



DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 622

[Docket No. 260304-0062]

RIN 0648-BN62

Fisheries of the Caribbean, Gulf of America, and South Atlantic; Fishery Management Plans of St. Croix and St. Thomas and St. John; Queen Triggerfish Management Measures

AGENCY: National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

ACTION: Final rule.

SUMMARY: NMFS issues this final rule to modify the annual catch limits (ACLs) for queen triggerfish in Federal waters around the U.S Virgin Islands (USVI) as described in Framework Action 3 under the St. Croix Fishery Management Plan (FMP) and Framework Action 3 under the St. Thomas and St. John FMP (collectively Framework Action 3). The purpose of this final rule and Framework Action 3 is to update queen triggerfish management reference points under the St. Croix FMP and the St. Thomas and St. John FMP consistent with the most recent queen triggerfish stock assessments to prevent overfishing and achieve optimum yield (OY).

DATES: This final rule is effective [**INSERT DATE 30 DAYS AFTER DATE OF PUBLICATION IN THE FEDERAL REGISTER**].

ADDRESSES: Electronic copies of Framework Action 3, which

includes an environmental assessment, a regulatory impact review, and a Regulatory Flexibility Act (RFA) analysis, may be obtained from the Southeast Regional Office website at <https://www.fisheries.noaa.gov/action/framework-action-3-under-st-croix-and-st-thomas-and-st-john-fishery-management-plans>.

FOR FURTHER INFORMATION CONTACT: Sarah Stephenson, 727-824-5305, sarah.stephenson@noaa.gov.

SUPPLEMENTARY INFORMATION: NMFS, with the advice of the Caribbean Fishery Management Council (Council), manages the St. Croix fishery and the St. Thomas and St. John fishery under the St. Croix FMP and the St. Thomas and St. John FMP, respectively. NMFS implements the St. Croix FMP and the St. Thomas and St. John FMP through regulations at 50 CFR part 622 under the authority of the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act).

On October 2, 2025, NMFS published a proposed rule to implement Framework Action 3 and requested public comment (90 FR 47713). The proposed rule and Framework Action 3 outline the rationale for the actions contained in this final rule. A summary of the management measures described in Framework Action 3 and implemented by this final rule is described below.

All weights described in this final rule are in round weight.

Background

The Magnuson-Stevens Act requires NMFS to prevent overfishing and to achieve, on a continuing basis, the OY from federally managed fish stocks to ensure that fishery resources are managed for the greatest overall benefit to the Nation, particularly with respect to providing food production and recreational opportunities, and protecting marine ecosystems.

This action is taken under the statutory authority of the Magnuson-Stevens Act section 303(a)(1) as necessary and appropriate for the conservation and management of the fishery to prevent overfishing and to promote the long-term health and stability of the fishery.

The St. Croix FMP and St. Thomas and St. John FMP were approved by the Secretary of Commerce on September 22, 2020, along with the Puerto Rico FMP, under section 304(a)(3) of the Magnuson-Stevens Act. On September 13, 2022, NMFS published the final rule to implement the FMPs (87 FR 56204), which took effect on October 13, 2022. Each FMP contains management measures applicable for Federal waters off the respective island management area, including the current ACL values for the St. Croix and the St. Thomas and St. John queen triggerfish stocks. Queen triggerfish is managed as an individual stock under each FMP. Federal regulations at 50 CFR part 622 subparts T and U describe management measures for St. Croix and for St. Thomas and

St. John, respectively. Federal waters around St. Croix, St. Thomas, and St. John extend seaward from 3 nautical miles (5.6 kilometers) from shore of each island district to the offshore boundary of the U.S. Caribbean exclusive economic zone.

The St. Croix FMP and St. Thomas and St. John FMP established status determination criteria (SDC) and other management reference points for queen triggerfish in Federal waters around each management area. Each FMP applies a four-tiered acceptable biological catch (ABC) control rule depending on differing levels of data availability. Each tier specifies SDC, including the maximum fishing mortality threshold (MFMT), minimum stock size threshold (MSST), and overfishing limit (OFL), or OFL proxy, and other reference points such as the maximum sustainable yield (MSY), or MSY proxy, and ABC. Under the ABC control rule, tier 1 applies to stocks with the most data available, and each subsequent tier operates with less available data than the preceding tier. Tier 4, the final tier, is the most data limited and applies when no accepted quantitative assessment is available. Tier 4 contains two sub-tiers, tier 4a and tier 4b, which are based on an understanding of the stock's vulnerability to fishing pressure. Tier 4a applies when the stock's vulnerability to fishing pressure is relatively low or moderate, while tier

4b applies to stocks with a high vulnerability to fishing pressure.

In both the St. Croix FMP and the St. Thomas and St. John FMP, queen triggerfish is considered a tier 4a stock. The MSY proxy, MFMT, and MSST were defined, but as a result of data limitations, were not quantified. Similarly, the OFL for each stock could not be quantified. As such, a new reference point, the sustainable yield level (SYL), was quantified and used as the OFL proxy. The SYL is a level of landings that can be sustained by a stock over the long-term. For queen triggerfish in each FMP, the Council's Scientific and Statistical Committee (SSC) derived the ABC from the SYL, and the Council recommended the ACL for each stock be equal to 95 percent of the SSC's recommended ABC. For each stock, the OY was set equal to the ACL.

Under the St. Croix FMP, the queen triggerfish ACL is 21,450 pounds (lb; 9,729.5 kilograms [kg]). Under the St. Thomas and St. John FMP, the queen triggerfish ACL is 97,670 lb (44,302.3 kg).

In 2024, the Southeast Data, Assessment, and Review (SEDAR) stock assessments were completed for queen triggerfish in St. Croix and in St. Thomas and St. John (SEDAR 80). The Council's SSC reviewed results from SEDAR 80 in April 2024, and determined that the stock assessments were suitable for short-term (*i.e.*, < 5 years) management advice. The SSC recommended updated ABCs for the St. Croix

and St. Thomas and St. John queen triggerfish stocks using tier 3b of the ABC control rule in each FMP. Under tier 3b, the ABC is derived from the OFL by applying a buffer to account for scientific uncertainty ($ABC = \text{buffer} * \text{OFL}$), where the buffer must be less than or equal to 0.9. The OFL values projected by the SEDAR 80 models used a fishing mortality rate at MSY (F_{MSY}) proxy based on a spawning potential ratio of 0.4. The constant catch at the F_{MSY} proxy was used to establish the ABC. The OFL values and buffers used to set the ABC from the OFL varied for years 2024 through 2027. The ABC values recommended for queen triggerfish in St. Croix and in St. Thomas and St. John for years 2024 through 2027 were a constant value.

Subsequent to the SEDAR 80 stock assessments and recommendations from the Council's SSC, NMFS and the Council developed Framework Action 3 to update management reference points for queen triggerfish under each FMP to prevent overfishing and achieve OY, consistent with the requirements of the Magnuson-Stevens Act. In Framework Action 3, the Council recommended no management uncertainty buffer be applied for the St. Croix queen triggerfish stock (*i.e.*, the ACL equals the ABC) and a 5 percent management uncertainty buffer for the St. Thomas and St. John queen triggerfish stock (*i.e.*, the ACL equals 95 percent of the ABC).

The Council recommended that the queen triggerfish ACL should be set equal to the ABC for St. Croix because of the low demand for the species and the harvest methods used by the fishery to collect reef fish (e.g., mainly by spearfishing). The Council acknowledged that the demand for queen triggerfish in St. Thomas and St. John is greater than in St. Croix, and the gear used by fishermen who target the species (i.e., trap gear) is less selective than spearfishing. Therefore, they decided to set the queen triggerfish ACL equal to 95 percent of the ABC to incorporate a degree of management uncertainty.

NMFS notes that Framework Action 3 includes recommended OFLs and ABCs for fishing year 2024. However, due to delays in development of the action and implementation of the final rule, the SYL and ABC for queen triggerfish specified under the St. Croix FMP and the St. Thomas and St. John FMP were the OFL proxy and ABC effective for fishing year 2024.

Management Measures Contained in this Final Rule

This final rule revises the ACLs for queen triggerfish in Federal waters around St. Croix and St. Thomas and St. John. The queen triggerfish ACL in St. Croix will decrease from 21,450 lb (9,729.5 kg) to 18,808 lb (8,531 kg). The queen triggerfish ACL in St. Thomas and St. John will decrease from 97,670 lb (44,302.3 kg) to 92,919 lb (42,147 kg).

The updated ACLs, which are based upon the best scientific information available, are expected to better protect against the risk of overfishing the stock in relation to the current ACLs, thus ensuring, to the greatest extent practicable, continued access to the resource in future years.

Measures in Framework Action 3 not Codified in this Final Rule

In SEDAR 80, long-term recruitment estimates for queen triggerfish were unknown, so MSY and MSST values for St. Croix queen triggerfish and St. Thomas and St. John queen triggerfish were not quantified. Under Framework Action 3, for both FMPs, the MSY proxy definition changed from 30 percent to 40 percent of the spawning potential ratio, while the MSST definition remained equal to 75 percent of the spawning stock biomass produced when fishing at MSY or MSY proxy.

In addition to the ACL revisions described in this final rule and consistent with SEDAR 80, Framework Action 3 revises the MFMT, OFL, and ABC values for queen triggerfish under the St. Croix FMP and the St. Thomas and St. John FMP.

The MFMT, previously not quantified, will be 0.14 for St. Croix queen triggerfish and 0.16 for St. Thomas and St. John queen triggerfish.

For St. Croix, the OFL values for queen triggerfish will decrease from the SYL (OFL proxy) of 45,158 lb (20,483 kg) to 22,773 lb (10,330 kg) in 2025, 22,316 lb (10,122 kg) in 2026, and 22,025 lb (9,990 kg) in 2027. The queen triggerfish ABC will decrease from 22,579 lb (10,242 kg) to 18,808 lb (8,531 kg).

For St. Thomas and St. John, the OFL values for queen triggerfish will decrease from the SYL (OFL proxy) of 205,641 lb (93,268 kg) to 193,378 lb (87,715 kg) in 2025, 166,220 lb (75,396 kg) in 2026, and 148,223 lb (67,233 kg) in 2027. The queen triggerfish ABC will decrease from 102,810 lb (46,634 kg) to 97,809 lb (44,365 kg).

Consistent with SEDAR 80, the updated management reference points are expected to better protect against the risk of overfishing of the stock complex in relation to the current reference points, thus ensuring, to the greatest extent practicable, continued access to the resource in future years.

Comments and Responses

NMFS received three comments during the public comment period for the proposed rule for Framework Action 3. Two comments were in support of the actions in Framework Action 3, with one comment also recommending that NMFS and the Council enhance stakeholder engagement and increase the inclusion of local ecological knowledge in the stock

assessment process. NMFS appreciates the information provided and agrees with those comments.

Issues listed within the third public comment are grouped as appropriate and summarized below, followed by NMFS' respective responses. NMFS has not made any changes from the proposed rule to this final rule based on public comment.

Comment 1: The specific scientific buffer(s) used to convert OFL to ABC for each queen triggerfish stock for years 2024 through 2027 should be clarified and there should be an explanation as to why the ABC across those years is held constant despite variable OFL projections (*i.e.*, show calculations).

Response: Framework Action 3 provided a reference to and contained a high-level description of the SEDAR 80 stock assessments while describing OFLs projected from the reference models. The scientific buffers between the OFL and the ABC can be calculated using the values included in table 1.2 in Framework Action 3 (*i.e.*, divide the ABC by the OFL). As described in Framework Action 3 and the proposed rule, the scientific uncertainty buffer must be less than or equal to 0.9. For queen triggerfish in St. Croix, the scientific buffers for years 2024-2027 range from 0.76 to 0.85. For queen triggerfish in St. Thomas and St. John, the scientific buffers for years 2024-2027 range from 0.34 to 0.66. The ABC was calculated from the model

using an MSY proxy based on a spawning potential ratio of 0.4, which resulted in a constant value. The OFLs projected by the assessment model used in SEDAR 80 vary by year and reflect changes in model-estimated sustainability limits as the biomass approaches management reference points of biomass at MSY, or MSY proxy. The ABC and OFL values described in Framework Action 3 were derived directly from the assessment model used in SEDAR 80. The results of SEDAR 80 were reviewed by the SSC, who subsequently recommended to the Council the queen triggerfish ABCs for St. Croix and St. Thomas and St. John.

Comment 2: It is not clear what reference points are used in comparison to queen triggerfish landings in 2024, including SYL, OFL, ABC, and ACL, and why those values are used instead of the SEDAR 80-derived values.

Response: The revised management reference points included in Framework Action 3, which include the OFL, ABC, and ACL, will not be applicable for management until this final rule becomes effective. Therefore, for 2024, the management reference points applicable to the queen triggerfish stocks in St. Croix and St. Thomas and St. John are those specified in the St. Croix and St. Thomas and St. John FMPs and precede this current rulemaking. NMFS also notes that this final rule for Framework Action 3 is effective after December 31, 2025, and therefore, as applies for the 2024 values, the management reference

points applicable for queen triggerfish in St. Croix and St. Thomas and St. John for 2025 are also those specified in the FMPs and not those specified in Framework Action 3. Regulations implemented under Framework Action 3 will not retroactively change management reference points for any years prior to its implementation.

Comment 3: The post-2019 price/revenue data is excluded from the RFA for Framework Amendment 3. Additionally, a sensitivity analysis using plausible post-2019 price scenarios should be provided to show whether the RFA conclusions about economic impacts would change when considering any years after 2019.

Response: As stated in the proposed rule and Framework Amendment 3, USVI price and revenue data after 2019 were not available for use in the RFA analysis and so were not included. Commercial catch reports for the USVI do not include price data for the reported species; thus, while some landings data after 2019 were available for analysis, corresponding price data were not. Additionally, as described in the RFA analysis in the proposed rule and Framework Action 3, landings of queen triggerfish in both St. Croix and St. Thomas and St. John for years with price information available (2015-2019) and for more recent years (2020-2022) never reached or exceeded the current queen triggerfish ACLs or the revised values in Framework Action 3. The RFA analysis concluded there would be no impact on

small businesses in St. Croix or St. Thomas and St. John from the change in ACLs. NMFS does not expect this conclusion to change with the availability of price and revenue data in years after 2019.

Classification

Pursuant to section 304(b)(3) of the Magnuson-Stevens Act, the NMFS Assistant Administrator has determined that this final rule is consistent with Framework Action 3, the FMPs for St. Croix and St. Thomas and St. John, other provisions of the Magnuson-Stevens Act, and other applicable law.

This final rule has been determined to be not significant for purposes of Executive Order 12866. This final rule is not an Executive Order 14192 regulatory action because this action is not significant under Executive Order 12866.

NMFS has determined that this action would not have a substantial direct effect on one or more Indian Tribes, on the relationship between the Federal Government and Indian Tribes, or on the distribution of power and responsibilities between the Federal Government and Indian Tribes; therefore, consultation with Tribal officials under Executive Order 13175 is not required, and the requirements of sections (5)(b) and (5)(c) of Executive Order 13175 also do not apply. A Tribal summary impact statement under section (5)(b)(2)(B) and section (5)(c)(2)(B) of Executive

Order 13175 is not required and has not been prepared.

The Magnuson-Stevens Act provides the statutory basis for this final rule. No duplicative, overlapping, or conflicting Federal rules have been identified. A description of this final rule, why it is being implemented, and the purpose of this final rule are contained in the **SUMMARY** and **SUPPLEMENTARY INFORMATION** sections of this final rule.

The Chief Counsel for Regulation of the Department of Commerce certified to the Chief Counsel for Advocacy of the Small Business Administration during the proposed rule stage that this action would not have a significant economic impact on a substantial number of small entities. The factual basis for the certification was published in the proposed rule and is not repeated here. Public comments relating to social and economic implications and potential impacts on small businesses are addressed in the response to *Comment 3* in the **Comments and Responses** section of this final rule. No changes to this final rule were made in response to this public comment. NMFS has not received any new information that would affect its determination that this rule would not have a significant economic impact on a substantial number of small entities. As a result, a final regulatory flexibility analysis was not required and none was prepared.

This final rule contains no information collection

requirements under the Paperwork Reduction Act of 1995.

List of Subjects in 50 CFR Part 622

Caribbean, Fisheries, Fishing, Reef fish, Triggerfish.

Dated: March 4, 2026.

Samuel D. Rauch III,

Deputy Assistant Administrator for Regulatory

Programs,

National Marine Fisheries Service.

For the reasons set out in the preamble, NMFS amends
50 CFR part 622 as follows:

**PART 622--FISHERIES OF THE CARIBBEAN, GULF OF AMERICA, 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 § 622.480, amend paragraph (a)(1) by revising
the table heading and the entry for "Triggerfishes" to read
as follows

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

(a) * * *

(1) * * *

Table 1 to Paragraph (a)(1)

Family	Stock or stock complex	ACL
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	and species composition	
* * * * *		
Triggerfishes	Triggerfish-queen triggerfish	18,808 lb (8,531 kg)

* * * * *

3. In § 622.515, amend paragraph (a)(1) by revising the table heading and the entry for "Triggerfishes" to read as follows:

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

(a) * * *

(1) * * *

Table 1 to Paragraph (a)(1)

Family	Stock or stock complex and species composition	ACL
* * * * *		
Triggerfishes	Triggerfish-queen triggerfish	92,919 lb (42,147 kg)
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