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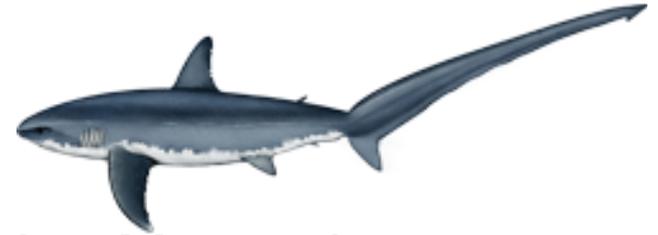
# Updates on Rulemaking for Sharks and Billfish

Highly Migratory Species  
Advisory Panel Meeting

Karen Abrams  
September 11, 2013

# 2010 Shark Conservation Act Overview:

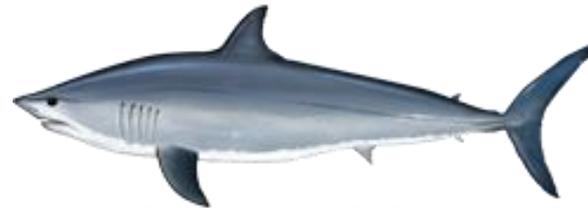
- Signed into law on January 4, 2011.
- Amended the High Seas Driftnet Fishing Moratorium Protection Act and the MSA to improve existing domestic and international shark conservation measures.
- Prohibits removal of shark fins at sea. Does not impose a universal prohibition on the possession or sale of shark fins after they have been landed.



# Shark Conservation Act Implementation:

Through three separate rule-makings:

- Final rule for the Identification and Certification Procedures to Address Shark Conservation (78 FR 3338) – Effective January 16, 2013.



- Proposed rule to implement the provisions of the SCA “savings clause” for smoothhound sharks– In development.
- Proposed rule to implement the domestic provisions of the SCA

# Proposed Rule to Implement Domestic 2010 SCA Provisions:

- Needed to bring U.S. federal domestic shark fisheries into compliance with requirements of the Shark Conservation Act of 2010.
- Published May 2, 2013 and initially open for public comment until June 17, 2013.
- Extended comment period twice for a total of 91 days. Closed on July 31, 2013.

# Key elements of the SCA proposed rule:

- Prohibits possession of shark fins aboard a fishing vessel, or landing, transferring, or receiving shark fins or carcasses, unless the shark fins are naturally attached to the corresponding shark carcasses.
- Clarifies that this rule does not apply to skates, rays, or individuals fishing for smoothhound sharks.
- Explains NMFS views on preemption of state laws.



# Current Status and Public Comments:

- Received over 180,000 comments.
- Actively coordinating with states with enacted shark finning laws.
- Reviewing proposed rule comments.
- Comments and proposed rule can be found at <http://www.regulations.gov>

# The Billfish Conservation Act:

- Signed October 5, 2012
- Prohibits sale of billfish (marlins, spearfishes, sailfish)

➤ does not include swordfish



- Exemption:
  - US-caught/landed in Hawaii or Pacific Insular areas
  - foreign-caught
    - exported
    - retained in Hawaii or Pacific Insular areas

# Advanced Notice of Proposed Rulemaking (ANPR):

- Comment period closed July 3, 2013
- 19 comments received
  - none against rulemaking
  - most sought to clarify or modify exemption
    - majority: “prohibit transport to U.S. mainland”



# Next Steps:

- Follow up with partners
  - e.g., US Trade Representative
- Rulemaking
  - Proposed rule
    - includes another comment period
  - Final rule





Thank you

