LCS/Hammerhead

2016 opened on 1/1/16

In the Atlantic region, NMFS proposes opening the aggregated LCS and hammerhead shark management groups on or about January 1, 2016. This opening date takes into account all the criteria listed in § 635.27(b)(3), and particularly the criterion that NMFS consider the effects of catch rates in one part of a region precluding vessels in another part of that region from having a reasonable opportunity to harvest a portion of the different species and/or management quotas. In addition, during the comment periods for the 2015 shark season proposed rule ([79 FR 54252](https://www.federalregister.gov/citation/79-FR-54252); September 11, 2014) and proposed rule for Amendment 6 to the 2006 Consolidated HMS FMP ([80 FR 2648](https://www.federalregister.gov/citation/80-FR-2648); January 20, 2015), NMFS received comments from fishermen from all areas of the Atlantic requesting that the aggregated LCS and hammerhead shark management groups open in January. In public comments during Amendment 6 to the 2006 Consolidated HMS FMP, constituents suggested a January opening date such that a portion of the quota could be harvested in the beginning of the year and then the trip limits be reduced such that the rest of the quota could be harvested at the end of the fishing year. As such, NMFS is intending to use the inseason trip limit adjustment criteria in the regulations per § 635.24(a)(8) for the first time in 2016.

2015 opened on 7/1/15. The proposed rule was June 1 but changed to July 1.

*From the final rule:* NMFS evaluates several “Opening Fishing Season” criteria (§ 635.27(b)(3)) when choosing an opening date. These criteria include: (1) The available annual quotas for the current fishing season for the different species/management groups based on any over- and/or underharvests experienced during the previous commercial shark fishing seasons; (2) estimated season length based on available quota(s) and average weekly catch rates of different species and/or management group from the previous years; (3) length of the season for the different species and/or management group in the previous years and whether fishermen were able to participate in the fishery in those years; (4) variations in seasonal distribution, abundance, or migratory patterns of the different species/management groups based on scientific and fishery information; (5) effects of catch rates in one part of a region precluding vessels in another part of that region from having a reasonable opportunity to harvest a portion of the different species and/or management quotas; (6) effects of the adjustment on accomplishing the objectives of the 2006 Consolidated HMS FMP and its amendments; and/or (7) effects of a delayed opening with regard to fishing opportunities in other fisheries.

After evaluating the opening fishing season criteria and reviewing the public comments, NMFS has determined that changing the opening date from June 1 to July 1 would better promote equitable fishing opportunities in the Atlantic region, while still allowing for the full quota to be harvested. This date should allow fishermen in the northern portion of the Atlantic region the opportunity to fish starting in July, while still providing fishermen in the southern portion of the Atlantic region fishing opportunities later in the year, which might not be available with a June 1 opening date. After reviewing the landings information received as of October 15, 2014, and considering the first, second, fourth, fifth, and sixth criteria listed above, NMFS projected that under current harvest rates, the 2014 fishing season for Atlantic aggregated LCS and hammerhead sharks may need to be closed before the end of the year. Because the 2014 fishing season opened June 1 with similar quotas to those being adopted for the 2015 fishing season, NMFS believes this current season is an appropriate year to use as a proxy for 2015. Based on fishing rates from 2014, a July 1 opening date in 2015 would provide potential fishing opportunities later in the year, without significantly reducing potential fishing opportunities earlier in the year.

2014 opened 6/1/14 but proposed Jan 1. Same thing as for 2015.