



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

NMFS Requests Comments on Ideas for an Atlantic Shark Fisheries Catch Share Program

This notice announces the National Marine Fisheries Service's (NMFS) intent to prepare an Environmental Impact Statement (EIS) and Fishery Management Plan (FMP) Amendment that would consider a catch share program for the Atlantic shark fisheries. The Atlantic shark fisheries, specifically the commercial Large Coastal Shark (LCS) fishery, continues to experience problems including commercial landings that exceed the quotas, declining numbers of fishing permits since limited access was implemented, complex regulations, latent fishing effort, "derby" fishing conditions, short seasons, increasing numbers of regulatory discards, and declining market prices for products.

NMFS published an Advanced Notice of Proposed Rulemaking (ANPR) on September 20, 2010 (75 FR 57235), that provided background information and requested public comment on potential adjustments to the regulations governing the U.S. Atlantic shark fisheries to address several specific issues currently affecting management of the shark fisheries and to identify specific goals for management of fisheries in the future. NMFS received comments on proposed modifications to the existing management structure for the Atlantic shark fisheries, including programs such as catch shares, limited access privilege programs (LAPPs), individual fishing quotas (IFQs), and/or sectors for the Atlantic shark fisheries. NMFS has also received a proposal from regional stakeholders for a catch share program (i.e., IFQ) for the Atlantic shark fisheries in the Gulf of Mexico. A copy of this proposal is available on the HMS Management Division website at:

(<http://www.nmfs.noaa.gov/sfa/hms/sharks/catchshares.htm>). In light of the comments, the IFQ proposal, and the potential for catch shares to address issues in the Atlantic shark fisheries, NMFS is considering rulemaking to implement catch shares in the Atlantic shark fisheries.

The Agency has prepared a white paper that provides more detail concerning some of the potential design elements for catch share programs and provide the public with additional information regarding some of the issues in the Atlantic shark fisheries that NMFS is interested in obtaining feedback on, including, but not limited to: eligibility (directed and/or incidental permit holders), specification of the resource unit (species and regions to include), initial allocation (based on catch history and/or other means), and catch share management. The white paper is available on the HMS Management Division website

(<http://www.nmfs.noaa.gov/sfa/hms/sharks/catchshares.htm>).

Through this notice, NMFS is establishing September 16, 2011, as a control date. If NMFS takes future action to implement catch shares in the Atlantic shark fisheries, the control date would affect eligibility to participate in and receive an initial allocation of quota in the Atlantic shark fisheries. Unless NMFS changes the control date in the future, to be eligible for the Atlantic shark fisheries catch share program, participants must be in possession of a valid federal directed or incidental limited access shark permit on (September 16, 2011). The Agency may or may not make use of this control date as part of the qualifying criteria for participation in any future catch share or other



management program. Fishermen are not guaranteed future participation in a fishery regardless of their entry date or intensity of participation in the fishery before or after the control date under consideration.

Through the proposed rulemaking process, NMFS will consider, among other things, methods of determining initial allocations. At this time, to reduce duplicate work and minimize confusion, NMFS is requesting that permit holders not submit data requests for their logbook landings history. There will be ample opportunity for all permit holders to review the landings data that NMFS has on file, The Agency will provide detailed information on a process for petitioning any discrepancies at a future date.

NMFS will hold a public workshop (details listed below) to receive comments from fishery participants and other members of the public regarding this NOI. Additional workshops will be announced in a subsequent notice in the Federal Register.

Date	Location	Time
September 22, 2011	Atlantic HMS Advisory Panel Meeting, 8777 Georgia Avenue, Silver Spring, Maryland 20910	1:30 – 5:00 p.m.

The public comment period for the NOI closes on March 1, 2012. Copies of the NOI are available upon request from the Highly Migratory Species Management Division, 1315 East-West Highway, Silver Spring, MD 20910 (phone: 301-427-8503, fax: 301-713-1917). The information will also be posted on the HMS website at: <http://www.nmfs.noaa.gov/sfa/hms/sharks/catchshares.htm>.

This notice is a courtesy to the HMS fishery participants to help keep you informed about the fishery. Official notice of Federal actions is made through filing such notice with the Office of Federal Register. For further information on this NOI, contact Karyl Brewster-Geisz, LeAnn Southward Hogan, Guý DuBeck, or Michael Clark at 301-427-8503.



Steven Thur
For Emily H. Menashes
Acting Director, Office of Sustainable Fisheries

09/16/11

Date

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