



## NMFS Announces a Proposed Rule to Implement the 2010 International Commission for the Conservation of Atlantic Tunas Recommendations on Sharks

The National Marine Fisheries Service (NMFS) proposes to implement the International Commission for the Conservation of Atlantic Tunas (ICCAT) recommendations 10-07 and 10-08, which prohibit the retention, transshipping, landing, storing, or selling of hammerhead sharks in the family *Sphyrnidae* (except for *Sphyrna tiburo*) and oceanic whitetip sharks (*Carcharhinus longimanus*) caught in association with fisheries managed by ICCAT. This rule would affect the commercial Atlantic Highly Migratory Species (HMS) pelagic longline (PLL) fishery and recreational HMS fisheries for tunas, swordfish, and billfish in the Atlantic Ocean, including the Caribbean Sea and Gulf of Mexico.

Specifically, NMFS proposes to prohibit the retention of oceanic whitetip sharks and scalloped, smooth and great hammerhead sharks on Atlantic HMS commercially permitted vessels that have pelagic longline gear on board. NMFS is also proposing to prohibit retention of oceanic whitetip and hammerhead sharks by recreational fishermen fishing with a General Category permit when participating in a HMS tournament or fishing under an HMS Angling or Charter/Headboat permit where tuna or tuna-like species are also retained. NMFS is not proposing to prohibit retention in all HMS recreational fisheries because there is a recreational fishery targeting sharks that is not associated with ICCAT fisheries. NMFS is not proposing to prohibit the retention of oceanic whitetip and hammerhead sharks on bottom longline, gillnet or handgear because these gears target sharks and are not used in association with ICCAT fisheries and thus are beyond the scope of these recommendations. The proposed action of prohibiting the retention of oceanic whitetip sharks and scalloped, smooth, and great hammerhead sharks in the commercial PLL and HMS Angling and Charter/Headboat fisheries for tuna and tuna-like species is likely to have minor, beneficial ecological impacts because of the potential reduction in mortality and minor, adverse socioeconomic impacts because these species constitute a low percentage of total PLL landings and the low occurrence of these shark species being caught in the HMS recreational fisheries along with tuna and tuna-like species.

The comment period for this proposed rule is open until May 31, 2011. Public hearings will be held at the following dates, times, and locations.

1. May 16, 2011, 6:00 – 8:00 pm: Manteo Town Hall, 407 Budleigh Street, Manteo, NC 27954
2. May 19, 2011, 6:00 – 8:00 pm: Fort Pierce Library, 101 Melody Lane, Ft. Pierce, FL 34950
3. May 24, 2011, 2:00 – 4:00 pm: NOAA Building III, Room 1311B, 1315 East-West Highway, Silver Spring, MD 20910

Written comments, identified by "0648-BA69", may be submitted electronically via the Federal eRulemaking Portal <http://www.regulations.gov>, or sent by fax or mail to the contact information included below. All comments received are a part of the public record and generally will be posted to <http://www.regulations.gov> without change. All Personal Identifying Information (for example, name, address, etc.) voluntarily submitted by the commenter may be publicly accessible. Do not submit Confidential Business Information or otherwise sensitive or protected information. NMFS will accept anonymous comments (enter N/A in the required fields, if you wish to remain anonymous). You may submit attachments to electronic comments in Microsoft Word, Excel, WordPerfect, or Adobe PDF file formats only.

This notice is a courtesy to the Atlantic Highly Migratory Species (HMS) fishery participants to help keep you informed about the fishery. Official notice of Federal actions is made through filing such notice with the Office of Federal Register. For further information on this proposed rule and draft EA, contact LeAnn Hogan at 301-713-2347. Copies of the proposed rule and draft EA 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/>.



Emily H. Menashes  
Acting Director, Office of Sustainable Fisheries

**APR 29 2011**

Date

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