



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

NMFS Announces the Opening Date of the 2009 Commercial Fisheries for Non-Sandbar Large Coastal Sharks, Sandbar Sharks, Small Coastal Sharks, and Pelagic Sharks

The National Marine Fisheries Service (NMFS) announces a final rule that establishes quota levels and the opening date for the 2009 Atlantic commercial shark fisheries. The fisheries will open on January 23, 2009, and will remain open until December 31, 2009, unless NMFS calculates that the fishing season landings for sandbar shark, non-sandbar LCS, SCS, blue shark, porbeagle shark, or pelagic sharks other than porbeagle or blue sharks has reached, or is projected to reach, 80 percent of the available quota.

As implemented under Amendment 2 to the 2006 Consolidated Atlantic Highly Migratory Species (HMS) Fishery Management Plan (FMP) (73 FR 35778, corrected at 73 FR 40658), over- and underharvests of the current year are accounted for in the same region and/or fishery the following year, depending on stock status. Since the individual species, complexes, and species within a complex have all been determined to be either overfished, overfished with overfishing occurring, or unknown, no underharvests from the 2008 Atlantic commercial shark fishing season will be applied to the 2009 annual quotas or adjusted base quotas.

According to the latest landings update, none of the quotas for the individual species/complexes were exceeded during 2008, with the exception of porbeagle sharks. The porbeagle shark fishery closed on November 18, 2008 (73 FR 68361), due to the 2008 overharvest. The latest landings information includes landings from January 1 through November 15, 2008, and is shown in Table 1. The 2009 Atlantic commercial shark fishing season and quotas are also provided in Table 1. Finally, if any additional quotas are exceeded between November 15, 2008 (the landings update used in this final rule), and December 31, 2008 (the end of the fishing season), the available 2009 quotas will be adjusted accordingly in a separate notice per 635.27(b)(1)(vii)(A), which states that overharvests will be adjusted for in the following fishing season.

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 final rule and its requirements, contact Karyl Brewster-Geisz at 301-713-2347 or Jackie Wilson at 240-338-3936. Copies of the final rule are available upon request from the Highly Migratory Species Management Division, 1315 East-West Highway, Silver Spring, MD 20910 (phone: 301-713-2347, fax: 301-713-1917). The information will also be posted on the HMS website at: <http://www.nmfs.noaa.gov/sfa/hms/>.

Alan D. Risenhoover
Director, Office of Sustainable Fisheries

DEC 24 2008

Date

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Table 1. 2009 quotas for non-sandbar LCS, sandbar sharks, SCS, blue sharks, porbeagle sharks, and pelagic sharks other than porbeagle or blue sharks for the 2009 commercial shark fishing season. All quotas and landings are dressed weight (dw), in metric tons (mt), unless specified otherwise. The 2009 commercial shark fishing season will open on January 23, 2009.

Species Group	Region	2008 Base Annual Quota	2008 Landings ²	Overharvest	2009 Annual Quota
Non-Sandbar Large Coastal Sharks ¹	Gulf of Mexico	390.5 (860,896 lb dw)	268.4 (591,682 lb dw)	-	390.5 (860,896 lb dw)
	Atlantic	187.8 (414,024 lb dw)	127 (279,998 lb dw)	-	187.8 (414,024 lb dw)
Non-Sandbar LCS Research Quota ¹	No regional quotas	37.5 (82,673 lb dw)	5.9 (13,106.7 lb dw)	-	37.5 (82,673 lb dw)
Sandbar Research Quota ¹		87.9 (193,784 lb dw)	63.3 (139,583 lb dw)	-	87.9 (193,784 lb dw)
Small Coastal Sharks		454 (1,000,888 lb dw)	245.5 (541,120 lb dw)	-	454 (1,000,888 lb dw)
Blue Sharks		273 (601,856 lb dw)	1.5 (3,212 lb dw)	-	273 (601,856 lb dw)
Porbeagle Sharks		1.7 (3,748 lb dw)	2 (4,349 lb dw)	0.3 (601 lb dw)	1.4 (3,147 lb dw)
Pelagic Sharks Other Than Porbeagle or Blue		488 (1,075,856 lb dw)	101 (222,774 lb dw)	-	488 (1,075,856 lb dw)

¹ Annual base quotas for these species/complexes are the quotas being implemented from July 24, 2008, until December 31, 2012.

² Landings are from January 1, 2008, until November 15, 2008, and are subject to change.