



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

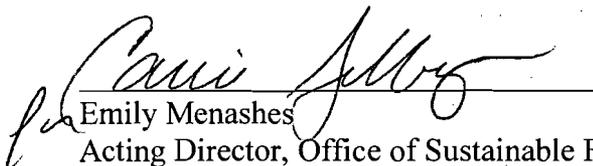
NMFS Announces a Closure of the Commercial Porbeagle Shark Fishery

The National Marine Fisheries Service (NMFS) projects that the landings for the commercial porbeagle shark fishery have exceeded 80 percent of the available quota. As required by NMFS regulations, 50 CFR 6.35.28(b)(2), NMFS is closing the commercial porbeagle shark fishery as of 11:30 p.m. local time **September 4, 2010**. From the effective date and time of the closure until and if NMFS announces, via a notice in the Federal Register, that additional quota is available and the season is reopened, the fishery for that specific quota is closed, even across fishing years.

On January 5, 2010 (75 FR 250), NMFS announced that the porbeagle shark fishery for the 2010 fishing year was open and the available porbeagle shark quota was 1.5 metric tons (mt) dressed weight (dw) (3,307 lb dw). Dealer reports through the July 31, 2010, reporting period indicate that 1.3 mt dw or 85 percent of the available quota for porbeagle sharks has been landed, which exceeds the 80 percent limit specified in the regulations. Accordingly, NMFS is closing the commercial porbeagle shark fishery as of 11:30 p.m. local time 5 days after the date of filing notice with the Office of the Federal Register.

During the closure, retention of porbeagle sharks is prohibited for persons fishing aboard vessels issued a commercial shark limited access permit under 50 CFR 635.4, unless the vessel is properly permitted to operate as a charter vessel or headboat for HMS and is engaged in a for-hire trip, in which case the recreational retention limits for sharks and "no sale" provisions apply (50 CFR 635.22(a) and (c)). A shark dealer issued a permit pursuant to § 635.4 may not purchase or receive porbeagle sharks from a vessel issued an Atlantic shark limited access permit (LAP), except that a permitted shark dealer or processor may possess porbeagle sharks that were harvested, off-loaded, and sold, traded, or bartered, prior to the effective date of the closure and were held in storage. Under this closure, a shark dealer issued a permit pursuant to § 635.4 may, in accordance with state regulations, purchase or receive a porbeagle sharks if the sharks were harvested, off-loaded, and sold, traded, or bartered from a vessel that fishes only in state waters and that has not been issued an Atlantic Shark LAP, HMS Angling permit, or HMS Charter/Headboat permit pursuant to § 635.4.

This notice is a courtesy to the HMS fishery participants to help keep you informed about your fishery. For further information on this landings update or the closure, contact Karyl Brewster-Geisz or Guý DuBeck at 301-713-2347. The information will also be posted on the HMS website at: <http://www.nmfs.noaa.gov/sfa/hms>.


Emily Menashes
Acting Director, Office of Sustainable Fisheries

8/31/10
Date

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