



## NOAA's Office of Law Enforcement Continues to Fight Seafood Fraud

Seafood fraud, the illegal misrepresentation of species, country of origin, harvesting method, and/or weight of seafood, threatens to undermine fair competition and the hard work of honest fishermen.

Those who commit these offenses gain economically by substituting cheaper or less desirable foreign-caught species for more desirable US-caught fish.

In addition to making consumers pay more for cheaper, less desirable species, fraud negatively affects consumer confidence in seafood, which further undercuts local fishermen's profits.

Seafood fraud also harms the US economy as a whole because individuals who illegally import seafood often avoid paying tariffs. According to NOAA Fisheries Service, 86% of seafood consumed by Americans in 2010 was imported.

Seafood fraud even can pose serious health risks. Recent investigations by the *Boston Globe* and Oceana found that escolar, a species that causes gastrointestinal problems, is often sold as albacore/white tuna or Atlantic cod.

Consumers with seafood allergies are at risk when one species is mislabeled as another. For example, they may unknowingly purchase farmed seafood labeled and marketed as wild-caught, which may contain antibiotics that could pose a serious health risk to people with drug allergies.

Logan Gregory, Special Agent in Charge of NOAA Fisheries' Office of Law Enforcement's (OLE) Northeast Division, recognizes the importance of preventing seafood fraud.

"We take seafood fraud very seriously. OLE continues to investigate allegations of seafood fraud to protect our domestic fishing industry markets,

honest businesses, and consumers," he said. "Our efforts help level the playing field by ensuring that legitimately harvested and marketed seafood is not undercut by mislabeled or falsely-labeled products."

The Lacey Act is one of the primary laws OLE uses to investigate seafood fraud and other cases. This law is triggered when someone takes, possesses, transports, or sells any fish or wildlife in violation of a state, federal, tribal, or foreign law and then proceeds to channel that illegally acquired fish or wildlife into interstate or foreign commerce.

The Lacey Act also makes it illegal to falsely label a product that has been or is intended to be imported, exported, transported, sold, purchased, or received from a foreign country or is transported in interstate or foreign commerce.

### Lacey Act cases

A number of seafood fraud cases investigated by OLE under the Lacey Act were successfully prosecuted. Here are several examples.

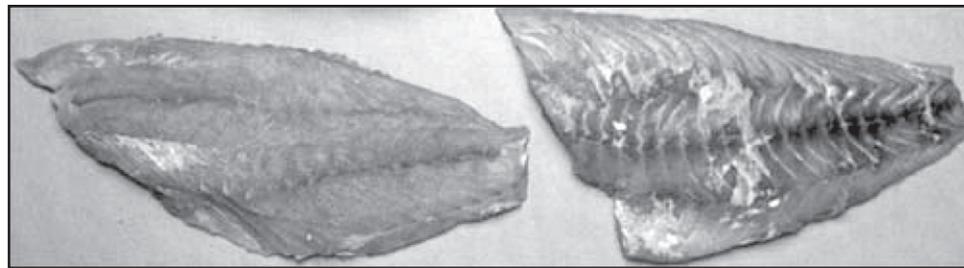
- A Massachusetts seafood dealer was sentenced to three months of home confinement and one year of probation and fined \$5,000 for falsely labeling \$8,000 worth of frozen pollock fillets from China as cod loins, product of Canada, and for moving \$203,000 worth of frozen fillets through interstate commerce with the country of origin misrepresented.

Also involved was another seafood dealer and his company. Each was ordered to pay a \$75,000 fine and serve several years of probation. More information on this case is available online at <[www.justice.gov/usao/ma/news/2011/May/KATZsentPR.html](http://www.justice.gov/usao/ma/news/2011/May/KATZsentPR.html)>.

- Three seafood dealers pled guilty to illegally importing about 283,500 pounds of farmed Vietnamese catfish without paying \$145,625 in anti-dumping tariffs. They labeled the catfish as sole and grouper and distributed it to more than 65 Alabama and Florida Panhandle-area restaurants, military installations, and supermarkets.

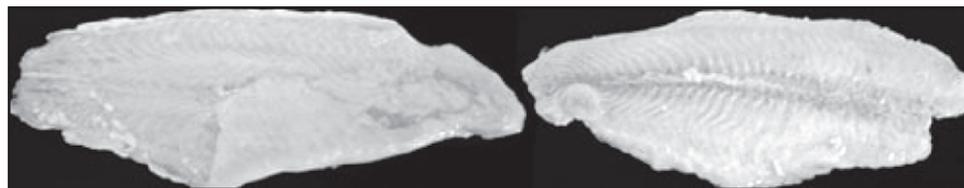
These dealers also relabeled Lake Victoria perch as grouper and snapper and foreign farm-raised shrimp as wild-caught domestic shrimp. They

### Vietnamese catfish is often substituted for Florida grouper:



Source: [www.fl-seafood.com](http://www.fl-seafood.com)

Florida grouper.



Source: [www.fl-seafood.com](http://www.fl-seafood.com)

Vietnamese catfish.

also re-dated expired oysters.

Collectively, the three dealers were sentenced to almost six years in prison and were fined a total of \$14,100. Two of them were barred from working in the seafood industry for three years following their release and ordered to forfeit 7,590 pounds of falsely labeled Vietnamese catfish. More information on this case maybe found online at <[www.justice.gov/opa/pr/2011/May/11-enrd-577.html](http://www.justice.gov/opa/pr/2011/May/11-enrd-577.html)>. And,

- A Virginia seafood dealer conspired to illegally import more than 10 million pounds of falsely labeled Vietnamese frozen fish fillets valued at \$15.5 million. This product was sold throughout the country as sole, grouper, and other species.

Seven other individuals and five companies from Illinois, Texas, and California pled guilty to charges related to the falsely labeled product being purchased and resold to consumers.

Together, these entities were sentenced to: pay fines totaling \$444,000; forfeit \$12,197,930; pay restitution of \$64,173,839 in unpaid tariffs; and serve 174 months of probation, six months of home confinement, and 97 months of prison time.

The court also prohibited the Virginia resident from importing articles of food or offering such articles for import into the US. Others were prohibited from importing food with his assistance or under his direction for the next 20 years. More information on this case is available online at <[www.justice.gov/opa/pr/2009/May/09-enrd-490.html](http://www.justice.gov/opa/pr/2009/May/09-enrd-490.html)>.

These are just a few examples of the types of complex cases NOAA's OLE investigates. To help combat seafood fraud, report any activities you suspect may be tied to seafood fraud – or any suspected violation – by calling the NOAA Fisheries Enforcement Hotline at 1-800-853-1964.

### Simplifying Permit Holder Letters

Based on industry feedback, we at NOAA Fisheries Service are revamping our permit holder letters. The new letters will follow a simple informational bulletin format that will be consistent across all Northeast Region fisheries.

The letters will be shorter, written in plain language, and highlight the critical information you need to know to run your business. These new and improved letters will be arriving in your mailbox soon.

We also have heard from industry that fishermen believe they are getting too many letters. We agree and are combining letters to reduce the number we send. Additionally, we are working on options that will enable you to voluntarily receive letters via e-mail and to reduce duplicate notices if you hold multiple permits in a fishery.

Look for more details in the coming months.



## New Limited-Access Mackerel Program Establishes Permit, Possession Limits

On March 1, 2012, a new vessel permit program will go into effect for Atlantic mackerel. The Mid-Atlantic Fishery Management Council developed this program through Amendment 11 to the Atlantic Mackerel, Squid, and Butterfish Fishery Management Plan.

The program is designed to reduce the fishing capacity of the mackerel fleet while allowing qualified vessels to continue fishing for mackerel at their historical or recent level of participation in the fishery.

In order to fish for, possess, or land mackerel after March 1, 2012, a vessel must carry one of three different limited-access mackerel permits or a new open-access mackerel permit.

Each permit type has different eligibility requirements and different restrictions. For example, vessels issued Tier 3 permits will be limited to no more than 7% of the annual commercial quota. When 90% of the Tier 3 allocation has been harvested, the possession limit will be reduced from 100,000 pounds to 20,000 pounds (see chart).

### How to apply

Vessel owners should have received an application packet in the mail that includes all of the materials needed to apply for a limited-access permit. If you have not received a packet and would like application materials, call the NOAA Fisheries Service Northeast Region Permits Office at (978) 282-8438.

In order to receive a new limited-access mackerel permit by March 1, 2012, vessel

owners will need to submit an application by Jan. 31. If we receive an application by this date, we will have enough time to review the application and issue a limited-access permit if the vessel qualifies.

If a vessel currently has a mackerel permit and we do not receive an application by Jan. 31, we will automatically issue the vessel an open-access mackerel permit. We will replace the open-access permit with a limited-access permit if the vessel qualifies for one at a later date.

Please note that the deadline to submit an application for a limited-access mackerel permit is *Feb. 28, 2013*.

This provides just over one year for vessel owners to apply for a limited-access permit. We will not consider applications for a limited-access mackerel permit that are postmarked after that date. As a result, it is extremely important that any vessel owner interested in this permit be certain that his/her application is received or postmarked no later than Feb. 28, 2013.

After we have reviewed an application, we will either issue or deny the requested limited-access permit. If an application is denied, we will issue a denial letter. But applicants can appeal the decision. The denial letter will provide detailed instructions for each of the appeal options.

### More info

This is a new program with many new requirements. For questions or for help with an application, please do not hesitate to call us.

For information on the permit application or limited-access program requirements, call the Permits Office at (978) 282-8438.

For information about possession limits, other mackerel fishery restrictions, or background information on these new measures, call the Sustainable Fisheries Division at (978) 281-9315.

PERMIT	FOR VESSELS WITH ...	POSSESSION LIMIT WHEN FISHERY IS OPEN	POSSESSION LIMIT WHEN 90% OF QUOTA IS TAKEN	POSSESSION LIMIT WHEN 100% OF QUOTA IS TAKEN
<i>Tier 1 limited access</i>	<i>the highest level of historical participation</i>	<i>No possession limit</i>	<i>20,000 pounds</i>	<i>Possession prohibited</i>
<i>Tier 2 limited access</i>	<i>a moderate level of historical participation</i>	<i>135,000 pounds</i>	<i>20,000 pounds</i>	<i>Possession prohibited</i>
<i>Tier 3 limited access</i>	<i>a low level of historical participation</i>	<i>100,000 pounds</i>	<i>20,000 pounds</i>	<i>Possession prohibited</i>
<i>Open Access</i>	<i>that do not qualify for above, as well as new participants</i>	<i>20,000 pounds</i>	<i>20,000 pounds</i>	<i>Possession prohibited</i>

## Cooperative Research Expanding to Incorporate Oceanographic Information

The Northeast Fisheries Science Center's Northeast Cooperative Research Program (NCRP) focuses on a range of topics to improve the information available for managing commercial and recreational fisheries.

Current initiatives include: supporting networks of groups examining specific bycatch issues and potential solutions; exploring methods for non-trawl surveys to supplement traditional science center survey information; and assessing fine-scale information available through the NCRP Study Fleet and electronic reporting technology.

One thread common to all of these initiatives is the effort to incorporate environmental and oceanographic information into traditional fisheries models and fishing strategies and to determine how this information can be most useful to fishermen.

Several of the recently developed NCRP network groups are focusing on ways to make this type of information more useful and informative.

One of these partnerships involves the Garden State Seafood Association, National Fisheries Institute, Rutgers University, Cornell Cooperative Extension of Suffolk County, University of Delaware, and Northeast Fisheries Science Center scientists. This project is developing methods to bring advanced oceanographic and habitat information into models that help predict

the abundance and distribution of *Loligo* squid and butterfish in the Mid-Atlantic Bight.

Another group that includes the Cape Cod Commercial Hook Fishermen's Association, Duke University, and the Island Institute is developing tools to help fishermen in Southern New England avoid non-target species by combining historical distribution and oceanographic information with the analysis of near-real time catch and discard information available through electronic reporting.

In addition, the NCRP Study Fleet is focusing on ways to incorporate temperature and depth data collected during routine fishing operations into species distribution maps to help fishermen develop ways to avoid bycatch.

Currently, temperature-depth recording technology requires a probe affixed to the gear to be removed and paired with a data reader to retrieve the information, which can cause a time lag in accessing the data.

Recent NCRP funding is supporting the development of a wireless temperature-depth probe system that would make the data available to the vessel operator on a haul-by-haul basis as soon as the gear is brought to the surface. This technology is expected to be available by the summer of 2012 and will enable fishermen to make on-the-spot decisions about targeting species in the areas where they are fishing.

### MARACOOS

The NCRP also recently joined forces with the board of the Mid-Atlantic Regional Association Coastal Ocean Observing System (MARACOOS). MARACOOS is seeking input from fisheries stakeholders on the types of data products that would be useful to fishermen and how best to access that data.

In addition to oceanographic data needed for marine forecasts, MARACOOS can supply information related to ocean currents and fronts that may influence fish species distribution.

MARACOOS data also can be used to detect annual variations in environmental conditions such as cold-year or warm-year effects. This information can help fishermen determine their individual fishing strategies to better avoid bycatch, as well as improve ecosystem-based approaches to fisheries science and management.

MARACOOS is currently seeking industry partners to provide input into developing data tools useful for fisheries and pose fisheries research questions that its data may be able to help answer.

For more information on how to get involved with the MARACOOS Fisheries Community Interactive Partnership Initiative, e-mail Carolyn Woodhead of the NCRP at <Carolyn.Woodhead@noaa.gov>.

# Skates: 2011 Quota Increases, ESA Petitions

NOAA Fisheries Service recently approved a request for emergency action by the New England Fishery Management Council to increase 2011 skate catch limits.

The abundance of little and winter skates, the primary species targeted in this fishery, has increased significantly in recent years. This led the council's Scientific and Statistical Committee to recommend a 23% increase in the acceptable biological catch of skates, from approximately 91 million pounds up to 111 million pounds.

After accounting for uncertainty and making deductions for skate discards, NOAA Fisheries Service increased the commercial quota for skates by 56%, from 31 million pounds to 48 million pounds.

Out of that quota, 66.5% (32 million pounds) is allocated to the skate wing fishery, while 33.5% (16 million pounds) goes to the skate bait fishery.

The increases are expected to extend the fishing season and allow the fishery to land skates that otherwise might have to be thrown overboard. These catch limit increases for skates also are expected to increase revenues for fishing vessels and stabilize markets for seafood dealers.

It is important to note that the amount of skates fishermen may keep per trip remains unchanged for the remainder of the 2011 fishing year, which runs through April 30, 2012.

Seven skate species are managed together as a complex – winter, little, barndoor, thorny, smooth, clearnose, and rosette. Skate populations are monitored each year by the Northeast Fisheries Science Center's bottom trawl survey.

New research on discard mortality of little and winter skates conducted by the New England Aquarium and University of New England allowed managers to reduce projected amounts of skate discards. That in turn resulted in more of the catch being allocated to the commercial quota compared to previous years. NOAA Fisheries Service supported this ongoing research through the Saltonstall-Kennedy Grant Program.

## ESA petitions

While the populations of some skate species have been increasing, other species have declined or have not yet rebuilt from being overfished.

Thorny, barndoor, and smooth skates have been considered overfished in the past. The biomass of barndoor and smooth skates appears to be increasing above threshold levels, however, thorny skate remains in an overfished condition.

Thorny skate is currently listed by NOAA Fisheries Service as a species of concern, which triggers our "Proactive Conservation Program" and directs additional research and conservation efforts to this species. It is currently illegal to possess or land thorny, barndoor, or smooth skates.

Prompted by concerns over the status of skates, environmental groups submitted two petitions to NOAA Fisheries Service in August – one to list thorny skate under the Endangered Species Act (ESA) and the other to list thorny, barndoor, smooth, and winter skates under the ESA. Both petitions are currently under review.

We have 90 days after receiving a petition to review

and respond with either a "positive" or "negative" finding as to whether the petition presents substantial information to suggest that listing under the ESA may be warranted.

A positive finding that a listing may be warranted would be followed by a comprehensive review of the biological status of each species and any threats to it. These status reviews provide the basis for determining whether to propose listing a species.

There are two opportunities for public input within this process. We will request public input if we make a "positive" finding that there is sufficient information to warrant a status review and again if, after our status review, we propose listing the species as endangered or threatened.

More information on federal skate management is available online at <[www.nero.noaa.gov/sfd/sfdskate.html](http://www.nero.noaa.gov/sfd/sfdskate.html)>. For information regarding the ESA petitions, call the Protected Resources Division at (978) 281-9315.

## Public Comment Sought on Catch Share, Rebuilding Proposals for Atlantic Sharks

NOAA Fisheries Service is asking for public input on two regulatory actions related to the management of Atlantic shark fisheries. The first and broadest action considers the use of catch shares to better meet the objectives of the management program. The second examines management alternatives to rebuild and end overfishing of several recently assessed shark stocks.

Late last year, we published an advanced notice of proposed rulemaking (ANPR, 75 FR 57240, Sept. 20, 2010), asking for public feedback on shark fishery management. We noted that the shark fishery continues to face difficult challenges such as exceeding established quotas, derby fishing conditions due to small quotas and short seasons, increasing regulatory discards, and declining market prices.

We received a wide variety of public comments in response to the notice, including a proposal from Gulf of Mexico fishermen to establish a regional catch share program.

In September, we published a Notice of Intent (76 FR 57709, Sept. 16, 2011) to prepare Amendment 6 to the Atlantic Highly Migratory Species (HMS) Fishery Management Plan (FMP) and an associated environmental impact statement that would consider implementation of catch shares.

At that time, we also announced the availability of a report about catch shares in this fishery and established a Sept. 16, 2011 control date for the shark fishery should we take future action to implement catch shares.

Public comment on the Notice of Intent for Amendment 6 must be received by March 31, 2012. We will schedule and hold several public scoping meetings before this deadline. There will be another opportunity

*ATLANTIC SHARKS, continued on next page*

## Atlantic Bluefin Tuna Fishing Restrictions Eased

NOAA Fisheries Service approved three Atlantic bluefin tuna measures in November to provide commercial General category and Harpoon category fishermen with more opportunities to harvest their annual quotas.

In recent years, landings by General and Harpoon category vessels have fallen below their respective quotas, although the General category quota was fully harvested in 2010.

The new measures provide us with additional flexibility to: establish higher bag limits and extend the winter fishing season for the General category; and increase the tolerance for retention of large-medium bluefin, meaning those measuring 73" or greater and less than 81" curved fork length (CFL), for the Harpoon category.

As of Dec. 6, 2011, the General category retention limit was two fish per day. The new measures allow us to set the bag limit from zero to five fish per day. Previously, the highest daily bag limit for the General category was three fish.

This action provides us with more flexibility to manage the bluefin tuna fishery during periods when catch rates are low and sufficient quota is available by providing access to a higher bag limit.

We also now have more flexibility in managing the winter bluefin tuna fishery with the newly extended General category season. Previously, the winter fishery ended on Jan. 31, even if there was still quota available. The recently adopted changes will allow the fishery to stay open until the subquota is harvested or March 31, whichever occurs first.

The increased tolerance in the Harpoon category

will allow harpooners to retain up to four large-medium bluefin per day while fishing for giant bluefin, which are those 81" or greater CFL. Until this new Harpoon category regulation was adopted, fishermen in this category could retain two large-medium bluefin in addition to an unlimited number of giant bluefin per day.

Use of harpoon gear also is allowed in the General category fishery, but harpooners in the General category must abide by General category retention limits.

While these measures are intended to increase opportunities for vessels to reach the established General and Harpoon category quotas, they also are part of a Federal management program that implements western Atlantic bluefin tuna management recommendations made by the International Commission for the Conservation of Atlantic Tunas (ICCAT).

ICCAT recommendations include an annual limit of total allowable catch, which is allocated through country-specific quotas. As such, our actions affect only when and where the US harvest occurs and cannot increase the total amount allowed to be harvested. That total amount is defined by the US share of the western Atlantic bluefin tuna quota, category subquotas, and other regulations such as minimum fish size.

For more information on this action or bluefin tuna management, call Dianne Stephan at (978) 281-9397, e-mail her at <[Dianne.Stephan@NOAA.gov](mailto:Dianne.Stephan@NOAA.gov)>, or visit the NOAA Fisheries Highly Migratory Species Management Division's website at <[www.nmfs.noaa.gov/sfa/hms](http://www.nmfs.noaa.gov/sfa/hms)>.

Shark Species	Overfished?	Overfishing?
Sandbar	Yes	No
Dusky	Yes	Yes
Blacknose - Atlantic	Yes	Yes
Blacknose - Gulf of Mexico	Unknown	Unknown
Scalloped hammerhead	Yes	Yes

# Atlantic Sturgeon Spawning Habitat Restoration in Virginia's James River

Atlantic sturgeon (*Acipenser oxyrinchus oxyrinchus*) populations have decreased dramatically during the last 100 years. This decline prompted NOAA Fisheries Service in June to issue a proposal to list five distinct population segments of this species – Gulf of Maine, New York Bight, Chesapeake Bay, Carolina, and South Atlantic – as threatened or endangered under the Endangered Species Act.

A distinct population segment (DPS) is one that is determined to be discrete from other populations of the species and significant in relation to the entire species. The James River is the only area known to support spawning for the Chesapeake Bay DPS.

Atlantic sturgeon require clean gravel/cobble bottom habitat to successfully deposit their eggs during spawning. Much of this bottom habitat type within the range of the Chesapeake Bay DPS has been lost to siltation over the years. This lack of gravel/cobble bottom habitat is thought to be restricting the recovery of the James River DPS.

Virginia Commonwealth University (VCU) recently led an effort to restore suitable spawning habitat in the James River by constructing spawning reefs consisting of granite gravel-, cobble-, and boulder-sized stone on the bottom in an irregular pattern to simulate natural spawning habitat. Reef placement was based on a rigorous selection process that considered bottom surveys, current studies, suitable depths, water quality parameters, and coordination related to navigation.

In 2010 and 2011, two 1.5-acre reefs were constructed in the known spawning reaches of the river using stone donated by Vulcan Materials and with funding from the NOAA Restoration Center, the National Fish and Wildlife Foundation, and the Fish America Foundation.

The James River Association is planning



construction of a third reef in 2012 using stone donated by Luck Stone and funding from the NOAA Restoration Center, The Nature Conservancy, and the Mary Anderson Harrison Foundation. The new reef also will be built in the river's known spawning reach to provide the largest amount of suitable habitat.

## Monitoring

Coupled with these restoration efforts is an ongoing monitoring program to determine seasonal distribution and habitat preferences of Atlantic sturgeon over the entire course of the Lower James River.

Spawning area locations and migration corridors are monitored using tools such as echo-sounding, passive telemetry, and "electrofishing," during which fish are stunned before capture, to identify species. In addition, gillnet sampling is conducted to capture fish for tagging and to determine spawning condition. This monitoring effort is designed to provide additional information about habitat usage.

## Whiting Catch Limit Proposal Due Out in January

NOAA Fisheries Service is preparing an amendment to implement annual catch limits (ACL) and accountability measures (AM) for the small-mesh multispecies fishery, also known as the "whiting" fishery.

This amendment is being developed outside of the typical New England Fishery Management Council process to meet the ACL and AM requirements of the Magnuson-Stevens Fishery Conservation and Management Act in a timely way.

We expect to publish a proposed rule in early January, when we will ask for public input on all of the proposed management measures. In particular, we will be proposing and seeking comments on a stock area landing limit with an in-season trigger and a pound-for-pound payback of any overages.

If implemented, the regulations would only allow an incidental possession limit for whiting or red hake once landings of a particular stock reach the trigger level.

The New England council has been developing an ACL/AM amendment to its whiting fishery management

plan but cannot accommodate the Magnuson-Stevens Act deadline. We plan to use the same methods the council is considering to estimate the different levels of catch limits – overfishing limits, acceptable biological catches, and annual catch limits – as the starting point for our proposed management measures.

Additionally, we considered the council's list of preliminary alternatives and selected the broadest, least complex of the options they have identified. By basing our amendment on the council's efforts, we hope to preserve the council's flexibility once its amendment is completed and minimize confusion during the transition between the two sets of rules.

The council's amendment also will address a wider range of small-mesh multispecies management issues such as year-round trip limits for red hake and exemption-area-based quotas, and we are working together to ensure a successful transition between the two rules.

For more information, please call Moira Kelly of NOAA Fisheries' Sustainable Fisheries Division at (978) 281-9218 or e-mail her at <moira.kelly@noaa.gov>.

The constructed reefs also are monitored with egg mats that are retrieved periodically during the spawning season to determine what species are using the reefs.

While no Atlantic sturgeon eggs have been documented on the egg mats in the first two spawning seasons, a spent female Atlantic sturgeon was found during monitoring, providing evidence of a fall spawning run.

Additionally, the egg mats show that the reefs are being heavily used by white perch, hickory shad, and blueback herring.

These indicators that the James River artificial reefs already are supporting spawning Atlantic sturgeon and other important species are early signs of success for this program.

For more information, call Walter Priest, NOAA Restoration Center, Gloucester Point, VA, at (804) 684-7385 or e-mail him at <Walter.Priest@noaa.gov>.

## Atlantic sharks *continued from previous page*

for public comment during the proposed rule stage of Amendment 6. Comments at this early stage of rulemaking are critical to help us define the scope of the action, balance user needs, and meet legal mandates.

## Rebuilding program

A second action published in October begins the rulemaking process for Amendment 5 to the HMS FMP. This notice (76 FR 62331, Oct. 7, 2011) announced the scoping phase of Amendment 5 in response to recent shark stock assessments. NOAA Fisheries is asking the public to comment on the issues and options outlined in a presentation available online at <www.nmfs.noaa.gov/sfa/hms/FMP/AM5\_scoping/A5\_Issues\_and\_Options\_101111.pdf>.

A summary of the recent shark status determinations is shown in the accompanying table. Note that the scalloped hammerhead determination was made earlier this year (76 FR 23794 April 28, 2011). During this stage of the Amendment 5 rulemaking, we are requesting comments on a range of commercial and recreational management measures for both directed and incidental fisheries to rebuild these stocks and end overfishing. These measures may include quota levels, regional and seasonal quotas, retention limits, and gear modifications, among others.

Five scoping meetings and a conference call to gather public comment are being held during the comment period, and public comments are due no later than 5 pm on Dec. 31, 2011.

There will be another chance for public comment on Amendment 5 during the proposed rulemaking stage. However, comments at this stage provide us with meaningful insights regarding the measures available to rebuild and prevent overfishing of these stocks. We expect this action to be final and effective in mid-2013.

For additional information on either of these actions, please call our HMS Management Division at (301) 427-8503 or visit the website at <www.nmfs.noaa.gov/sfa/hms/FMP/AM5.htm>. Comments may be submitted electronically on the Federal e-Rulemaking Portal at <www.regulations.gov> using the following identifiers: "NOAA-NMFS-2011-0229-0001" for Amendment 5; or "NOAA-NMFS-2010-0188-0011" for Amendment 6.



# The NOAA FISHERIES NAVIGATOR