380 Size limits.**

\* \* \* \* \*

(a) *Cobia*. (1) In the Gulf--33 inches (83.8), fork length.

(2) In the Mid-Atlantic or South Atlantic. (i) 33 inches (83.8), fork length, for cobia that are sold (commercial sector).

**Comment [SS2]:** the current commercial size limit for Atlantic cobia

(ii) 36 inches (91.4 cm), fork length, for cobia that are not sold (recreational sector).

**Comment [SS3]:** Action 1-2, Preferred Alt 2-2c  
Size limit for Atlantic recreational cobia

\* \* \* \* \*

4. In § 622.382, revise introductory paragraph (a) and add paragraph (a)(1)(vi) to read as follows:

**§ 622.382 Bag and possession limits.**

\* \* \* \* \*

(a) King mackerel, Spanish mackerel, and Atlantic migratory group cobia--

(1) \* \* \*

(vi) Atlantic migratory group cobia that are not sold (recreational sector)--1, not to exceed 3 fish per vessel per day.

\* \* \* \* \*

5. In § 622.383, revise paragraph (b) to read as follows:

**§ 622.383 Limited harvest species.**

\* \* \* \* \*

(b) *Cobia*. No person may possess more than two cobia per day in or from the Gulf EEZ, regardless of the number of trips or duration of a trip.

6. In § 622.385, add paragraph (c) to read as follows:

**§ 622.385 Commercial trip limits.**

\* \* \* \* \*

(c) *Cobia*. (1) Atlantic migratory group. (i) Until 75 percent of the commercial ACL specified in § 622.388(f)(1) is reached, xx fish per person per day.

**Comment [SS4]:** Monica and others, I added this text for "not sold" to make sure there was no confusion about what "sector" of cobia we're talking about since cobia doesn't always fall into the generally defined sectors.

**Comment [SS5]:** Action 1-1, Preferred Alts 2-2a and 3-3c

**Comment [SS6]:** Action 1-1, Atlantic cobia recreational bag limits. Since we're setting recreational bag limits for the Atlantic, we need to remove cobia as a limited harvest species for the Mid-Atlantic and South Atlantic as it currently is.

Also Action 4, no preferred selected. Atlantic cobia commercial trip limits. The commercial limits for the Mid and South Atlantic will be described in 622.385, commercial trip limits.

Gulf isn't being changed in this framework so it remains a limited harvest species as it is currently written.

(ii) After 75 percent of the commercial ACL specified in § 622.388(f)(1) is reached, xx fish per person per day.

**Comment [SS7]:** Action 4, no preferred alternative for commercial trip limits. The highlighted text serves as a placeholder until a preferred is selected.

(2) [Reserved]

7. In § 622.388, revise paragraph (f) to read as follows:

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

\* \* \* \* \*

(f) *Atlantic migratory group cobia*--(1) The following ACLs and AMs apply to cobia that are sold (**commercial sector**)--(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.

**Comment [SS8]:** while this isn't a commercial action, its necessary in this section to clarify the equivalencies for cobia sold (commercial) and not sold (recreational). With the earlier actions of setting recreational bag limits and commercial trip limits, this has become necessary. Except for this terminology, nothing else has been revised in the paragraph (1), commercial.

(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 beginning of the following fishing year to reduce the applicable quota (ACL), as specified in paragraph (f)(1)(i) of this

section, for that following year by the amount of any applicable sector-specific ACL overage in the prior fishing year.

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

(i) If the sum of cobia landings that are not sold, as estimated by the SRD, exceed the recreational ACL of 620,000 lb (281,227 kg), then during the following fishing year, recreational landings will be monitored for a persistence in increased landings. The recreational ACT is 500,000 lb (226,796 kg). Additionally, during the following fishing year, if the sum of the cobia landings that are sold and not sold, as estimated by the SRD, exceeded the stock ACL specified in paragraph (f)(3) of this section, then 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 recreational fishing season by the amount necessary to ensure recreational landings may achieve the applicable ACT, but do not exceed the applicable ACL in the following fishing year. The length of the recreational fishing season will not be reduced if NMFS determines, based on the best scientific information available, that a fishing season reduction is unnecessary.

Comment [SS9]: Action 3, preferred Alt 2

Comment [SS10]: Action 3, Preferred Alt 2, 2b

(3) The stock ACL for Atlantic migratory group cobia is 670,000 lb (303,907 kg).