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

NMFS Announces the Reopening to the Comment Period for Amendment 2 to the Consolidated Highly Migratory Species (HMS) Fishery Management Plan (FMP)

On July 27, 2007 (72 FR 41392), the National Marine Fisheries Service (NMFS) published a proposed rule in the Federal Register for draft Amendment 2 to the Consolidated HMS FMP. That publication included a comment period deadline of October 15, 2007. On October 3, 2007, the comment period deadline was extended until November 2, 2007 (72 FR 56330). In order to provide additional opportunities for public comment, **NMFS is reopening the public comment period for an additional 30 days on the proposed rule and draft Amendment 2 to the Consolidated HMS FMP until 5 p.m., December 17, 2007.**

At the October 2007 HMS Advisory Panel (AP) meeting, AP members asked a number of questions regarding the proposed measures that would require fishermen to land sharks with all fins naturally attached. Specifically, AP members asked how this requirement would relate to the Shark Finning Prohibition Act and its implementing regulations. In order to provide evidence that sharks were actually landed with their fins attached, NMFS is considering modifying shark dealer weigh-out slips so that dealers can document when they receive sharks landed with fins naturally attached. NMFS recently released a document that discusses this issue entitled "Clarification of the Proposed Rule Regarding Landing Sharks with the Fins Attached and the Shark Finning Prohibition Act," which is available on the HMS website and was distributed to the HMS listserve.

Throughout the comment period, NMFS has received thousands of comments on the full range of analyzed alternatives, including the status of the stocks, proposed quotas, proposed shark landing requirements, and the proposed list of allowable shark species for recreational anglers. NMFS has also received suggestions on modifying the proposed measures to minimize impacts to fishermen. Specifically, one group of commenters, including the Gulf of Mexico Fishery Management Council and the Atlantic States Marine Fisheries Commission, suggest implementing two regions (*i.e.,* a Gulf of Mexico region and an Atlantic region). In general, these comments were made in light of the blacktip shark status in the Gulf of Mexico and the large overharvests in the Gulf of Mexico during 2007. NMFS has not fully analyzed the implications of the two regions versus the proposed one region or the status quo alternative of three regions. Nonetheless, NMFS welcomes additional comments on this suggestion.

Finally, NMFS is clarifying that any overharvests in 2007 and/or 2008 would be accounted for in final measures implementing Amendment 2 to the Consolidated HMS FMP, consistent with both the current and proposed regulations. NMFS continues to accept comments on any of the proposed measures and on those measures that comments were specifically requested, including the proposed list of species that recreational

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anglers would be allowed to land, the amount of time proposed to provide notice of closures, and the 80 percent trigger for closing commercial shark fisheries.

Comments identified by 0648-AU89 may be submitted to Michael Clark by one of the following methods:

- email: ShkA2@noaa.gov or via the Federal eRulemaking Portal at http://www.regulations.gov; or
- fax: (301) 713-1917; or
- mail: 1315 East West Highway, Silver Spring, MD, 20910.

Please include "Amendment 2" in a subject line of your email, fax, or mailed comment. If you decide to use www.regulations.gov, the information is provided in Docket Number NOAA-NMFS-2007-0724.

This E-mail notice is a courtesy to HMS fisheries interests to keep you informed about your fisheries. Official notice of Federal fishery actions is made through filing such notice with the Office of the Federal Register. For further information, contact Michael Clark at (301) 713-2347 or Jackie Wilson at (240) 338-3936.

Emily Menashes
for Alan Risenhoover
Director, Office of Sustainable Fisheries

11/14/2007
Date

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