

*Science, Service, Stewardship*



# Amendment 5: Gulf of Mexico and Atlantic Shark Rebuilding Measures Update

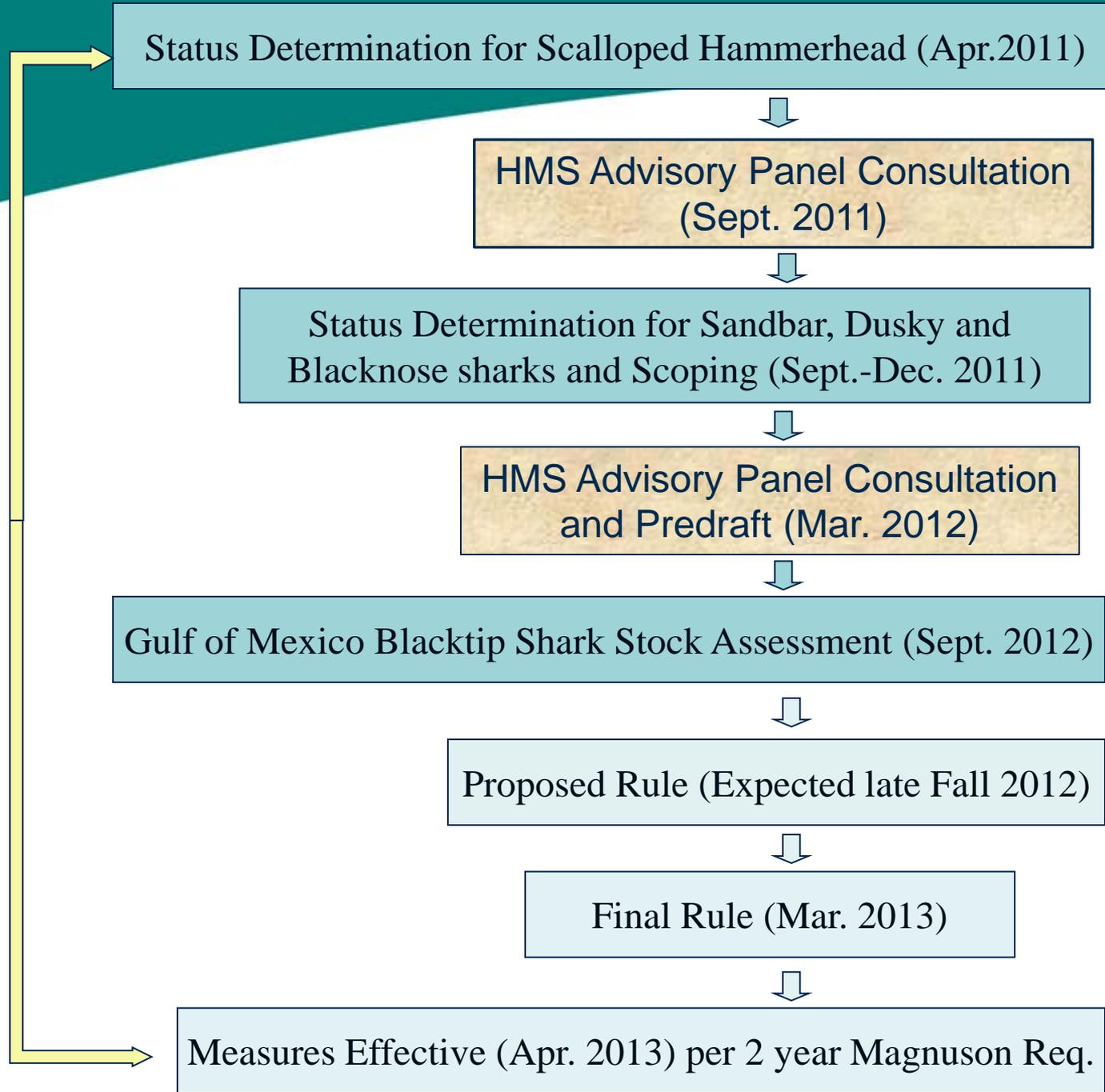
**NOAA  
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September 19, 2012

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Two Years  
to  
Implement  
Management  
Measures





# Recent Stock Assessments

Shark Species	Overfished	Overfishing	Rebuild by	Assessment
Scalloped Hammerhead	Yes*	Yes*	2023	Hayes et al. 2009
Dusky	Yes	Yes	2099	SEDAR 21
Sandbar	Yes	No <sup>+</sup>	2070	SEDAR 21
Blacknose: Atlantic	Yes*	Yes*	2043	SEDAR 21
Blacknose: Gulf of Mexico	Unknown*	Unknown*	Unknown	SEDAR 21
Blacktip: Gulf of Mexico	No	No	NA	SEDAR 29

\*New stock status    +Improved stock status from previous assessment



# Gulf of Mexico Blacktip Sharks

- Previous stock assessment 2005/2006
  - Separated blacktip sharks into 2 regional stocks
  - Not overfished; overfishing not occurring
  - Fishing mortality should be maintained/kept from increasing in both regions
  
- Results incorporated into Amendment 2 (2008)



# SEDAR 29 Process: GOM Blacktip Sharks

- Data webinars: January – March 2012
- Stock Assessment Workshop: March 19 - 22, 2012
- Post-Assessment Webinars: April – May 2012
- Stock Assessment Workshop Report: May 2012
- CIE Review of Stock Assessment: July 2012
- Post-Review Updates and Projections Document (not peer reviewed): August 2012



# Gulf of Mexico Blacktip Sharks

Comment period regarding including Gulf of Mexico blacktip sharks was open from May 29, 2011 to June 21, 2011

31562 Federal Register / Vol. 77, No. 103 / Tuesday, May 29, 2012 / Proposed Rules

scientific methods and would not result in unusual stresses on the cylinder or adversely impact human health or the environment. PHMSA welcomes any data or information related to environmental impacts, both positive and negative, that may result from a future rulemaking addressing the issues discussed in this ANPRM.

#### J. Privacy Act

Anyone is able to search the electronic form of all comments received into any of our dockets by the name of the individual submitting the comment (or signing the comment, if submitted on behalf of an association, business, labor union, etc.). You may review DOT's complete Privacy Act Statement in the **Federal Register** published on April 11, 2000 (65 FR 19477-78), or at <http://www.regulations.gov>.

#### K. International Trade Analysis

The Trade Agreements Act of 1979 (Pub. L. 96-39), as amended by the Uruguay Round Agreements Act (Pub. L. 103-465), prohibits Federal agencies from establishing any standards or engaging in related activities that create unnecessary obstacles to the foreign commerce of the United States. Pursuant to these Acts, the establishment of standards is not considered an unnecessary obstacle to the foreign commerce of the United States, so long as the standards have a legitimate domestic objective, such as the protection of safety, and do not operate in a manner that excludes imports that meet this objective. The statute also requires consideration of international standards and, where appropriate, that they be the basis for U.S. standards. PHMSA notes the purpose is to ensure the safety of the American public, and has assessed the effects of this ANPRM to ensure that it does not exclude imports that meet this objective. As a result, this ANPRM is not considered as creating an unnecessary obstacle to foreign commerce.

Issued in Washington, DC, under authority delegated in 49 CFR part 1.

**Magdy El-Sibaie**,  
Associate Administrator for Hazardous Materials Safety, Pipeline and Hazardous Materials Safety Administration.

[FR Doc. 2012-12832 Filed 5-25-12; 8:45 am]

BILLING CODE 910-60-P

#### DEPARTMENT OF COMMERCE

#### National Oceanic and Atmospheric Administration

#### 50 CFR Part 635

#### RIN 0648-BB29

#### Atlantic Highly Migratory Species; Atlantic Shark Management Measures

**AGENCY:** National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

**ACTION:** Notice of intent to prepare an environmental impact statement; request for comments.

**SUMMARY:** The National Marine Fisheries Service is considering the inclusion of Gulf of Mexico blacktip sharks in an amendment to the 2006 Consolidated Highly Migratory Species Fishery Management Plan that is currently under development. This amendment process began in October 2011 to address the results of recent stock assessments for scalloped hammerhead, dusky, sandbar, and blacknose sharks. A new stock assessment is ongoing for Gulf of Mexico blacktip sharks, and is expected to be complete and available before the amendment process is completed. Therefore, we are considering including Gulf of Mexico blacktip sharks in the amendment to ensure any changes in the shark fisheries as a result of recent stock assessments are considered at the same time for public clarity and for administrative efficiency.

**DATES:** Comments must be received no later than 5 p.m., local time, on June 21, 2012.

**ADDRESSES:** You may submit comments on this document, identified by NOAA-NMFS-2011-0229, by any of the following methods:

- **Electronic Submission:** Submit all electronic public comments via the Federal eRulemaking Portal [www.regulations.gov](http://www.regulations.gov). To submit comments via the eRulemaking Portal, first click the "submit a comment" icon, then enter NOAA-NMFS-2011-0229 in the keyword search. Locate the document you wish to comment on from the resulting list and click on the "Submit a Comment" icon on the right of that line.

- **Mail:** Submit written comments to Peter Cooper, 1315 East-West Highway, Silver Spring, MD 20910. Please mark the outside of the envelope "Comments on including Gulf of Mexico blacktip sharks in Amendment 5 to the Consolidated HMS FMP."

- **Fax:** (301) 713-1917. Attn: Peter Cooper.

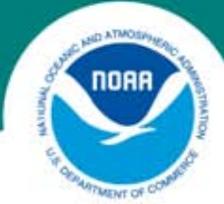
Comments must be submitted by one of the above methods to ensure that the comments are received, documented, and considered by the National Marine Fisheries Service. Comments sent by any other method, to any other address or individual, or received after the end of the comment period, may not be considered. All comments received are a part of the public record and will generally be posted for public viewing on [www.regulations.gov](http://www.regulations.gov) without change. All personal identifying information (e.g., name, address, etc.) submitted voluntarily by the sender will be publicly accessible. Do not submit confidential business information, or otherwise sensitive or protected information. We will accept anonymous comments (enter "NA" in the required fields if you wish to remain anonymous). Attachments to electronic comments will be accepted in Microsoft Word or Excel, WordPerfect, or Adobe PDF file formats only.

**FOR FURTHER INFORMATION CONTACT:** Karyl Brewster-Geisz or Peter Cooper at (301) 427-8503, or online at <http://www.nmfs.noaa.gov/sfa/hms/> or <http://www.sefsc.noaa.gov/sedar/Index.jsp>.

**SUPPLEMENTARY INFORMATION:** The Atlantic shark fisheries are managed under the authority of the Magnuson-Stevens Fishery Conservation and Management Act. The 2006 Consolidated Highly Migratory Species Fishery Management Plan is implemented by regulations at 50 CFR part 635.

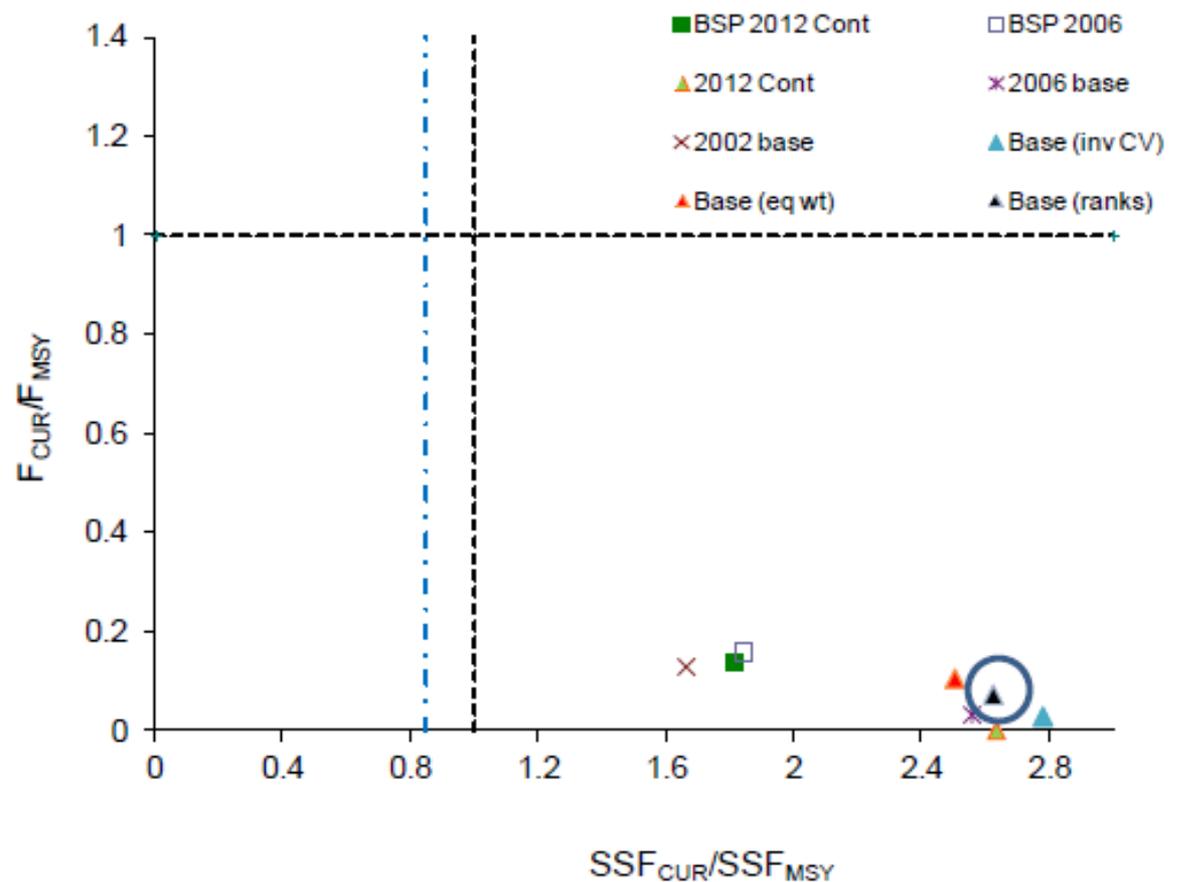
The National Marine Fisheries Service published a notice of intent to prepare an Environmental Impact Statement as required by the National Environmental Policy Act to amend the fishery management plan on October 7, 2011 (76 FR 62331). This amendment is designed to rebuild and/or end overfishing on several shark stocks that were determined to be overfished and/or have overfishing occurring. We anticipate completing this amendment and any related documents in April 2013.

In December 2011, the Southeast Data, Assessment and Review 29 stock assessment process for Gulf of Mexico blacktip sharks began. This process has included, among other things, a data and assessment workshop along with two assessment webinars that have been open to the public to attend. A third assessment webinar is expected in late May. According to the schedule of events for the assessment, the assessment should be completed in August 2012.

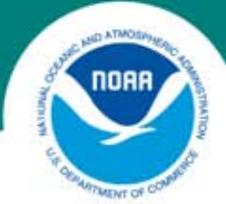


# Gulf of Mexico Blacktip Shark Stock Assessment

- Updated the GOM blacktip shark model with data through 2010
- Include/review updated life history parameters
- New data sources for evaluation/inclusion:
  - Mote Marine Lab monitoring
  - Everglades National Park
  - PLL Observer Program
  - MRIP/MRFSS
  - Mexican catches/landings

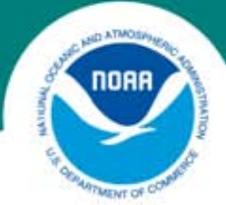


**Figure 3.6.38.** Phase plot of GOM blacktip shark stock status. Results are shown for the base model (base) with rank weighting (ranks), inverse CV weighting (inv CV), and equal weighting (eq wt), continuity analysis (2012 Cont), 2006 and 2002 assessment base models (2006 base, 2002 base), and Bayesian Surplus Production (BSP) 2006 base model (BSP 2006) and continuity analysis (BSP 2012 Cont). The circle indicates the position of the preferred option for the base run (rank weighting). The vertical dashed line denotes MSST  $((1-M) \cdot B_{MSY})$ , where  $M$  is the mean of age1+ values. None of the runs estimated an overfished stock (to the left of the MSST line) or that overfishing was occurring (above the horizontal black line).



## Gulf of Mexico

- Stock not overfished; overfishing not occurring
- Projections/calculations for an ABC were not included in the formal stock assessment
- NMFS completed projections afterwards
- The projections indicate that higher levels of removal may be allowable without resulting in an overfished stock
- *However--*projection methodology for shark stocks that are not overfished is currently in development and has yet to be introduced and reviewed within the Southeast Data, Assessment, and Review process for sharks



# Potential Management Approaches Explored in Predraft

- TACs, Quotas, and Retention Limits
- Commercial At-vessel Mortality and Discard Reduction
- Modifying Time/Area Closures



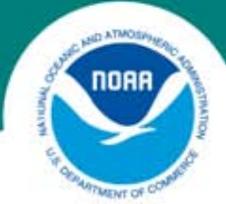
# TAC, Quotas, and Retention Limits

## ***Ideas included***

- Individual TACs and quotas for scalloped hammerhead sharks and modifying the non-sandbar LCS quota complex
- Creating regional quotas for blacknose sharks
- Quota linkages
- Modifying recreational size and bag limits for sharks

## ***Comments included***

- Move to species-specific management
- Manage hammerhead sharks as a complex
- Unlink blacknose sharks and non-blacknose SCS
- Questions about recreational landings numbers
- Catch and release recreational shark fishery
- Increase recreational angler education and outreach



# Commercial At-vessel Mortality and Discard Reduction

## ***Ideas included***

- Soak time restrictions on BLL gear
- Gear tending requirements
- Hook requirements

## ***Comments included***

- Would reduce flexibility in fishing techniques
- Safety at sea issues
- Enforcement issues



# Modifying Time/Area Closures

## ***Ideas included***

- Modifying the mid-Atlantic BLL time/area closure
- Modifying the Charleston Bump PLL time/area closure
- Implementing a BLL closure in the Eastern Gulf of Mexico shoreward of 35 fathoms between June and August
- Expanding the ASMFC time/area closure into federal waters

## ***Comments included***

- Gulf of Mexico closure would be ineffective
- Look at where, when and by whom the dusky shark interactions are occurring, as well as fishing effort
- Bycatch caps



## Next Steps

- Proposed rule and public hearings to come later this year/early 2013
- Since we missed this meeting for AP consultation on the proposed rule, we may have to consult with the AP before the spring AP meeting. What would be the best way to do that?
  - Conference call
  - Webinar
  - Small, specific, shark/A5 focused AP in-person meeting
  - Other ideas?

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