



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

NMFS Announces a Proposed Rule to Modify the Retention of Incidentally-Caught Highly Migratory Species (HMS) in Atlantic Trawl Fisheries

The National Marine Fisheries Service (NMFS) proposes to modify the regulations governing the retention of incidentally-caught HMS in Atlantic trawl fisheries. Specifically, this action would address: (1) the permitting requirements for retention of incidentally-caught North Atlantic swordfish (*Xiphias gladius*) in squid trawl fisheries; and, (2) the retention of incidentally-caught species in the smoothhound shark complex (which includes smooth dogfish and Florida smoothhound (genus *Mustelus*)) in all Atlantic trawl fisheries.

The purpose of the proposed action is to reduce regulatory dead discards of incidentally-caught swordfish in the *Illex* squid trawl fishery by establishing a new Squid Trawl Incidental HMS permit, and to improve reporting and compliance with HMS regulations in all Atlantic squid trawl fisheries. The proposed rule also considers a retention limit for smoothhound sharks in Atlantic trawl fisheries. The intent of both of these actions is to reduce regulatory dead discards of HMS that are incidentally captured in trawl gears. The retention limit for smoothhounds in trawl fisheries would be implemented in conjunction with the smoothhound permit at the start of the 2012 smoothhound fishing season.

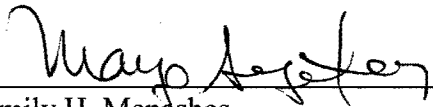
The comment period for this proposed rule is open until April 17, 2011. Public hearings will be held at the following times, dates, and locations.

1. March 21, 2011, 1 – 3 p.m., NMFS Northeast Regional Office, 55 Great Republic Drive, Gloucester, MA, 01930
2. March 22, 2011, 4:30 – 6:30 p.m., Ocean County Library, Barnegat Branch, 112 Burr Street, Barnegat, NJ, 08005
3. March 28, 2011, 5 – 7 p.m., Manteo Town Hall, 407 Budleigh Street, Manteo, NC, 27954
4. April 6, 2011, 8:30 – 10 a.m., HMS Advisory Panel Meeting, Crowne Plaza Hotel, 8777 Georgia Ave., Silver Spring, MD, 20910
5. April 13, 2011, 11:00 a.m. – 12:00 p.m., Mid-Atlantic Fishery Management Council Meeting, Historic Inn of Annapolis, 58 State Circle, Annapolis, MD, 21401.

Written comments, identified by “0648-BA45”, 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 generally will be posted to <http://www.regulations.gov> without change. All Personal Identifying Information (for example, 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.



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 proposed rule and draft EA, contact Richard A. Pearson at 727-551-5742, Delisse Ortiz at 301-713-2347, or Steve Durkee at 202-670-6637. Copies of the proposed rule and draft EA 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/>.



for Emily H. Menashes
Acting Director, Office of Sustainable Fisheries

MAR 17 2011

Date

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