



NMFS ANNOUNCES THE FINAL RULE TO ADJUST THE 2009 NORTH AND SOUTH ATLANTIC SWORDFISH QUOTAS, PERFORM ADMINISTRATIVE REGULATORY CLARIFICATIONS AND MODIFICATIONS, AND MODIFY AND IMPLEMENT TIME/AREA CLOSURES

Swordfish Quotas

This final rule adjusts the North and South Atlantic swordfish quotas for the 2009 fishing year (January 1, 2009, through December 31, 2009) to account for underharvests in 2008, and to transfer 18.8 metric tons (mt) dressed weight (dw) to Canada per the 2006 and 2008 International Commission for the Conservation of Atlantic Tunas (ICCAT) recommendations 06-03 and 08-02. The 2009 North Atlantic swordfish baseline quota is 2,937.6 mt dw. The 2009 South Atlantic swordfish baseline quota is 75.2 mt dw. Details of the adjustment can be found in Table 1 and in the final rule.

Administrative Regulatory Modifications and Clarifications

In addition to adjusting the North and South Atlantic swordfish quotas, NMFS is also performing the following five administrative modifications and clarifications to the regulations: 1) clarifying minimum size requirements for whole and dressed swordfish; 2) issuing “participant certificates” at shark identification workshops to attendees that do not have a dealer license; 3) requiring that any dead bycatch in the pelagic longline fishery be brought on board, at the observer’s request, for biological sampling; 4) requiring that any changes in information from the application for Atlantic Tuna Longline Limited Access Permit be submitted in writing; and 5) clarifying the information that is to be included on consignment documents for the importation of Atlantic, Pacific and Southern bluefin tuna, frozen bigeye tuna, and swordfish.

Adjustment and Implementation of Time/Area Closures in the Gulf of Mexico

Under current regulations (50 CFR 635.21 (a)(4)(ii) – (iv)), the Madison-Swanson and Steamboat Lumps time/area closures within the Gulf of Mexico are set to expire on June 16, 2010. This rule eliminates this sunset provision and prevents expiration of the time/area closures on June 16, 2010, consistent with the Gulf of Mexico Fishery Management Council (GMFMC) regulations. Additionally, this rule establishes a time/area closure in the northwestern Gulf of Mexico called the “Edges 40 Fathom Contour,” at the request of GMFMC. The boundaries of this closure are defined by the coordinates: NW = 28° 51'N, 85° 16'W; NE = 28° 51' N, 85° 04'W; SW = 28° 14'N, 84° 54'W; SE = 28° 14'N, 84° 42'W (Figure 1).

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 Steve Durkee or Karyl Brewster-Geisz at 301-713-2347. Copies of the final 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/>.



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Date

Table 1. Landings and Quotas for the Atlantic Swordfish Fisheries (2005 – 2009).

North Atlantic Swordfish Quota (mt dw)		2005	2006	2007	2008	2009
Baseline Quota		2,937.6	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	1,468.8
Adjusted quota		6,296.7	7,628.8	4,406.4	4,406.4	4,406.4
Quota Allocation	Directed Category	5,895.2	7,246.1	3,601.9	3,620.7	3,639.5
	Incidental Category	300.0	300.0	300.0	300.0	300.0
	Reserve Category	101.5	82.7	504.5	485.7	466.9
Utilized Quota	Landings	1,471.8	1,291.5	1,167.5	1,695.7	TBD
	Reserve Transfer to Canada	18.8	18.8	18.8	18.8	18.8
Total Underharvest		4,806.1	6,318.5	3,220.1	2,691.9	TBD
Dead Discards		114.9	154.9	149.2	149.8	TBD
Carryover Available +		4,691.2	1,468.8	1,468.8	1,468.8	TBD
South Atlantic Swordfish Quota (mt dw)		2005	2006	2007	2008	2009
Baseline Quota		75.2	90.2	75.2	75.2	75.2
Quota Carried Over		319.3	394.5	75.2	75.2	75.2
Adjusted quota		394.5	484.7	150.4	150.4	150.4
Landings		0.0	0.0	0.0	0.0	TBD
Carryover Available +		394.5	75.2	75.2	75.2	75.2

* 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.

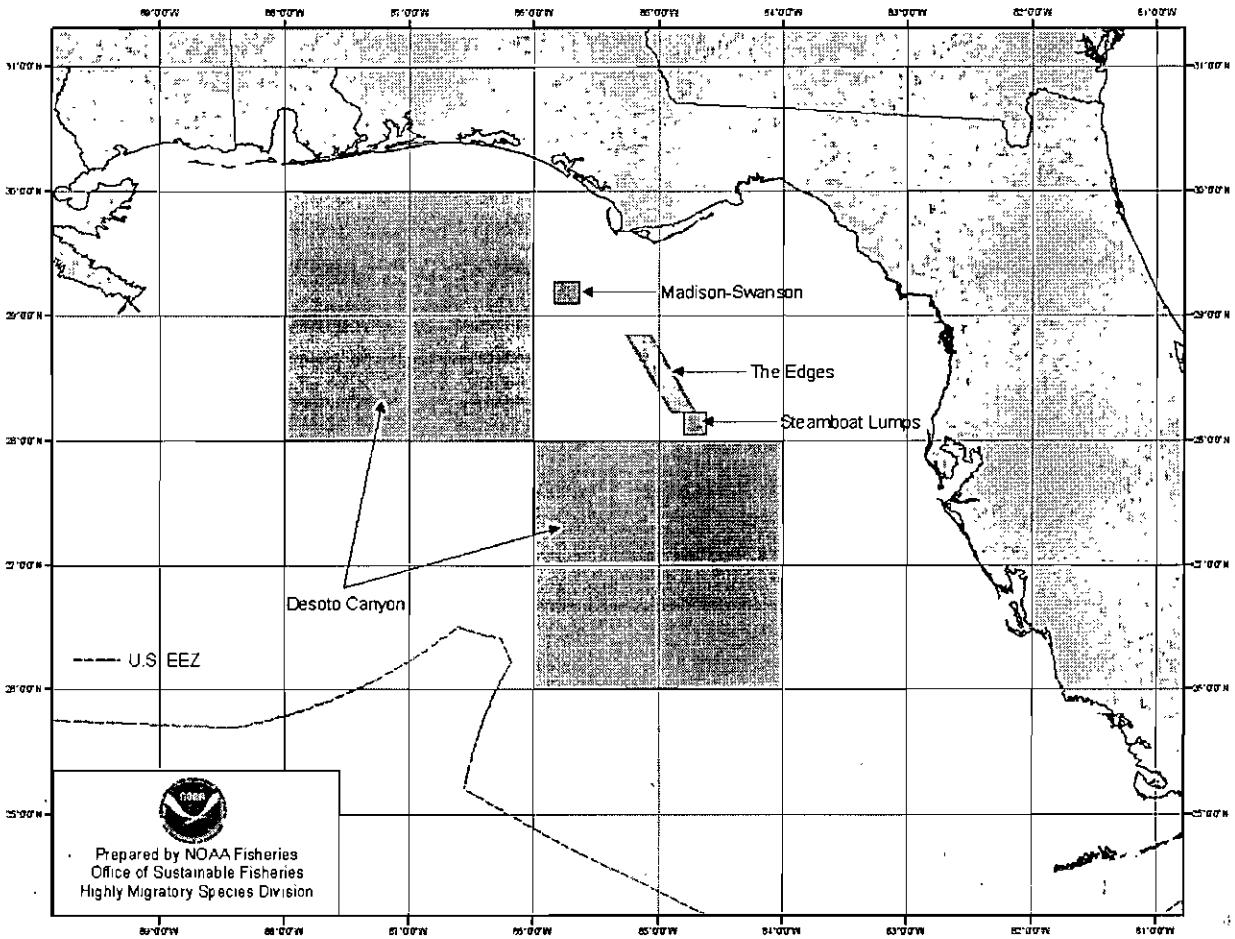


Figure 1. Chart showing location of the closure areas (Madison-Swanson, Steamboat Lumps, and the Edges 40 Fathom Contour). The existing Desoto Canyon PLL closure area is also shown for reference.