



NMFS Announces the Availability of Final Amendment 5a to the 2006 Consolidated Highly Migratory Species Fishery Management Plan for Management of Atlantic Sharks

April 18, 2013

The Final Environmental Impact Statement (FEIS) for Amendment 5a to the 2006 Consolidated Atlantic Highly Migratory Species (HMS) Fishery Management Plan (FMP) is now available. The final rule, which would implement Amendment 5a, will publish after the end of the FEIS 30-day waiting period. After reviewing all of the comments received on Draft Amendment 5 to the 2006 Consolidated HMS FMP, we are not planning to proceed at this time with the dusky shark measures as proposed in the draft. Instead, Amendment A5a to the 2006 Consolidated HMS FMP and its analysis will be limited to the following: 1) the need to maintain rebuilding of sandbar sharks; 2) end overfishing and rebuild scalloped hammerhead and Atlantic blacknose sharks; and 3) establish a total allowable catch (TAC) and commercial quotas for Gulf of Mexico blacknose and blacktip sharks. We will address the dusky shark overfishing and rebuilding plan in an upcoming proposed separate action, which will be referred to as “Amendment 5b.” Based on public comment, updated data, and new analyses, we have changed the preferred alternative suite from the Draft Environmental Impact Statement (DEIS) to the FEIS.

Who is affected?

Final Amendment 5a could affect:

- Any commercial shark fishermen.
- Any recreational fishermen who catch sharks of any species.
- Any dealers who buy or sell sharks or shark products.

What will it do?

The full range of alternatives considered can be found in the FEIS, which can be found at: <http://www.nmfs.noaa.gov/sfa/hms/FMP/AM5.htm>

The preferred alternative suite is summarized in the table below.

TAC and Commercial Quota Measures	Preferred Alternatives in DEIS <i>Alternative Suite A2</i>	Preferred Alternatives in FEIS <i>Alternative Suite A6</i>
Scalloped Hammerhead Shark Total Allowable Catch (TAC) and Commercial Hammerhead Quotas	Scalloped Hammerhead shark TAC: 79.6 mt dw Atlantic Hammerhead shark Quota: 28.3 mt dw Gulf of Mexico Hammerhead shark Quota: 23.9 mt dw	Scalloped Hammerhead shark TAC: Same. Atlantic Hammerhead shark Quota: 27.1 mt dw Gulf of Mexico Hammerhead shark Quota: 25.3 mt dw

TAC and Commercial Quota Measures	Preferred Alternatives in DEIS <i>Alternative Suite A2</i>	Preferred Alternatives in FEIS <i>Alternative Suite A6</i>
	Hammerhead shark group consists of great, scalloped, and smooth hammerhead sharks	Hammerhead shark group - Same.
Reason for Changes: Including the final 2011 dealer data in our calculations changed the average percentage of hammerhead sharks landed between the regions, while including the final 2011 logbook data changed the dead discard mortality estimates.		
Aggregated Large Coastal Shark (LCS) Quotas	Atlantic Aggregated LCS: 168.2 mt dw Atlantic Aggregated LCS consists of blacktip, bull, lemon, nurse, spinner, silky, and tiger sharks Gulf of Mexico Aggregated LCS: 157.3 mt dw Gulf of Mexico Aggregated LCS consists of bull, lemon, nurse, spinner, silky, and tiger sharks	Atlantic Aggregated LCS: 168.9 mt dw Atlantic Aggregated LCS - Same. Gulf of Mexico Aggregated LCS: 157.5 mt dw Gulf of Mexico Aggregated LCS - Same.
Reason for Changes: Including the final 2011 dealer data in our calculations changed the species landings percentage of the total LCS landings slightly; therefore, the aggregated LCS was updated appropriately.		
Gulf of Mexico Blacktip Shark TAC and Quotas	Gulf of Mexico blacktip shark TAC: 413.4 mt dw Gulf of Mexico blacktip shark quota: 256.7 mt dw	Gulf of Mexico blacktip shark TAC: Same. Gulf of Mexico blacktip shark quota: 256.6 mt dw
Reason for Changes: Including the final 2011 dealer data in our calculations changed the species landings percentage of the total LCS landings slightly; therefore, the Gulf of Mexico blacktip shark quota was updated appropriately.		
Blacknose Shark TAC and Quotas	Atlantic blacknose shark TAC: 21.2 mt dw Atlantic blacknose shark quota: 18.0 mt dw Gulf of Mexico blacknose shark TAC: 34.9 mt dw Gulf of Mexico blacknose shark quota: 2.0 mt dw	Atlantic blacknose shark TAC: Same. Atlantic blacknose shark quota: Same. Gulf of Mexico blacknose shark TAC: Same. Gulf of Mexico blacknose shark quota: Same.
Reason for Changes: No changes from the DEIS to FEIS.		
Non-blacknose Small Coastal Shark (SCS) Quotas	Atlantic non-blacknose SCS quota: 197.9 mt dw Gulf of Mexico non-blacknose SCS quota: 23.7 mt dw	Atlantic non-blacknose SCS quota: 176.1 mt dw Gulf of Mexico non-blacknose SCS quota: 45.5 mt dw
Reason for Changes: Including the final 2011 dealer data in our calculations changed the average regional landings for non-blacknose SCS species; therefore, the non-blacknose quota was updated appropriately. Additionally, we used the 2011 landings instead of average landings from 2010-2011 to account for the fact that much of the Gulf of Mexico region was closed to fishing in 2010 because of the Deepwater Horizon/BP oil spill.		
Quota Linkages and Inseason Quota Transfers	Link Atlantic hammerhead shark and Atlantic Aggregated LCS quotas Link Gulf of Mexico hammerhead shark, Gulf of Mexico Aggregated LCS, and Gulf of Mexico blacktip shark quotas	Link Atlantic hammerhead shark and Atlantic Aggregated LCS quotas - Same. Link Gulf of Mexico hammerhead shark and Gulf of Mexico Aggregated LCS quotas. Gulf of Mexico blacktip shark quota has no direct linkage to other quotas, but NMFS would have inseason authority to close the blacktip shark management group after the Gulf of Mexico hammerhead shark and

TAC and Commercial Quota Measures	Preferred Alternatives in DEIS <i>Alternative Suite A2</i>	Preferred Alternatives in FEIS <i>Alternative Suite A6</i>
	<p>Link Atlantic blacknose and Atlantic non-blacknose SCS quotas</p> <p>Link Gulf of Mexico blacknose and Gulf of Mexico non-blacknose SCS quotas</p> <p>Allow inseason quota transfers between non-blacknose SCS regions</p>	<p>Aggregated LCS management group close.</p> <p>Link Atlantic blacknose and Atlantic non-blacknose SCS quotas - Same.</p> <p>Link Gulf of Mexico blacknose and Gulf of Mexico non-blacknose SCS quotas - Same.</p> <p>Allow inseason quota transfers between hammerhead regions and between non-blacknose SCS regions</p>
<p>Reason for Changes: Based on public comment, we re-evaluated the quota linkage between the species groups. In the Gulf of Mexico, the hammerhead and aggregated LCS quotas would be linked because directed shark fishermen frequently catch these species together when targeting LCS. The Gulf of Mexico blacktip shark quota would not be linked to the aggregated LCS or hammerhead shark quotas, mainly because aggregated LCS and hammerhead sharks are caught in small amounts on trips targeting Gulf of Mexico blacktip sharks, but we would have additional authority to close the Gulf of Mexico blacktip management group through an inseason action after, or at the same time, the Gulf of Mexico hammerhead and aggregated LCS management groups close depending on several criteria. Based on public comment and because the scalloped hammerhead shark stock assessment was based on a single stock for the Atlantic and Gulf of Mexico regions, Alternative Suite A6 would also provide the flexibility to perform inseason transfers of the hammerhead quota between regions.</p>		
Recreational Measures	Preferred Alternatives in DEIS <i>Alternative Suite A2</i>	Preferred Alternatives in FEIS <i>Alternative Suite A6</i>
Minimum size	Increase minimum recreational size to 96 inch fork length for all sharks except sharpnose and bonnethead	Increase the minimum recreational size limit to 78 inch fork length for all hammerhead shark sharks; maintain current size limits for all other shark species.
<p>Reason for Changes: In the DEIS, the 96 inch fork length minimum size was designed for dusky shark rebuilding, which will be addressed in a separate rulemaking. In the FEIS, increasing the minimum recreational size limit to 78" would assist with rebuilding scalloped hammerhead sharks.</p>		
Reporting Requirements	Require mandatory reporting of all hammerhead sharks landed recreationally to NMFS through the non-tournament landing system	No reporting of recreationally landed hammerhead sharks
<p>Reason for Changes: Estimates of recreational mortality for hammerhead shark will continue to occur via existing surveys (Large Pelagics/MRIP), which NMFS has determined is sufficient for immediate rebuilding purposes, as set out in Alternative Suite A6 (the Preferred Alternative). Recreational shark reporting measures could be addressed in Amendment 5b.</p>		
Public Outreach	Outreach to recreational community regarding dusky shark identification and prohibition	Outreach to recreational community regarding shark identification, and recreational regulations
<p>Reason for Changes: The public outreach would be tailored towards all shark identification and regulations instead of just dusky sharks.</p>		

The preferred alternative suite is expected to prevent overfishing and rebuild overfished shark stocks. Details on the reasons for changes from the DEIS to the FEIS are described in the FEIS. The FEIS is available at <http://www.nmfs.noaa.gov/sfa/hms/> or by contacting Peter Cooper, Highly Migratory Species Management Division, National Marine Fisheries Service, 1315 East-West Highway, Silver Spring, MD 20910, (301) 713-2347.

Comments on the FEIS

We are not required to respond to comments received during the agency's 30 day comment period as a result of the issuance of the FEIS. However, comments received by May 27, 2013, will be reviewed and considered for their impact on issuance of a record of decision (ROD). Please send comments to the responsible official identified below. The ROD will be made available publicly following final agency action on or after May 27, 2013.

RESPONSIBLE

OFFICIAL: Emily H. Menashes
Deputy Director
Office of Sustainable Fisheries
National Oceanic and Atmospheric Administration
1315 East West Highway, Silver Spring, MD 20910
301-427-8500 (phone)
301-713-0596 (fax)
Electronic Submission: <http://www.regulations.gov>, docket ID
"NOAA-NMFS-2012-0161"

This notice is a courtesy to Atlantic 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 final environmental impact statement, contact Peter Cooper, Guý DuBeck, or Karyl Brewster-Geisz at 301-427-8503. Copies of the final environmental impact statement and other supporting documents 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/>.

Sign up for Atlantic HMS News

An electronic newsletter informing you of the latest HMS-related actions

<http://www.nmfs.noaa.gov/sfa/hms/newslist/>