

Steven Atran

From: Steven Atran
Sent: Friday, February 20, 2009 11:50 AM
To: Richard Leard
Subject: RE: Pre-Draft of Amendment 3 to the Atlantic Consolidated HMS FMP
Attachments: Scoping comments on HMS Amendment 3 (small coastal sharks)

Rick,

The NMFS HMS Division held a series of scoping meetings for HMS Amendments 3 and 4 during the summer 2008, and they made a presentation to the Council at the October 2008 Council meeting. I attended the scoping meeting in St. Petersburg in August, and subsequently provided them with my personal comments on the scoping documents, which also incorporated your concerns (attached). Neither the Migratory Species Committee nor the full Council had any comments at the October presentation.

I've only had a chance to quickly skim thru the pre-draft document. The comments that I provided are included in an appendix summarizing comments received, but I did not see any indication that the discussion or range of alternatives was modified as a result of our comments about reduced shrimping effort since 2005, other than this statement on page 12:

"During scoping for Amendment 3 to the 2006 Consolidated HMS FMP, NMFS received numerous comments on the blacknose stock assessment, and in particular, on the bycatch model used to estimate bycatch of blacknose sharks in the Gulf of Mexico and South Atlantic shrimp trawl fisheries (see Appendix A)."

The document is still pointing to shrimp trawling as a major source of blacknose shark bycatch mortality (50% of all mortality - page 26) and is still using what appears to be the same figures that were used in the scoping document, stating that on average, 43,482 blacknose sharks that are killed in shrimp trawl fisheries each year (page 27) and that a 78-percent reduction in mortality across all fisheries is needed (page 27).

The deadline to submit comments on the predraft document is March 16. Since our next Council meeting is after the deadline, I see no purpose to scheduling a presentation, and since the Council had no comments on the scoping document, I don't see that there is anything for us to say about the predraft document at this time.

The document states that NMFS anticipates that the proposed rule and DEIS will be available in August of 2009. The Council has five members up for appointment in August, two of whom serve on the Migratory Species Committee (Bobbi Walker and Susan Villere). We know that those two will be replaced. With new Council members coming aboard in August, that might be a good time to ask for a presentation of the proposed rule to the Committee. Better yet, have our Standing and Special Shark SSC review the proposed rule/DEIS in August or whenever it's ready, and then have the Council review the SSC comments and get a presentation in October. I suggest that you respond that we don't feel that the Council would have any new comments on the predraft so soon after reviewing the scoping document, but that we would like an opportunity to have our SSC review the proposed rule/DEIS in August or whenever when it is ready, and have the Council review it in October.

Steven

-----Original Message-----

From: Richard Leard
 Sent: Thursday, February 12, 2009 11:10 AM
 To: Steven Atran
 Subject: FW: Pre-Draft of Amendment 3 to the Atlantic Consolidated HMS FMP

Steve,
 Didn't we already get this presentation? Have they changed the actions/alternatives? Do we need to provide any additional comments? Please advise me. Thanks.
 Rick

-----Original Message-----

From: Margo Schulze-Haugen [mailto:Margo.Schulze-Haugen@noaa.gov]

Sent: Wednesday, February 11, 2009 4:22 PM
To: _NMFS HMSconsultingparties
Cc: Alan Risenhoover; Emily Menashes; Jackie Wilson; Karyl Brewster-Geisz
Subject: Pre-Draft of Amendment 3 to the Atlantic Consolidated HMS FMP

Dear Atlantic Highly Migratory Species Consulting Party or Marine Fisheries Commission:

The National Marine Fisheries Service (NMFS) plans to amend the Consolidated Highly Migratory Species (HMS) Fishery Management Plan (FMP). New management measures are anticipated to be in place by early 2010. Under §304(g)(1)(A) of the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act), NMFS is required to consult with affected Fishery Management Councils, ICCAT commissioners and advisory groups, and the Advisory Panels established under the Magnuson-Stevens Act regarding amendments to the FMPs.

As one of the initial steps in this process, we are requesting your comments on the enclosed Predraft of Amendment 3 to the Consolidated HMS FMP. The FMP amendment would implement new management measures to rebuild blacknose sharks, which are overfished with overfishing occurring, and shortfin mako sharks, which are experiencing overfishing. An electronic version of the attached document is also available on the HMS Management Division's website at: <http://www.nmfs.noaa.gov/sfa/hms>.

The Predraft of Amendment 3 will also be discussed in detail at the upcoming HMS Advisory Panel meeting in Silver Spring on February 18-19, 2009 (draft agenda attached).

The Predraft is intended to generate discussion about management alternatives and potential actions. It includes a summary of shark management history, the purpose and need of the amendment, a summary of the management alternatives being considered at this time, and their potential impacts on the human environment. Alternatives may be modified, removed, or supplemented based on comments received and additional analyses. NMFS specifically solicits your opinions and advice on the range of alternatives and if there are additional alternatives that should be considered. Additionally, NMFS requests comment on the impacts described for the alternatives.

NMFS will also ask the Fishery Management Councils and Marine Fisheries Commissions for an opportunity to discuss this Predraft document, the upcoming Draft Fishery Management Plan and Proposed Rule package, or any other related HMS issue at their upcoming meetings. Please contact Jackie Wilson (240-338-3936) or Karyl Brewster- Geisz (301-713-2347) to discuss scheduling.

Any written comments on the Predraft should be submitted to Karyl Brewster- Geisz, HMS Management Division, National Marine Fisheries Service, 1315 East West Highway, Silver Spring, MD 20910 or faxed to 301-713-1917 by March 16, 2009. For further information or hard copies of the enclosed document, contact Karyl Brewster- Geisz at 301-713-2347 or Jackie Wilson at 240-338-3936.

Thank you in advance for your comments.

Sincerely,
Margo Schulze-Haugen
Chief, Highly Migratory Species Management Division