



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

## **NMFS ANNOUNCES PROPOSED RULE TO ADJUST THE 2008 NORTH AND SOUTH ATLANTIC SWORDFISH QUOTAS AND MODIFY VESSEL CHARTERING REGULATIONS**

This proposed rule would adjust the North and South Atlantic swordfish quotas for the 2008 fishing year (January 1, 2008, through December 31, 2008) to account for underharvests in 2007, and to transfer 18.8 metric tons (mt) dressed weight (dw) to Canada per the 2006 International Commission for the Conservation of Atlantic Tunas (ICCAT) recommendations 06-02 and 06-03. The 2008 North Atlantic swordfish baseline quota is 2,937.6 mt dw. The total North Atlantic swordfish underharvest for 2007 was 3,220 mt dw, which exceeds the maximum carryover cap of 1,468.8 mt dw, established in ICCAT recommendation 06-02. Therefore, NMFS is carrying over the capped amount per the ICCAT recommendation. Thus, the baseline quota plus the underharvest carryover maximum of 1,468.8 mt dw equals an adjusted quota of 4,406.4 mt dw for the 2008 fishing year (Table 1).

The 2008 South Atlantic swordfish baseline quota is 75.2 mt dw. The total South Atlantic swordfish underharvest for 2007 was 150.4 mt dw, which exceeds the maximum carryover cap of 75.2 mt dw, established in ICCAT recommendation 06-03. Therefore, NMFS is carrying over the capped amount per the ICCAT recommendation. As a result, the baseline quota plus the underharvest carryover maximum of 75.2 mt dw equals an adjusted quota of 150.4 mt dw for the 2008 fishing year (Table 1).

In addition, NMFS proposes to modify the vessel chartering regulations to potentially allow Atlantic HMS limited access permit holders to charter foreign vessels under a chartering arrangement where catches taken would count against the Atlantic HMS quotas or entitlements of the United States.

Two public hearings are scheduled: Monday, December 8, 2008, 4-6 p.m., National Oceanic and Atmospheric Administration, SSMC III, Room 1311B, 1301 East West Highway, Silver Spring, MD 20910; and Tuesday, December 16, 2008, 2:30-4:30 p.m., Northeast Regional Office, NMFS, 55 Republic Drive, Gloucester, MA 01930.

The comment period for this proposed rule is open until December 18, 2008. Written comments, identified by "0648-AW61", may be submitted electronically via the Federal eRulemaking Portal <http://www.regulations.gov>, or sent by fax or mail to the contact information included below.

All comments received are a part of the public record and will generally be posted to <http://www.regulations.gov> without change. All Personal Identifying Information (e.g., name, address, etc.) voluntarily submitted by the commenter may be publicly accessible. Do not submit Confidential Business Information or otherwise sensitive or protected information. NMFS will accept anonymous comments (enter N/A in the required fields, if you wish to remain anonymous). You may submit attachments to electronic comments in Microsoft Word, Excel, WordPerfect, or Adobe PDF file formats only.

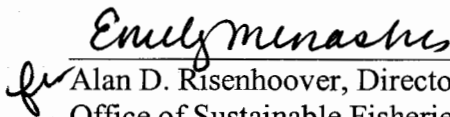


Table 1. Landings and Quotas for the Atlantic Swordfish Fisheries (2005 – 2008).

North Atlantic Swordfish Quota (mt dw)		2005	2006	2007 preliminary	2008 to date
Baseline Quota		2,937.6	2,937.6	2,937.6	2,937.6
Quota Carried Over		3,359.1	4,691.2	1,468.8	1,468.8
<b>Adjusted quota</b>		<b>6,296.7</b>	<b>7,628.8</b>	<b>4,406.4</b>	<b>4,406.4</b>
Quota Allocation	Directed Category	5,895.2	7,246.1	3,601.9	3,601.9
	Incidental Category	300.0	300.0	300.0	300.0
	Reserve Category	101.5	82.7	504.5	485.7
Utilized Quota	Landings	1,471.8	1,291.5	1,167.5	962.7 to date
	Reserve Transfer to Canada	18.8	18.8	18.8	18.8
Total Underharvest		4,806.1	6,318.5	3,220.1	TBD
Dead Discards		114.9	154.9	149.2	TBD
Carryover Available +		4,691.2	1,468.8	1,468.8	TBD
South Atlantic Swordfish Quota (mt dw)		2005	2006	2007 preliminary	2008 to date
Baseline Quota		75.2	90.2	75.2	75.2
Quota Carried Over		319.3	394.5	75.2	75.2
<b>Adjusted quota</b>		<b>394.5</b>	<b>484.7</b>	<b>150.4</b>	<b>150.4</b>
Landings		0.0	0.0	0.0	0.0 to date
Carryover Available +		394.5	75.2	75.2	75.2

<sup>+</sup> Underharvest is capped at 50 percent of the baseline quota allocation for the North Atlantic and 100 mt ww (75.2 mt dw) for the South Atlantic.

This notice is a courtesy to the HMS fishery participants to help keep you informed about your fishery. Official notice of Federal actions is made through filing such notice with the Office of Federal Register. For further information on this proposed rule and its requirements, contact LeAnn S. Hogan or Karyl Brewster-Geisz at 301-713-2347. Copies of the proposed rule and supporting documents 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

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