UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
NATIONAL MARINE FISHERIES SERVICE
Silver Spring, MD 20910

NMFS Announces a Proposed Rule to Adjust Quotas, Establish Fishing Seasons in the Large Coastal Shark, Small Coastal Shark, and Pelagic Shark Fisheries, and Modify the Mid-Atlantic Shark Closed Area

The Highly Migratory Species (HMS) Management Division proposes to adjust the 2007 first trimester season quotas for large coastal sharks (LCS), small coastal sharks (SCS), and pelagic sharks based on over- or underharvests from the 2006 fishing season, and announces proposed season opening and closing dates for the first trimester seasons of 2007. Furthermore, NMFS is proposing to open the mid-Atlantic shark closed area during the month of July in 2007.

Proposed First Trimester Season 2007				
Species Group	**Region**	**Proposed Opening Date**	**Proposed Closure date**	**Proposed Quota**
Large Coastal Sharks- i.e., sandbar, silky, tiger, blacktip, spinner, bull, lemon, nurse, hammerheads (annual quota 1,017 mt dw)	Gulf of Mexico	January 1, 2007	April 30, 2007 11:30 p.m. local time	295.8 mt dw (692,157 lb dw)
	South Atlantic	**CLOSED**		- 46.7 mt dw (102,954 lb dw)
	North Atlantic	January 1, 2007	April 30, 2007 11:30 p.m. local time	7.8 mt dw (17,196 lb dw)
Small Coastal Sharks- i.e., Atlantic sharpnose, finetooth, blacknose, bonnethead (annual quota 454 mt dw)	Gulf of Mexico	January 1, 2007	To be determined, as necessary	24.9 mt dw (41.226 lb dw)
	South Atlantic			374.0 mt dw (824,528 lb dw)
	North Atlantic			18.7 mt dw (54,895 dw)
Blue sharks (annual quota 273 mt dw)	No regional quotas	January 1, 2007	To be determined, as necessary	91 mt dw (200,619 lb dw)
Porbeagle sharks (annual quota 92 mt dw)				30.7 mt dw (67,681 lb dw)
Pelagic sharks other than blue or porbeagle (annual quota 488 mt dw)				162.7 mt dw (358,688 lb dw)

During the first trimester season of 2006, the South Atlantic region landed 230 percent (326.1 mt dw) of their LCS quota (141.3 mt dw), while the Gulf of Mexico and North Atlantic regions experienced underharvests (landing approximately 46 and 6 percent of their LCS quotas, respectively). As a result of these extensive over- and underharvests in 2006, the Agency is considering additional management measures and their impacts on the human environment.

In addition to the proposed seasons and quotas listed above, **the Agency is also proposing to open the mid-Atlantic shark closed area in July 2007, dependant upon available LCS quota during the second trimester of 2007**, to offset negative economic

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impacts that may occur as a result of this region being closed during the first six months of 2007. Furthermore, this opening may result in increased equity between fishery participants in the vicinity of the mid-Atlantic shark closed area and those in other portions of the South Atlantic region.

Other alternatives analyzed in this rulemaking would maintain the status quo (no action), transfer 10 percent of the Gulf of Mexico regions annual quota to the South Atlantic region, remove the mid-Atlantic shark closed area in 2007 depending upon available quota, and transfer the Gulf of Mexico regions 2006 first trimester underharvest to the South Atlantic region resulting in a three-week LCS season during the first trimester of 2007 for the South Atlantic region.

The comment period for this proposed rule is open until November 1, 2006. Written comments may be submitted to the address below or emailed to: SF1.091106B@noaa.gov. NMFS will be holding three public hearings on this proposed rule. HMS staff will also be participating in the Atlantic States Marine Fisheries Commission meeting on October 24, 2006, at the Sheraton Atlantic Beach Ocean Front Hotel in Atlantic Beach, NC.

1. October 19, 2006 from 6-8 p.m. City of Madeira Beach, 300 Municipal Drive, Madeira Beach, FL 33708.
2. October 23, 2006 from 6-8 p.m. Town Hall, 407 Budleigh Street, Manteo, NC 27954.
3. October 25, 2006 from 6-8 p.m. Comfort Inn and Suites Port Canaveral Area, 3901 North Atlantic Avenue, Cocoa Beach, FL 32931.

This notice is a courtesy to the HMS fishery participants to help keep you informed about your fishery. Official notice of Federal fishing actions is made through filing such notice with the Office of Federal Register. For further information on this proposed rule and its requirements, contact Mike Clark or Karyl Brewster-Geisz at 301-713-2347. Copies of the proposed rule and draft Environmental Assessment/Regulatory Impact Review/Initial Regulatory Flexibility Analysis are available upon request from the Highly Migratory Species Management Division, 1315 East-West Highway, Silver Spring, MD 20910 (phone: 301-713-2347, fax: 301-713-1917). The information will also be posted on the HMS website at: http://www.nmfs.noaa.gov/sfa/hms/.

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OCT 5 2006

Alan D. Risenhoover
Director, Office of Sustainable Fisheries

Date