



## **NOAA FISHERIES ANNOUNCES:**

### **THE FINAL RULE IMPLEMENTING THE FINAL AMENDMENT 1 TO THE FISHERY MANAGEMENT PLAN FOR ATLANTIC TUNAS, SWORDFISH, AND SHARKS**

and

### **THE ATLANTIC SHARK COMMERCIAL QUOTAS AND FISHING SEASON FOR THE FIRST 2004 SEMIANNUAL FISHING SEASON**

On November 14, 2003, the Notice of Availability of the Final Amendment 1 to the Fishery Management Plan for Atlantic Tunas, Swordfish, and Sharks (Amendment 1) was published in the Federal Register (68 FR 64621). The National Marine Fisheries Service (NOAA Fisheries) has now finalized the rule that will implement the final actions in Amendment 1. The final rule is with the Federal Register and will publish shortly. The final actions are based on the best available science and could affect all aspects of shark management.

Final actions include, among other things: aggregating the large coastal shark complex, using maximum sustainable yield as a basis for setting commercial quotas, eliminating the commercial minimum size, establishing regional commercial quotas and trimester commercial fishing seasons, adjusting the recreational bag and size limits, establishing gear restrictions to reduce bycatch or reduce bycatch mortality, establishing a time/area closure off the coast of North Carolina, removing the deepwater/other sharks from the management unit, establishing a mechanism for changing the species on the prohibited species list, updating essential fish habitat identifications for five species of sharks, and changing the administration for issuing permits for display purposes.

Most of the regulations will become effective on February 1, 2004. However, the change in commercial quotas, removal of the commercial minimum size, establishment of regional quotas, and increase in recreational bag and size limit will be in effect on December 30, 2003. The time/area closure off of North Carolina and the trimester seasons will be in effect on January 1, 2005. Additionally, the vessel monitoring system and the dehooking device requirements are delayed pending type approval notices. NOAA Fisheries is currently updating both the recreational and commercial fishing brochures. The commercial brochures will be mailed directly to commercial shark fishermen in January 2004. Recreational and commercial brochures can be requested by calling the number below.

Copies of Amendment 1 and, when published, the final rule and fishing brochures can be found on the Highly Migratory Species Management Division website at: <http://www.nmfs.noaa.gov/sfa/hms/> or by contacting Karyl Brewster-Geisz, Heather Stirratt, or Chris Rilling at (301) 713-2347 or Greg Fairclough

at (727) 570-5447.

The commercial shark fisheries for all species groups and all regions will open on January 1, 2004. The quotas have been adjusted to account for any over- or underharvest in the first semiannual season of 2003. The regions are: Gulf of Mexico (Texas through the west coast of Florida), the South Atlantic (the east coast of Florida through North Carolina including the Caribbean Sea), and the North Atlantic (Virginia north). The semi-annual quotas in metric tons dressed weight (mt dw) and pounds (lbs) and closure dates are:

Species Group	Region	Semi-Annual Quota Level		Closure Date
		mt dw	lbs dw	
Large Coastal Sharks	Gulf of Mexico	190.3	419,535.4	February 29, 2004, 11:30 pm local time
	South Atlantic	244.7	539,465.6	February 15, 2004, 11:30 pm local time
	North Atlantic	18.1	39,903.3	April 15, 2004, 11:30 pm local time
Small Coastal Sharks	Gulf of Mexico	11.2	24,691.5	To be determined, as necessary
	South Atlantic	233.2	514,112.7	
	North Atlantic	36.5	80,467.9	
Blue sharks	No regional quotas	136.5	300,927.9	
Porbeagle sharks	No regional quotas	46	101,411.6	
Pelagic sharks other than blue or porbeagle	No regional quotas	244	537,922.4	

Fishery closures are necessary to ensure that the semiannual fishing quotas for the period January 1 through June 30, 2004, are not exceeded. During a closure of a particular region, retention of, fishing for, possessing or selling LCS in that region are prohibited for persons fishing aboard vessels issued a limited access permit under 50 CFR 635.4. Additionally, the sale, purchase, trade, or barter in that region of carcasses and/or fins of LCS harvested by a person aboard a vessel that has been issued a permit under 50 CFR 635.4 are prohibited, except for those that were harvested, offloaded, and sold, traded, or bartered prior to the closure and were held in storage by a dealer or processor.

This FAX notice is a courtesy to shark fishery participants to help 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.

Bruce C. Morehead  
for John H. Dunnigan, Director  
Office of Sustainable Fisheries

December 18, 2003