

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 § 622.183, add paragraph (b) (9) to read as follows:

§ 622.183 Area and seasonal closures.

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(b) * * *

(9) *Red porgy recreational sector closure.* The recreational sector for red porgy is closed from January 1 through April 30, and July 1 through December 31, each year. During a closure, the bag and possession limit for red porgy in or from the South Atlantic EEZ is zero.

Commented [SS1]: Action 5b. Preferred Alt 2. Open May through June.

3. In § 622.187, revise paragraph (b) (6) and (c) (2) to read as follows:

§ 622.187 Bag and possession limits.

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(b) * * *

(6) Red porgy - 1.

Commented [SS2]: Bag limits

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

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(c) * * *

Commented [SS4]: Possession limits

(2) A person aboard a vessel may not possess red porgy in
or from the EEZ in excess of one per day or one per trip,
whichever is more restrictive.

Commented [SS5]: Action 5a, Preferred Alt 2

4. In § 622.190, revise introductory paragraph (a) and paragraphs (a) (6) (i) and (ii) 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), (a) (5), and (a) (7) of this section which are in both gutted weight and round weight.

Commented [SS6]: revised into paragraph for weight unit applicability w.r.t. red porgy since Am50 just uses gutted weight for quota. Just a citation reference change.

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(6) * * *

Commented [SS7]: Red porgy

(i) For the period January 1 through April 30 each year.

Commented [SS8]: Action 3, Preferred Alt 2 all quota weights in paragraph (6) are in gutted weight

(A) For the 2022 fishing year - 11,127 lb (5,047 kg).

(B) For the 2023 fishing year - 12,017 lb (5,451 kg).

(C) For the 2024 fishing year - 12,907 lb (5,855 kg).

(D) For the 2025 fishing year - 13,500 lb (6,123 kg).

(E) For the 2026 and subsequent fishing years - 14,094 lb (6,393 kg).

(ii) For the period May 1 through December 31 each year.

- (A) For the 2022 fishing year - 25,962 lb (11,776 kg).
- (B) For the 2023 fishing year - 28,039 lb (12,718 kg).
- (C) For the 2024 fishing year - 30,116 lb (13,660 kg).
- (D) For the 2025 fishing year - 31,501 lb (14,289 kg).
- (E) For the 2026 and subsequent fishing years - 32,886 lb (14,917 kg).

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5. In § 622.191, revise paragraphs (a) (4) (i) and (ii) to read as follows:

§ 622.191 Commercial trip limits.

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(a) * * *

(4) * * *

(i) From January 1 through April 30 - 15 fish.

Commented [SS9]: Action 4, Pref Alt 2, 2a.

(ii) From May 1 through December 31 - 15 fish.

Commented [SS10]: Action 4, Pref Alt 2, 3a.

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6. In § 622.193, revise paragraphs (v) (1) (ii) and (v) (2) and add paragraph (v) (3) to read as follows:

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

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(v) * * *

Commented [SS11]: Red porgy

(1) * * *

Commented [SS12]: Commercial Sector

(ii) If commercial landings for red porgy, as estimated by the SRD, exceed the commercial ACL, and the combined commercial and recreational ACL as specified in paragraph (v) (3) of this section, is exceeded during the same fishing year, 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 to reduce the commercial ACL in the following fishing year by the amount of the commercial ACL overage in the prior fishing year.

(2) *Recreational sector.*

(i) If recreational landings for red porgy, as estimated by the SRD, exceed the recreational ACL specified in paragraph (v) (2) (ii) 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 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 in the following fishing year if NMFS determines, using the best scientific information available, that no fishing season reduction is necessary. When the recreational sector is closed as a result of NMFS reducing the length of the recreational fishing season, the bag and

Commented [SS13]: revised (ii) to now reference paragraph (v) (3) for the combined sector ACL. No other change for commercial AMs text.

Commented [SS14]: Action 6, Preferred Alternative 3

possession limits for red porgy in or from the South Atlantic EEZ are zero.

(ii) The recreational **ACL** for red porgy is 35,026 lb (15,888 kg), gutted weight, for the 2022 fishing year; 37,829 lb (17,139 kg), gutted weight, for 2023 fishing year; 40,631 lb (18,430 kg), gutted weight, for the 2024 fishing year; 42,499 lb (19,277 kg), gutted weight, for the 2025 fishing year; and 44,367 lb (20,125 kg), gutted weight, for the 2026 and subsequent fishing years.

Commented [SS15]: Action 3, Preferred Alternative 2. Recreational ACLs

(3) *Combined commercial and recreational ACLs.* The combined commercial and recreational **ACL** for red porgy is 72,115 lb (32,711 kg), gutted weight, 75,000 lb (34,019 kg), round weight, for the 2022 fishing year; 77,885 lb (35,328 kg), gutted weight, 81,000 lb (36,741 kg), round weight, for 2023 fishing year; 83,654 lb (37,945 kg), gutted weight, 87,000 lb (39,463 kg), round weight, for the 2024 fishing year; 87,500 lb (39,689 kg), gutted weight, 91,000 lb (41,277 kg), round weight, for the 2025 fishing year; and 91,346 lb (41,434 kg), gutted weight, 95,000 lb (43,091 kg), round weight, for the 2026 and subsequent fishing years.

Commented [SS16]: new para added for the combined ACL since a year series of values now.

Commented [SS17]: Action 2, Preferred Alternative 2. Total (Combined) ACLs.

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