



## 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 the regulations at 50 CFR 6.35.28(b)(2), we are closing the commercial porbeagle shark fishery as of 11:30 p.m. local time **May 30, 2012**. From the effective date and time of the closure until and if we announce, 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 24, 2012 (77 FR 3393), we announced that the porbeagle shark fishery for the 2012 fishing year was open and the available porbeagle shark quota was 0.7 metric tons (mt) dressed weight (dw) (1.585 lb dw). Dealer reports through May 17, 2012, indicate that 0.67 mt dw or 93.3 percent of the available quota for porbeagle sharks has been landed, which exceeds the 80 percent limit specified in the regulations. Accordingly, we are 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 highly migratory species 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, 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 limited access permit, Highly Migratory Species Angling permit, or Highly Migratory Species Charter/Headboat permit pursuant to § 635.4.

This notice is a courtesy to the highly migratory species fishery participants to help keep you informed about the fishery. For further information on this landings update or the closure, contact Karyl Brewster-Geisz or Peter Cooper at 301-427-8503. The information will also be posted at: <http://www.nmfs.noaa.gov/sfa/hms>.

**MAY 24 2012**

  
Emily H. Menashes

Acting Director, Office of Sustainable Fisheries

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Date

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