

has two licensed operators aboard, each passenger is issued and has in possession a receipt issued on behalf of the vessel that verifies the date and time of departure and length of the trip, and the entire trip occurs on days when the harvest and possession of the applicable coastal migratory pelagic species are allowed.

(b) *Gulf migratory group cobia*—(1) *Bag limits*. The following applies to persons who fish for cobia in the Gulf zone or Florida east coast zone, and do not sell their catch.

(i) One fish per person per day, not to exceed 2 fish per vessel per trip.

(ii) [Reserved]

(2) [Reserved]

[78 FR 22952, Apr. 17, 2013, as amended at 82 FR 17397, Apr. 11, 2017; 82 FR 36347, Aug. 4, 2017; 84 FR 4736, Feb. 19, 2019; 86 FR 11155, Feb. 24, 2021; 87 FR 23150, Apr. 19, 2022; 87 FR 56237, Sept. 13, 2022; 87 FR 63966, Oct. 21, 2022; 88 FR 29847, May 9, 2023]

§ 622.383 [Reserved]

§ 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 in round and eviscerated weight combined, 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, not where it is landed.

(b) *King mackerel*—(1) *Gulf migratory group*. The Gulf migratory group is divided into zones. The description of the zones is specified in § 622.369(a). Quotas for the western, northern, and southern zones are as follows:

(i) *Western zone*. The quota is 1,199,360 lb (544,021 kg) for the 2021–2022 fishing year, 1,244,160 lb (564,341 kg) for the 2022–2023 fishing year, and 1,278,720 lb (580,018 kg) for the 2023–2024 fishing year and subsequent fishing years.

(ii) *Northern zone*. The quota is 539,712 lb (244,809 kg) for the 2021–2022 fishing year, 559,872 lb (253,954 kg) for the 2022–

2023 fishing year, and 575,424 lb (261,008 kg) for the 2023–2024 fishing year and subsequent fishing years.

(iii) *Southern zone*. (A) The hook-and-line quota is 629,664 lb (285,611 kg) for the 2021–2022 fishing year, 653,184 lb (296,279 kg) for the 2022–2023 fishing year, and 671,328 lb (304,509 kg) for the 2023–2024 and subsequent fishing years.

(B) The run-around gillnet quota is 629,664 lb (285,611 kg) for the 2021–2022 fishing year, 653,184 lb (296,279 kg) for the 2022–2023 fishing year, and 671,328 lb (304,509 kg) for the 2023–2024 and subsequent fishing years.

(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:

(i) *Northern zone*. The quota is 2,663,507 lb (1,208,146 kg) for the 2022–2023 fishing year, 2,306,207 lb (1,046,078 kg) for the 2023–2024 fishing year, 2,062,594 lb (935,577 kg) for the 2024–2025 fishing year, 1,892,064 lb (858,226 kg) for the 2025–2026 fishing year, and 1,770,258 lb (802,976 kg) for the 2026–2027 and subsequent fishing years. No more than 0.40 million lb (0.18 million kg) may be harvested by purse seine gear.

(ii) *Southern zone*. The quota is 8,896,853 lb (4,035,545 kg) for the 2022–2023 fishing year, 7,703,373 lb (3,494,191 kg) for the 2023–2024 fishing year, 6,889,636 lb (3,125,086 kg) for the 2024–2025 fishing year, 6,320,021 lb (2,866,713 kg) for the 2025–2026 fishing year, and 5,913,152 lb (2,682,161 kg) for the 2026–2027 and subsequent fishing years.

(A) For the period March 1 through September 30, each year, the seasonal quota is 5,338,112 lb (2,421,327 kg) for the 2022–2023 fishing year, 4,622,024 lb (2,096,515 kg) for the 2023–2024 fishing year, 4,133,782 lb (1,875,052 kg) for the 2024–2025 fishing year, 3,792,012 lb (1,720,028 kg) for the 2025–2026 fishing year, and 3,547,891 lb (1,609,296 kg) for the 2026–2027 fishing year and subsequent fishing years.

(B) For the period October 1 through the end of February each year, the seasonal quota is 3,558,741 lb (1,614,218 kg) for the 2022–2023 fishing year, 3,081,349 lb (1,397,676 kg) for the 2023–2024 fishing year, 2,755,854 lb (1,250,034 kg) for the 2024–2025 fishing year, 2,528,008 lb

(1,146,685 kg) for the 2025–2026 fishing year, and 2,365,261 lb (1,072,864 kg) for the 2026–2027 fishing year and subsequent fishing years.

(C) Any unused portion of the quota specified in paragraph (b)(2)(ii)(A) of this section will be added to the quota specified in paragraph (b)(2)(ii)(B) of this section. Any unused portion of the quota specified in paragraph (b)(2)(ii)(B) of this section, including any addition of quota specified in paragraph (b)(2)(ii)(A) of this section that was unused, will become void at the end of the fishing year and will not be added to any subsequent quota.

(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 the other zone. Requests for transfer of commercial quota 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. For the purposes of quota closures as described in § 622.8, the receiving zone's quota will be the original quota plus any transferred amount, for that fishing season only. Landings associated with any transferred quota will be included in the total landings for the Atlantic migratory group, which will be evaluated relative to the total ACL.

(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 allow the overall annual quota to be fully harvested; and

(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 and does not perma-

nently alter the quotas specified in paragraphs (b)(2)(i) and (ii) of this section.

(3) *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. To be appropriately stowed fishing gear means—

(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.

(c) *Spanish mackerel*—(1) *Gulf migratory group.* [Reserved]

(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). The quota for the Atlantic migratory group of Spanish mackerel is 3.33 million lb (1.51 million kg). Quotas for the northern and southern zones are as follows:

(i) *Northern zone*—662,670 lb (300,582 kg).

(ii) *Southern zone*—2,667,330 lb (1,209,881 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 the other zone. Requests for transfer of commercial quota for Spanish mackerel must be made by a letter signed by the principal state official with marine fishery management responsibility and expertise, or 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. For the purposes of quota closures as described in § 622.8, the receiving zone's quota will be the original quota plus any transferred amount, for that fishing season only. Landings associated with any transferred quota will be included in the total landings for the Atlantic migratory group, which will be evaluated relative to the total ACL.

(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 allow the overall annual quota to be fully harvested; and

(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 and does not permanently alter any zone's quota specified in paragraph (c)(2)(i) or (c)(2)(ii) of this section.

(d) *Cobia*—(1) *Gulf migratory group*—(i) *Gulf zone*. For the 2022 fishing year, the stock quota is 1,474,200 lb (668,686 kg). For the 2023 fishing year and subsequent fishing years, the stock quota is 1,564,920 lb (709,836 kg).

(ii) *Florida east coast zone*. The following quotas apply to persons who fish for cobia and sell their catch. For the 2022 fishing year the quota is 76,960 lb (34,908 kg). For the 2023 fishing year and subsequent fishing years the quota is 81,696 lb (37,057 kg).

(2) [Reserved]

(e) *Restrictions applicable after a quota closure*. (1) If the recreational sector for the applicable species, migratory group, zone, or gear is open, the bag and possession limits for king and Spanish mackerel specified in § 622.382(a) apply to all harvest or possession for the closed species, migratory group, zone, or gear in or from the EEZ. If the recreational sector for the applicable species, migratory group, zone, or gear is closed, all applicable harvest or possession in or from the EEZ is prohibited.

(2) The sale or purchase of king mackerel, Spanish mackerel, or cobia of the closed species, migratory group, zone, or gear type is prohibited, including any king or Spanish mackerel taken under the bag and possession limits specified in § 622.382(a), or cobia taken under the bag and possession limits specified in § 622.382(b). The prohibition on the sale or purchase during a closure for coastal migratory pelagic fish does not apply to coastal migratory pelagic fish that were harvested, landed ashore, and sold prior to the effective date of the closure and were held in cold storage by a dealer or processor.

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§ 622.385 Commercial trip limits.

Commercial trip limits are limits on the amount of the applicable species that may be possessed on board or landed, purchased, or sold from a vessel per day. A person who fishes in the EEZ may not combine a trip limit specified in this section with any trip or possession limit applicable to state waters. Except for Atlantic migratory group Spanish mackerel harvested by gillnet, as specified in § 622.377(b)(2)(vi), a species subject to a trip limit specified in this section taken in the EEZ may not be transferred at sea, regardless of where such transfer takes place, and such species may not be transferred in the EEZ. Commercial trip limits apply as follows (all weights are round or eviscerated weights unless specified otherwise):

(a) *King mackerel*—(1) *Atlantic migratory group*. The following trip limits apply to vessels for which commercial permits for king mackerel have been issued, as required under § 622.370(a)(1):

(i) North of 29°25' N. lat., which is a line directly east from the Flagler/Volusia County, FL, boundary, king mackerel in or from the EEZ may not be possessed on board or landed from a vessel in a day in amounts exceeding 3,500 lb (1,588 kg).

(ii) In the area between 29°25' N lat., which is a line directly east from the