

Species	m. lb	m. kg
Atlantic Spanish Mackerel—TAC	9.40	4.26
Recreational allocation (50%)	4.70	2.13
Commercial allocation (50%)	4.70	2.13
Atlantic King Mackerel—TAC	7.30	3.31
Recreational allocation (62.9%)	4.60	2.09
Commercial allocation (37.1%)	2.70	1.22

The commercial sector of the Atlantic group Spanish mackerel fishery is managed under trip limits. In the southern zone, i.e., south of a line extending directly east from the Georgia/Florida boundary, the specific trip limits vary depending on the percentage of catch of the adjusted allocation. The adjusted allocation is the commercial allocation for Atlantic migratory group Spanish mackerel reduced by an amount calculated (250.00 lb) (113.40 kg) to allow continued harvests of Atlantic group Spanish mackerel at the rate of 500 lb (227 kg) per vessel per day for the remainder of the fishing year after the adjusted allocation is reached. Along with the increased commercial allocation, the Councils recommended that the adjusted allocation be increased from 4.35 million lb (1.97 million kg) to 4.45 million lb (2.02 million kg).

The commercial sector of the Gulf group king mackerel fishery in the eastern zone (off Florida) also is managed under trip limits. The proposed trip limit changes are specific for Florida east and west coast sub-zones and respective quotas. For the Florida east coast sub-zone, the Councils proposed that the commercial vessel trip limit of 50 king mackerel per day would not be reduced if 75 percent of the sub-zone's fishing year quota is not harvested before March 1, but would remain at 50 king mackerel per day until the entire quota has been harvested or until March 31, whichever occurs first. Currently, the trip limit is reduced from 50 to 25 fish per day when 75 percent of the quota is taken and remains at that level until the entire quota has been harvested or until March 31, whichever occurs first. Last season's projected harvest did not reach 75 percent of the quota until the end of the season; therefore, the trip limit was not reduced to 25 king mackerel per day. The Florida east coast sub-zone exists November 1 through March 31 and encompasses the waters off the Florida east coast from a line extending directly east from the

Dade/Monroe County boundary to a line extending directly east from the Volusia/Flagler County boundary.

For the Florida west coast sub-zone, the Councils recommended daily trip limits for vessels harvesting king mackerel under the hook-and-line quota; no trip limits were in effect last season. The daily possession/landing limit for a vessel using hook-and-line gear, holding a Federal commercial mackerel permit would be 125 fish for the taking of the first 75 percent of the hook-and-line quota, then be reduced to 50 fish until the entire quota has been harvested. From November 1 through March 31, the Florida west coast sub-zone encompasses the waters off the southeast, south, and west coasts of Florida from the Dade/Monroe County boundary to a line extending directly south from the Alabama/Florida boundary. From April 1 through October 31, when the boundary separating the Gulf and Atlantic groups of king mackerel is a line extending directly west from the Monroe/Collier boundary (25°48' N. lat.), the west coast sub-zone would extend from that boundary to the Alabama/Florida boundary and would exclude the Florida Keys (Monroe County).

For the Atlantic group king mackerel, the Councils recommended daily trip limits for vessels harvesting under the commercial allocation. Previously this segment of the fishery has not had trip limits. The commercial trip limits were proposed to prevent a likely closure, to distribute catch among user groups, and to minimize ongoing user-group conflicts and those that would result if new entrants displaced by Florida's inshore net prohibition would cause a large shift in effort. The daily possession/landing limit for a vessel using non-prohibited gear holding a Federal commercial mackerel permit would be 3,500 lb (1,588 kg) of king mackerel, in or from the exclusive economic zone (EEZ), year-round in the northern area between the New York/Connecticut and Flagler/Volusia County, FL boundaries. Off Volusia County, FL, the daily trip limit would be 3,500 lb (1,588 kg) of king mackerel, in or from the EEZ, from April 1 through October 31. South of there, between the Volusia/Brevard and Monroe/Collier County boundaries, a daily trip limit of 50 king mackerel in or from the EEZ would be effective April 1 through October 31. All trip limits proposed for the Atlantic group king mackerel are daily landing/possession limits that would reduce to zero for that group whenever the annual commercial allocation is reached.

The Regional Director initially concurs that the Councils' recommendations are necessary to protect the king and Spanish mackerel stocks and prevent overfishing and that they are consistent with the objectives of the FMP. Accordingly, the Councils' recommended changes are published for comment. In addition to these changes, § 642.28(b) has been revised and reformatted to improve clarity.

Classification

This proposed rule has been determined to be not significant for purposes of E.O. 12866.

The Assistant General Counsel for Legislation and Regulation of the Department of Commerce certified to the Chief Counsel for Advocacy of the Small Business Administration that this proposed rule, if adopted, will not have a significant economic impact on a substantial number of small entities. The proposed commercial trip limits for the east coast sub-zone of Gulf king mackerel are expected to result in a slight increase in economic benefits; west coast sub-zone trip limits are expected to have favorable distributional effects but perhaps minor adverse impacts on short-term profitability. Commercial trip limits for Atlantic group king mackerel should result in small increases in long-term benefits to the industry. The proposed reduction in TAC for Atlantic group king mackerel is not expected to affect revenues of small entities, because the reduced level is consistent with catch levels in recent years. The reduction in the recreational bag limit for Atlantic group king mackerel is expected to affect only a small portion of recreational anglers. The minor increase in TAC for Atlantic group Spanish mackerel would increase revenues to the commercial sector slightly. As a result, a regulatory flexibility analysis was not prepared.

List of Subjects in 50 CFR Part 642

Fisheries, Fishing, Reporting and recordkeeping requirements.

Dated: July 27, 1995.

Richard B. Stone,

Acting Assistant Administrator for Fisheries, National Marine Fisheries Service.

For the reasons set out in the preamble, 50 CFR part 642 is proposed to be amended as follows:

PART 642—COASTAL MIGRATORY PELAGIC RESOURCES OF THE GULF OF MEXICO AND SOUTH ATLANTIC

1. The authority citation for part 642 continues to read as follows:

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