



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

NMFS Announces a Final Rule to Modify the Retention of Incidentally-Caught Highly Migratory Species (HMS) in Atlantic Trawl Fisheries

The National Marine Fisheries Service (NMFS) announces a final rule modifying the regulations governing the retention of incidentally-caught HMS in Atlantic trawl fisheries. Specifically, this final action:

(1) Establishes a new Incidental HMS Squid Trawl permit that will be available to all valid *Illex* squid moratorium permit holders. This permit will allow up to 15 North Atlantic swordfish to be retained per trip, provided that squid constitute not less than 75 percent, by weight, of the total catch on board and only trawl gear is on the vessel. All *Illex* squid moratorium permit holders will receive an application for the new Incidental HMS Squid Trawl permit by mail. This action will reduce regulatory dead discards of incidentally-caught swordfish in the *Illex* squid trawl fishery;

(2) Allows for the retention of incidentally-caught species in the smoothhound shark complex (which includes smooth dogfish and Florida smoothhound (genus *Mustelus*)) in all Atlantic trawl fisheries. This action will maintain the historical nature of the incidental trawl fishery for smoothhound sharks by specifying that no more than 25 percent of the catch onboard or offloaded from a trawl vessel may consist of smoothhound sharks. The retention limit for trawl fisheries will be implemented in conjunction with the availability of a commercial Smoothhound permit at a future date.

This notice is a courtesy to Atlantic HMS fishery participants to help keep you informed about the fishery. More details on the reasons regarding the decisions and responses to the public comments received are provided in the final rule and Final Environmental Assessment for this action. Copies of these documents 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 is also posted on the HMS website at: <http://www.nmfs.noaa.gov/sfa/hms/>. For further information on this final rule and its requirements, contact Richard A. Pearson at 727-824-5399, Delisse Ortiz at 301-713-2347, or Steve Durkee at 202-670-6637. This email notice is intended to provide a plain-language summary of how to comply with the new regulations and is produced in compliance with Section 212 of the Small Business Regulatory Enforcement Fairness Act.

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Emily H. Menashes
Acting Director, Office of Sustainable Fisheries

Date

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