



OCT - 6 2017

Atlantic States Marine Fisheries Commission
1050 N. Highland Street, Suite 200 A-N
Arlington, VA 22201

RE: Request for complementary rebuilding measures for dusky sharks

Dear Coastal Sharks Management Board Members:

On April 4, 2017, NOAA's National Marine Fisheries Service (NMFS) published its final rule for Amendment 5b to the 2006 Consolidated Atlantic Highly Migratory Species (HMS) Fishery Management Plan (FMP) (82 FR 16478). The primary purpose of Amendment 5b is to end overfishing and rebuild dusky sharks (*Carcharhinus obscurus*), consistent with the most recent stock assessment update completed in 2016. This stock assessment update estimated that a mortality reduction of 35 percent is necessary to rebuild the stock by the year 2107, and a 12 percent reduction is needed to end overfishing. The final measures are described in the attached table. Additional background and details on Amendment 5b can be found on the HMS website at: <http://www.nmfs.noaa.gov/sfa/hms/>.

NMFS is requesting assistance from the states and the ASFMC in contributing to the rebuilding of the dusky shark stock, which is a shared resource across state and Federal waters. Specifically, we request consideration of the following measures that would complement the Amendment 5b measures:

1. Assist with outreach and education, including providing links to NMFS educational materials (e.g., new "shark endorsement" training video for recreational permit holders, species identification placards, etc.) on each state's fisheries agency website.
2. Collaborate with the NMFS HMS Management Division to develop best practices for the handling and release of sharks caught when fishing from the shoreline.
3. Require non-offset, corrodible circle hooks in state hook and line fisheries (recreational and commercial) that target sharks.
4. Require fishermen to maximize gear removal, as safely as possible, when releasing sharks.
5. Develop cooperative research opportunities with NMFS to improve data collection on sharks caught (including landings and discards) in state water fisheries. This includes, but is not limited to, cooperating in the Federal shark research fishery.

NMFS determined that the recreational and commercial fishery management measures listed in the attached table would end overfishing and rebuild the dusky shark stock. However, these measures only apply to federally-permitted HMS vessels fishing in federal or state waters. They do not apply to state-permitted vessels fishing in state waters or anglers fishing from shore. Dusky sharks range from Massachusetts to Texas, from nearshore (within state waters) to

offshore pelagic waters. The immature portion of the stock, in particular, is largely distributed in nearshore state waters (refer to the revised HMS updates to essential fish habitat designations for dusky sharks found here: <http://www.nmfs.noaa.gov/sfa/hms/documents/fmp/am10/index.html>). In order to conserve the dusky shark stock throughout its range, it would be optimal for these management measures to more fully apply within state waters as well as Federal waters.

We look forward to discussing this request with you at the ASMFC's October meeting. If you have questions, please contact Karyl Brewster-Geisz (karyl.brewster-geisz@noaa.gov) or Tobey Curtis (tobey.curtis@noaa.gov). We appreciate your support in this matter.

Sincerely,



Margo Schulze-Haugen
Division Chief
Highly Migratory Species Management

Attachment

Final Management Measures in Amendment 5b to the 2006 Consolidated Atlantic HMS FMP

Recreational Measures	Final Management Measures
Permit Requirements and Outreach	<i>Effective January 1, 2018</i> Require HMS permit holders fishing for sharks recreationally to obtain a shark endorsement, which requires completion of an online shark identification and fishing regulation training course, plus additional recreational fisheries outreach.
Circle Hook Requirement	<i>Effective January 1, 2018</i> Require the use of non-offset, non-stainless steel circle hooks by all HMS permit holders with a shark endorsement when fishing for sharks recreationally south of 41° 43' N latitude (near Chatham, Massachusetts - the northern extent of the dusky shark's U.S. Atlantic range), except when fishing with flies or artificial lures.
Commercial Measures	Final Management Measures
Shark Release Protocol	<i>Effective June 5, 2017</i> Fishermen with an Atlantic shark limited access permit with pelagic longline gear onboard must release all sharks not being retained using a dehooker or cutting the gangion less than three feet from the hook as safely as practicable.
Additional Training Requirements	<i>Effective June 5, 2017</i> Require completion of a shark identification and fishing regulation training course as a new part of all Safe Handling and Release Workshops for HMS pelagic longline, bottom longline, and shark gillnet vessel owners and operators.
Outreach and Fleet Communication Protocol	<i>Effective June 5, 2017</i> Increase dusky shark outreach and awareness through development of additional outreach materials, and require HMS pelagic longline, bottom longline, and shark gillnet vessels to abide by a dusky shark fleet communication and relocation protocol.
Circle Hook Requirement	<i>Effective January 1, 2018</i> Require the use of circle hooks by all HMS directed shark permit holders using bottom longline.