



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

NMFS Requests Applications for Participation in the Atlantic Highly Migratory Species 2010 Shark Research Fishery

The National Marine Fisheries Service (NMFS) pursuant to 50 C.F.R. 635.32 (g) requests applications for participation in the 2010 shark research fishery. The shark research fishery permits would authorize participation in the shark research fishery and the collection of sandbar and non-sandbar large coastal sharks (LCS) from federal waters in the Atlantic Ocean, Gulf of Mexico, and Caribbean Sea for the purposes of scientific data collection subject to 100 percent observer coverage. Generally, these permits will be valid through December 31, 2010, unless otherwise specified, subject to the terms and conditions of individual permits.

NMFS will select approximately 10 qualified applicants to participate in the 2010 shark research fishery based on the temporal and spatial needs of the research objectives, the available quota, and the availability of the qualified applicants. Where there are multiple qualified applicants that meet the criteria, permittees will be randomly selected through a lottery system. These selected applicants will be issued shark research fishery permits and will be subject to 100 percent observer coverage on all shark research fishery trips. A shark research fishery permit will only be valid for the vessel and owner(s), subject to the terms and conditions listed on the permit and thus cannot be transferred to another vessel or owner(s). Shark research fishery permits will only be valid if a NMFS-approved observer is onboard. The shark research fishery permit must be on board the harvesting vessel, must be available when animals are landed, and must be presented for inspection upon request of an authorized officer. The shark research fishery permit may be revoked or modified at any time and does not confer the right to engage in activities beyond those listed on the shark research fishery permit.

The final rule for Amendment 2 to the Consolidated Highly Migratory Species (HMS) Fishery Management Plan (FMP) (73 FR 35778, June 24, 2008; corrected at 73 FR 40658, July 15, 2008) established, among other things, a shark research fishery to maintain time series data for stock assessments and to meet NMFS' research objectives. The commercial vessels selected to participate in the shark research fishery are the only vessels authorized to land/harvest sandbar sharks subject to the sandbar quota available for each year. The base quota is 87.9 metric tons (mt) dressed weight (dw) per year through December 31, 2012, although this number may be reduced in the event of overharvests, if any. The selected vessels would also have access to the non-sandbar LCS, small coastal shark (SCS), and pelagic shark quotas. Commercial vessels not participating in the shark research fishery may only land non-sandbar LCS, SCS, and pelagic sharks subject to the retention limits and quotas per 50 CFR 635.24 and 635.27, respectively.

In 2009, selected vessels were allowed a trip limit of 45 sandbar sharks and 33 non-sandbar LCS. The vessels participating in the shark research fishery fished an average of 2 trips per month. The 2010 trip limits and number of trips per month will depend on the number of selected vessels, available quota, and objectives of the research fishery. Vessels selected for 2010 may not all have the same retention limit.



NMFS will review the submitted applications based on the selection criteria as described in the Federal Register notice and information provided on the application form to determine which applicants are qualified to participate in the shark research fishery.

Qualified applicants are those that:

- possess a valid directed or incidental* commercial shark permit;
- possess a valid United States Coast Guard (USCG) safety inspection decal when the application is submitted;
- have not been charged criminally or civilly (i.e., issued a Notice of Violation and Assessment (NOVA) or Notice of Permit Sanction) for any HMS-related violation;
- have complied with NMFS observer programs and are able to take a NMFS-approved observer**; and,
- submit a completed application by 5 p.m., local time on November 29, 2009.

Only vessels which meet **all** of the above qualifications will be considered for the shark research fishery. * While incidental permit holders may apply, please note that for 2010, priority will be given to qualified directed permit holders to meet the research objectives. ** Priority will also be given to vessels with past participation in the NMFS observer program.

Completed Shark Research Fishery Permit Applications must be received no later than 5 p.m., local time on November 29, 2009, in order to be considered. For copies of the application, please write to the HMS Management Division 1315 East-West Highway, Silver Spring, MD 20910 or call (301) 713-2347 (phone), or (301) 713-1917 (fax). Copies of the application are also available at the HMS Management Division's website at <http://www.nmfs.noaa.gov/sfa/hms/index.htm>. Please submit completed applications to the HMS Management Division at the address listed above or by fax. Final decisions on the issuance of a shark research fishery permit will depend on the submission of all required information, and NMFS' review of applicant information as outlined in the Federal Register notice.

This notice is a courtesy to individuals interested in HMS fisheries activities to keep you informed about your fishery. Official notice of Federal fishery actions is made through filing such notice with the Office of the Federal Register. For further information, contact Karyl Brewster-Geisz or Guý DuBeck at (301) 713-2347.

OCT 29 2009

Emily Menashes

Alan Risenhoover
Director, Office of Sustainable Fisheries

Date

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