



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

## **THE NATIONAL MARINE FISHERIES SERVICE ANNOUNCES FINAL RULE TO ADJUST THE 2012 NORTH AND SOUTH ATLANTIC SWORDFISH QUOTAS AND OTHER MEASURES**

We have published a final rule (77 FR 45273; July 31, 2012) to implement the International Commission for the Conservation of Atlantic Tunas recommendations related to North and South Atlantic Swordfish and to implement several related regulatory changes.

### For North Atlantic Quotas:

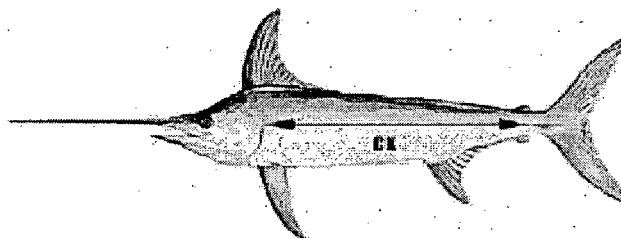
- Maintain the existing U.S. baseline quota of 2,937.6 metric tons (mt) dressed weight (dw) for 2012 and 2013;
- Transfer 112.8 mt dw from the United States to Morocco to support joint scientific research;
- Change the underharvest carryover amount from 50 percent of the baseline quota (1,468.8 mt dw) to 25 percent of the baseline quota (734.4 mt dw).
- For 2012, the final adjusted the quota is 3,672 mt dw.

### For South Atlantic Quotas:

- Maintain the existing baseline quota at 75.2 mt dw, carryover allowances, quota transfers, and other regulations; and
- For 2012, the final adjusted quota is 75.2 mt dw.

### For Commercial and Recreational Minimum Sizes:

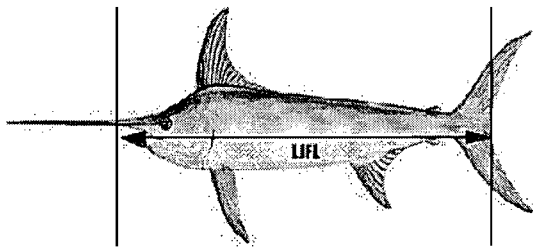
- Implement a 25 inch cleithrum to caudal keel measurement per Recommendation 11-02;



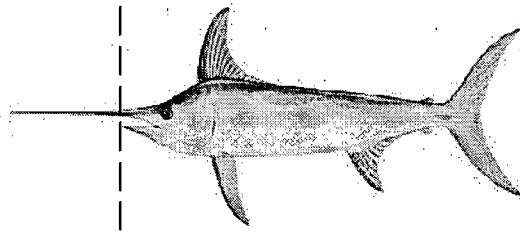
Cleithrum to caudal keel measurement



- Allow the existing 47-inch lower jaw fork length measurement to apply to swordfish without a bill, as long as the bill is removed forward of anterior tip of the lower jaw and the head is naturally attached. A naturally attached swordfish head refers to the whole head remaining fully attached to the carcass except for the bill, can be removed forward of the anterior tip of the lower jaw.



Lower jaw fork length measurement



Removal of swordfish bill

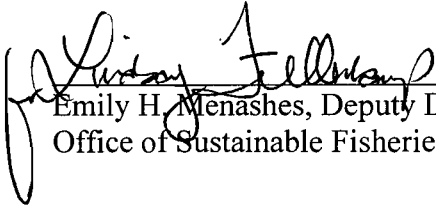
- This final rule will allow NMFS to transfer quota from the directed category to the incidental or reserve quota categories and use the quota in the reserve category to account for fishery research landings. This simplifies the North Atlantic swordfish reserve category description and explicitly states the annual reserve category allocation to be 50 mt dw.
- Additionally, the regulatory language is modified so that Commission-negotiated quota transfers of North Atlantic swordfish will be moved from the U.S. baseline quota rather than the reserve category.

No changes have been made to the proposed rule in this final rule. Comments on the proposed rule were received and are summarized in the final rule.

Section 212 of the Small Business Regulatory Enforcement Fairness Act of 1996 states that, for each rule or group of related rules for which an agency is required to prepare a final regulatory flexibility analysis, the agency shall publish one or more guides to assist small entities in complying with the rule, and shall designate such publications as “small entity compliance guides.” The agency shall explain the actions a small entity is required to take to comply with a rule or group of rules. This notice serves as the small entity compliance guide.

This notice is a courtesy to the Atlantic Highly Migratory Species (HMS) fishery interests 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 Environmental Assessment, contact Steve Durkee at (202)-670-663 or Delisse Ortiz at 301-427-8503. Copies of the final rule and Environmental Assessment are available upon request

from the Highly Migratory Species Management Division, 1315 East-West Highway, Silver Spring, MD 20910 (phone: 301- 427-8503, fax: 301-713-1917). The information will also be posted on the HMS website at: <http://www.nmfs.noaa.gov/sfa/hms/>.



Emily H. Menashes, Deputy Director  
Office of Sustainable Fisheries

JUL 31 2012

Date

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