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Preliminary 2013/2014 Spiny Dogfish Quotas

Spiny Dogfish and Coastal Sharks Management Board
May 21, 2013

	2013/2014 % Allocation	2013/2014 Allocation (Pounds)	Adjustments for 2012/2013 Overages (-) and rollovers (+)	Preliminary 2013/2014 Quota (Pounds)
Northern Region (ME - CT)	**58.00%**	**23,688,360**	**(+) 224,413**	***23,912,773***
NY	**2.707%**	**1,105,593**	**(+) 48,312**	***1,153,905***
NJ	**7.644%**	**3,121,962**	**(+) 136,422**	***3,258,384***
DE	**0.896%**	**365,944**	**(+) 15,991**	***381,985***
MD	**5.920%**	**2,417,846**	**(+) 105,654**	***2,523,500***
VA	**10.795%**	**4,408,894**	**(+) 192,658**	***4,601,552***
NC	**14.036%**	**5,732,583**	**(+) 250,500**	***5,983,083***

Update on Atlantic Shark Mgmt. Measures

Karyl Brewster-Geisz

Atlantic HMS Management Division

May 2013

Outline of Presentation

- Summary of Amendment 5 Status
- Recent CITES listings
- Recent ESA Petitions

Summary of Amendment 5 Status

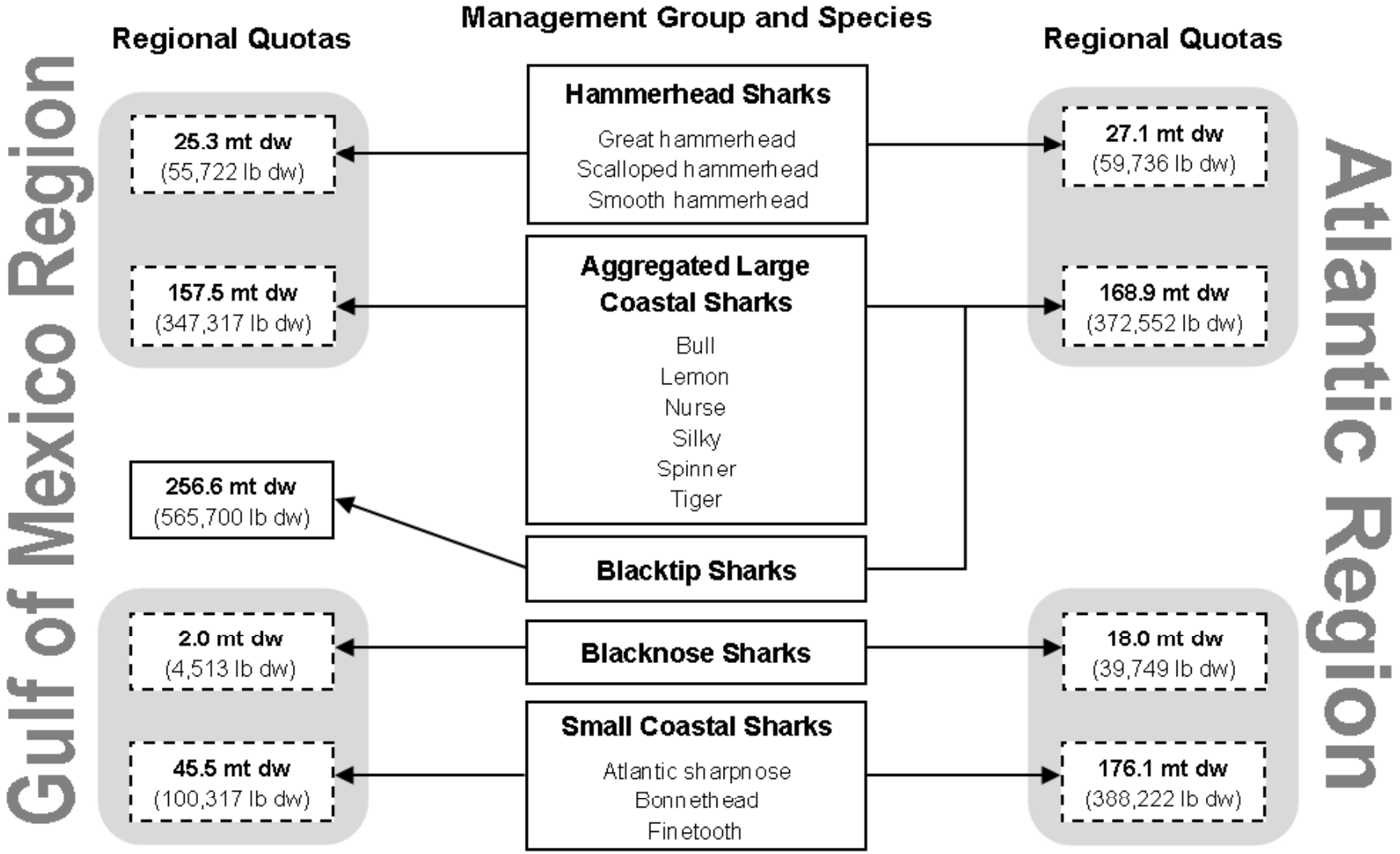
- Amendment 5 proposed rule and Draft Environmental Impact Statement published in November 2012
  - Proposed: new quotas and quota linkages, increased recreational size limit, several time/area closures
  - Held several public hearings and an HMS Advisory Panel meeting
  - All written comments are on http://www.regulations.gov
    - Search for NOAA-NMFS-2012-0161
- After considering public comment, split Amendment 5 into two actions:
  - Amendment 5a: Scalloped hammerhead sharks, blacknose, Gulf of Mexico blacktip, sandbar sharks -- Final Environmental Impact Statement published 4/26, final rule expected this summer
  - Amendment 5b: Dusky sharks -- proposed rule and Draft Environmental Impact Statement expected later this year, comment period will overlap either August or October ASMFC meeting

Amendment 5a

Scalloped hammerhead sharks, blacknose sharks, Gulf of Mexico blacktip, and sandbar sharks

New Management Groups and Quota Linkages

*Changes to ASMFC Shark FMP may be needed for changes to management groups



Recreational Minimum Size Change for Hammerhead Sharks to 78” fork length

*Changes to ASMFC Shark FMP may be needed

Minimum Size	Species Authorized for Retention	Retention Limit
54 inches FL	Shortfin mako, Porbeagle, Blue, Oceanic whitetip, Tiger, Thresher, Nurse, Lemon, Blacktip, Spinner, Bull, Finetooth, Blacknose	1 shark per vessel per trip
78 inches FL*	Great hammerhead, Smooth hammerhead, Scalloped hammerhead	
None	Bonnethead, Atlantic sharpnose	1 each per person per vessel per trip

Other Shark Issues

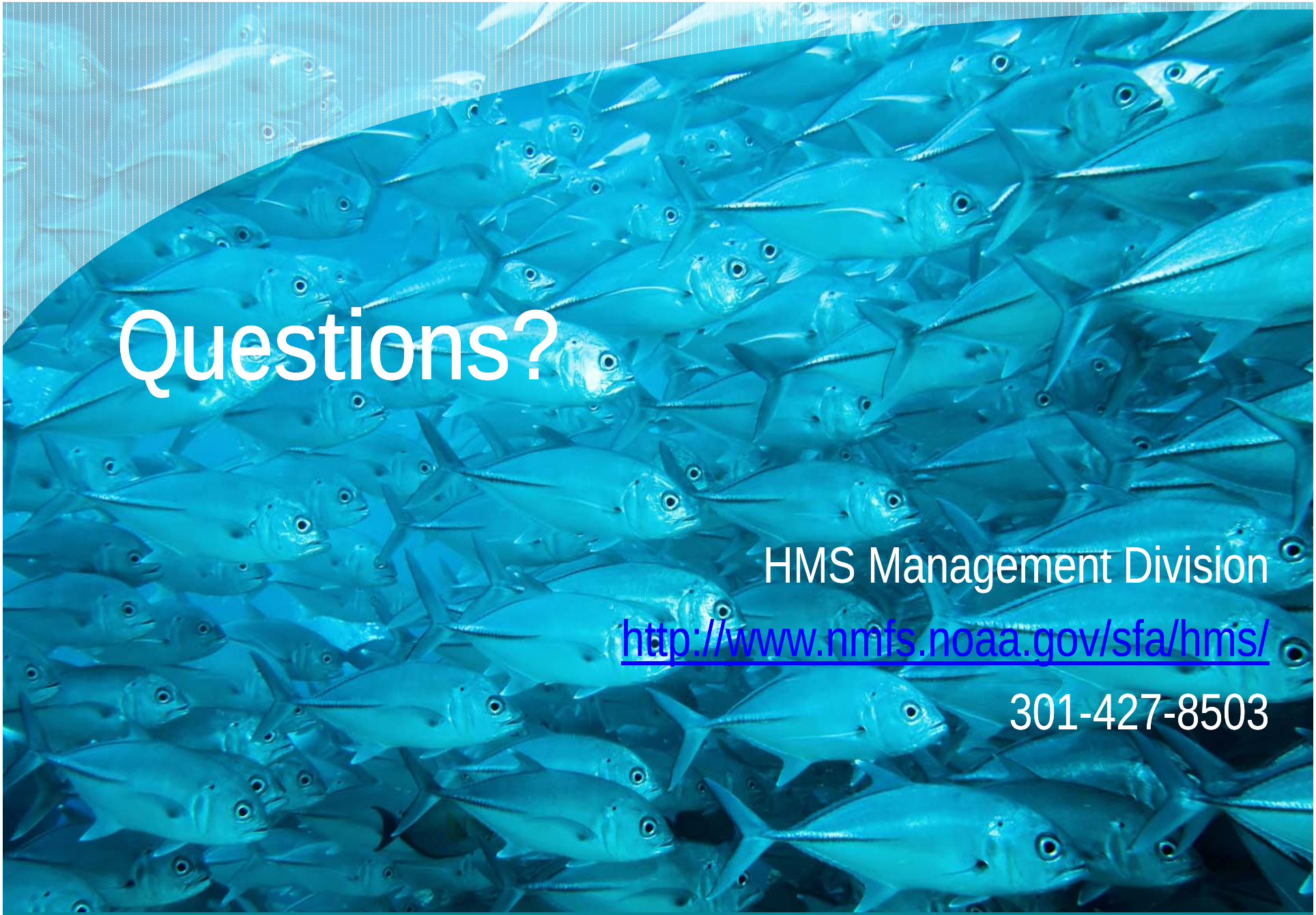
- CITES Listings: USFWS Lead
- Petitions to List Sharks under ESA: NMFS Office of Protected Resources Lead, HMS staff participate as appropriate

CITES: Results from March 2013 Meeting

- Oceanic whitetip, porbeagle, and hammerhead (scalloped, smooth, and great) listed under App. II
- Listing requires additional trade control and regulations with a CITES export permit.
- Effective on 9/14/14

Status of Petitions to List Sharks Under ESA

- Scalloped Hammerhead sharks - Proposed rule published 4/5, Comments due 6/4; Proposed listings:
  - Endangered: eastern Atlantic and eastern Pacific DPSs
  - Threatened: central and southwest Atlantic DPSs and the Indo-West Pacific DPS
- Agency is conducting status reviews of:
  - Great Hammerhead sharks - Positive 90-day Finding published 4/26, Comments due 6/25
  - Dusky sharks – Positive 90-day Finding published 5/17, Comments due 7/16
- Whale sharks: Agency reviewing to determine if petition contains sufficient information indicating action may be warranted



Questions?

HMS Management Division

http://www.nmfs.noaa.gov/sfa/hms/

301-427-8503

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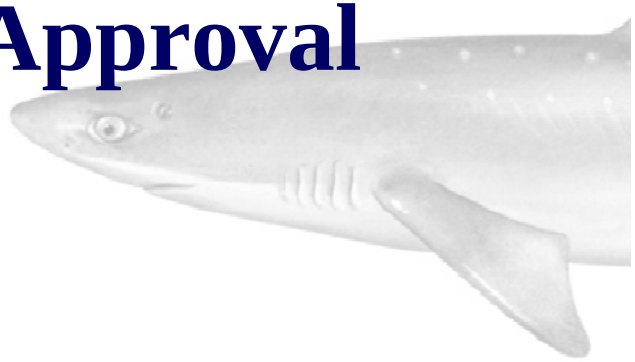
Draft Addendum II to the Coastal Sharks FMP for Final Approval



Spiny Dogfish and Coastal Sharks Management Board
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Addendum Development Process

October 2012 — **Draft Addendum for Public Comment Developed**

↓

February 2013 — **Board Reviews Draft and Makes Any Necessary Changes**

↓

February – May 2013 — **Public Comment Period**

↓

May 2013 — **Management Board Review, Selection of Management Measures and Final Approval** ← **Current step**

Purpose

- To allocate state-shares of the upcoming coastwide smoothhound quota
- To adjust the fin: carcass ratio to be consistent with the federal government's plan

Issue 1: Smooth Dogfish State Shares

- **Option A. Status Quo**
- **Option B. Historical Landings 1998 – 2007**
- **Option C. Historical Landings 1998 – 2010**
- **Option D. 5-Year Moving Average**

Issue 2: State Quota Transfer

- **Option A: No quota transfer**

- **Option B: Allow quota transfer**

Issue 3: Quota Rollovers

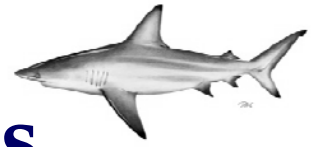
- **Option A: Status Quo. State Quotas May Not Be Rolled Over.**
- **Option B: Rollover of State Quota**
- **Option C: Maximum 5% Quota Rollover**

Issue 4: Possession Limits

- **Option A. Board-specified possession limits**

- **Option B. State-Specified Possession Limits**

Issue 5: Three-year re-evaluation of state shares



- **Option A. No Three-Year Reevaluation**

- **Option B. Three-year Reevaluation of State Shares**

Issue 6: Smooth Dogfish Processing-At-Sea

- **Option A. Status Quo; Removal of all fins with a maximum 5:95 fin: carcass ratio from March through June; dorsal fin attached naturally through landing the rest of the year.**
- **Option B. Measures Consistent with Shark Conservation Act; 12:88 maximum fin:carcass ratio year-round.**

Public Hearings

- Hearings were held in NJ, VA, MD and NC
- 11 attendees total in NJ and NC; MD and VA did not have any attendees

Public Hearing Comments

- Majority of attendees supported historical landings 1998-2010, allowing rollover of state quota and no three-year re-evaluation
- Unanimous support for quota transfer, state-specified possession limits and measures consistent with Shark Conservation Act
  - Attendees specified that only the fin: carcass ratio from Shark Conservation Act should be included, not other measures

Public Comment Continued

- 147 other individual public comments were received
  - 58 of them encouraged a fins-naturally-attached policy
  - 53 requested that the Commission ban shark finning
    - 8 of those asked the Commission to close finning loopholes

Public Comment Continued

- 2 letters received from organizations:
  - Shark Advocates International, Wildlife Conservation Society, Project AWARE, The Humane Society of the United States, and Humane Society International
  - NOAA Fisheries

Shark Advocates International et. Al

- Support for state-shares of coastwide quota; concern with at-sea-processing issue
- Concern that it creates a loophole to allow finning and undermines the US as a leader in shark conservation
- Support a fins-naturally-attached rule
- Oppose transfer or rollover until scientific-based quota is implemented

NOAA Fisheries Comments

- Federal smoothhound shark quota will include landings from Atlantic, Gulf of Mexico and the Caribbean
  - If landings in other areas increase, the amount available to Atlantic states would be affected
- NOAA Fisheries does not rollover quotas for stocks with unknown status
  - Allowing states to rollover quota could result in exceeding the federal quota

New Fin: Carcass Studies

- New data for fin: carcass ratios
  - 2009 & 2013 Memo from NCDMF staff
  - Depending on fins kept, ratio ranged from 9.55% to 11.98%
- TC has not had the chance to have a formal review of the studies but thought the Board should have them for reference

Compliance Schedule

- **If approved, the Board must specify a compliance schedule:**

XXXXXX: States submit proposals to meet requirements of Addendum II.

XXXXXX: Management Board reviews and takes action on state proposals.

XXXXXX: States implement regulations.

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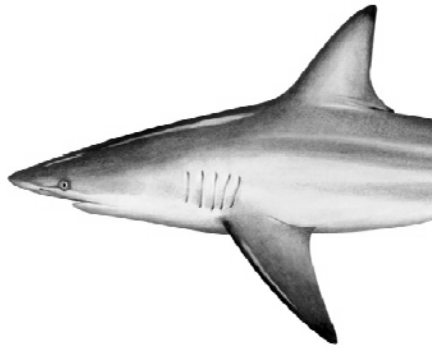
Coastal Sharks Advisory Panel Report

Chair, Lewis Gillingham



Spiny Dogfish and Coastal Sharks Management Board
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Draft Addendum II Advisory Panel Call

- AP held a conference call to review Draft Addendum II to the Coastal Shark FMP
- Seven AP members participated in the call

Issue 1: States-Shares

- **Advantages of implementing state shares**
  - **Equitable allocation of the coastwide quota to prevent one state from dominating the harvest**
  - **Increases accountability of each state**
  - **Gives states flexibility to monitor their catch according to their specific needs**
- **Recommend Option C (historical landings 1998-2010) as it is the most equitable division of the quota**

Issue 2: Quota Transfer

- **No consensus on this issue**
- **Allowing transfer would further the management plan's objectives by helping states stay under the coastwide quota**

  OR

- **Quota transfers could maximize harvest which is not advisable without stock assessment**

Issue 3: Quota Rollover

- Some members felt Option C (5% maximum rollover) was the best option
- Others reiterated that rollovers in the absence of a stock assessment could jeopardize management objectives

Issue 4: Possession Limits

- No consensus
- Board-specific possession limits ensure consistency across the range of smoothhound sharks
- State-specified possession limits allow states the flexibility to adapt to their market

Issue 5:Re-Evaluation of State-Shares

- **Did not feel strongly about this issue**
- ***Section 4.5.2 Adaptive Management* in the Coastal Sharks FMP, state-shares can be revisited at any time**
- **Questioned how state-shares would be re-evaluated. If a state had a certain percentage, then their historical landings would reflect that percentage and make establishing new allocations more difficult**

Issue 6: At-Sea Processing

- General concern and disagreement over this issue
  - Lack of scientific evidence to support 12% ratio
  - No need to change the maximum fin: carcass ratio before NOAA Fisheries proposes rule
  - The 5:95 ratio is inaccurate, and ratio is closer to 10%
- Included in supplemental materials are a NJ study as well as results from a NC study for Board consideration

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Great Hammerhead and Dusky Sharks Endangered Species Act Listing Process

Spiny Dogfish and Coastal Sharks Management Board
May 21, 2013

Endangered Species Act Listing Process

- Petitions received by WildEarth Guardians and the Natural Resources Defense Council
- 90-Day finding of “Substantial”
- Followed by a status review and a 12-month finding of “warranted”, “not warranted” or “warranted but precluded”

Great Hammerhead

- **Why was the petition found to be substantial?**
  - **"global fisheries are impacting great hammerhead shark populations to a degree that raises concerns of a risk of extinction"**
  - **"current regulatory mechanisms may not be adequate to protect the great hammerhead population from extinction risk"**

Dusky Shark

- **Why was it found to be substantial?**
  - **"threats from overutilization by commercial and/or recreational fisheries"**
  - **"current regulatory mechanisms may not be adequate to protect the NW Atlantic population from extinction risk"**
  - **Biological vulnerability of the species may be a threat as this population is already severely depleted and still experiencing levels of fishing pressure that may be of concern**

Request for Public Comment

- Public comment period is open until June 25, 2013 (great hammerhead) or July 16, 2013 (dusky sharks)
- NOAA Fisheries is interested in any scientific or commercial fisheries information that could aid their status review
  - Specifically related to bycatch