

Atlantic States Marine Fisheries Commission

Spiny Dogfish and Coastal Shark Management Board

*May 21, 2013
1:00 p.m. - 2:30 p.m.
Alexandria, Virginia*

Draft Agenda

The times listed are approximate; the order in which these items will be taken is subject to change; other items may be added as necessary.

1. Welcome/Call to order (*M. Gibson*) 1:00 p.m.
2. Board Consent 1:00 p.m.
 - Approval of Agenda
 - Approval of Proceedings from February 2013
3. Public comment 1:05 p.m.
4. Review of Preliminary 2013/2014 Spiny Dogfish Quotas 1:10 p.m.
(*M. Hawk*)
5. Update on HMS Amendment 5a (*K. Brewster – Geisz*) 1:20 p.m.
6. Consider Draft Addendum II for Final Approval **Final Action** 1:40 p.m.
 - Review Options (*M. Hawk*)
 - Public Comment Summary (*M. Hawk*)
 - Advisory Panel Report (*L. Gillingham*)
 - Consider final approval of Addendum II
7. Update on Endangered Species Act listing of great hammerhead 2:10 p.m.
(*M. Hawk*)
8. Other business/Adjourn 2:30 p.m.

The meeting will be held at the Crowne Plaza Hotel Old Town, 901 N. Fairfax St, Alexandria, VA 703-683-6000

Healthy, self-sustaining populations for all Atlantic coast fish species or successful restoration well in progress by the year 2015

MEETING OVERVIEW

Spiny Dogfish and Coastal Sharks Management Board Meeting
Thursday, May 21, 2013
1:00 p.m – 2:30 p.m.
Alexandria, VA

Chair: Mark Gibson (RI) Assumed Chairmanship: 10/12	Vice Chair: Adam Nowalsky (NJ)	Law Enforcement Committee Representative: Tulik/Frampton
Spiny Dogfish Technical Committee Chair: Vacant	Spiny Dogfish Advisory Panel Chair: Vacant	Previous Board Meeting: February 21, 2013
Coastal Shark Technical Committee Chair: Greg Skomal (MA)	Coastal Shark Advisory Panel Chair: Lewis Gillingham	
Voting Members: ME, NH, MA, RI, CT, NY, NJ, DE, MD, VA, NC, SC, GA, FL, NMFS, USFWS (16 votes)		

2. Board Consent

- Approval of Agenda
- Approval of Proceeding from February 21, 2013

3. Public Comment – At the beginning of the meeting public comment will be taken on items not on the Agenda. Individuals that wish to speak at this time must sign in at the beginning of the meeting. For agenda items that have already gone out for public hearing and/or have had a public comment period that has closed, the Board Chair may determine that additional public comment will not provide additional information. In this circumstance the Chair will not allow additional public comment on an issue. For agenda items that the public has not had a chance to provide input, the Board Chair may allow limited opportunity for comment. The Board Chair has the discretion to limit the number of speakers and/or the length of each comment.

4. Preliminary 2012/2013 Spiny Dogfish Quotas (1:10-1:20 p.m.)

Background

- Addendum II & III allocate the annual quota with 58% to states from ME – CT and state shares for NY – NC with the remaining 42%.
- Overages are paid back by the region or state responsible for the overage.
- Rollovers up to 5% are allowed when spawning stock biomass is above the target.
- Final quotas may change as 2012 landings are audited.

Presentations

- Preliminary 2013/2014 quotas by M. Hawk (**Supplemental materials**)

5. Update on HMS Amendment 5a (1:20 p.m. – 1:40 p.m.)

Background

- NOAA Fisheries has separated Amendment 5 to the HMS FMP into two separate parts; one concerning dusky sharks and one concerning hammerhead sharks

- Amendment 5a concerns hammerhead shark measures: new species groupings, new quotas and a recreational size limit
- Amendment 5b is being reconsidered by NOAA Fisheries

Board actions for consideration at this meeting

- Consider development of an addendum to address species groupings changes and recreational size limit changes

6. Consider Draft Addendum II for Final Approval (1:40 p.m. – 2:10 p.m.) Final Action

Background

- NOAA Fisheries was working to establish a quota for smoothhound sharks in Amendment 3 to the HMS (this has since been delayed)
- In August 2011, the Board directed the PDT to draft an addendum concerning state-
- In August 2012, the Board directed the TC to investigate smooth dogfish fin: carcass ratios and include that in an addendum in response to the Shark Conservation Act of 2010

Presentations

- Overview of options and public comment summary by M. Hawk (**Briefing CD**)
- AP Report by L.Gillingham (**Briefing CD**)

Board actions for consideration at this meeting

- Select management options and implementation dates.
- Approve final document.

7. Update on Endangered Species Act listing of great hammerhead (2:10 p.m. – 2:30 p.m.)

Background

- On December 21, 2012 NOAA Fisheries received separate petitions from WildEarth Guardians (WEG) and Natural Resources Defense Council (NRDC) to list the great hammerhead as threatened or endangered under the Endangered Species Act and designate critical habitat
- NOAA Fisheries 90-day finding is that the designations may be warranted and they are soliciting information to help their review (**Briefing CD**)

Board actions for consideration at this meeting

- Consider submission of public comments for 90-Day Finding of great hammerhead.

8. Other Business/Adjourn

DRAFT

DRAFT

DRAFT

DRAFT

DRAFT

DRAFT

**DRAFT PROCEEDINGS OF THE
ATLANTIC STATES MARINE FISHERIES COMMISSION
SPINY DOGFISH AND COASTAL SHARK MANAGEMENT BOARD**

**Crowne Plaza Hotel - Old Town
Alexandria, Virginia
February 21, 2013**

These minutes are draft and subject to approval by the Spiny Dogfish & Coastal Shark Management Board.
The Board will review the minutes during its next meeting.

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1. **Approval of agenda by consent** (Page 1).
2. **Approval of proceedings of October 2012 by consent** (Page 1).
3. **Move to approve Draft Addendum II to the Interstate Fishery Management Plan for Atlantic Coastal Sharks Smooth Dogfish State Shares for public comment with the changes as agreed to today** (Page 4). Motion by Pat Augustine; second by Peter Himchak. Motion carried (Page 4).
4. **Move to approve the request for de minimis status for Delaware, South Carolina, Georgia and Florida and accept the FMP reports** (Page 4). Motion by Pat Augustine; second by Bill Adler. Motion carried (Page 5).
5. **Move to approve the Coastal Sharks FMP Review** (Page 5). Motion by Pat Augustine; second by Bill Adler. Motion carried (Page 5).
6. **Motion to adjourn by consent** (Page 8).

ATTENDANCE

Board Members

Rep. Walter Kumeiga, ME (LA)	David Saveikis, DE (AA)
Willis Spear, ME, proxy for S. Train (GA)	John Clark, DE, administrative proxy
Dennis Abbott, NH, proxy for Sen. Watters (LA)	Roy Miller, DE (GA)
Doug Grout, NH (AA)	Tom O'Connell, MD (AA)
Paul Diodati, MA (AA)	Bill Goldsborough, MD (GA)
Bill Adler, MA (GA)	Russell Dize, MD, proxy for Sen. Colburn (LA)
Mark Gibson, RI, proxy for R. Ballou (AA)	Rob O'Reilly, VA, proxy for J. Travelstead (AA)
Bill McElroy, RI (GA)	Cathy Davenport, VA (GA)
Rick Bellavance, RI, proxy for Rep. (LA)	Louis Daniel, NC (AA)
David Simpson, CT (AA)	Robert Boyles, Jr., SC (AA)
James Gilmore, NY (AA)	Pat Geer, GA, proxy for S. Woodward (AA)
Pat Augustine, NY (GA)	James Estes, FL, proxy for J. McCawley (AA)
Peter Himchak, NJ, proxy for D. Chanda (AA)	Wilson Laney, USFWS
Adam Nowalsky, NJ, proxy for Asm. Albano (LA)	Margo Schultz-Haugen, NMFS HMS
Tom Fote, NJ (GA)	Bob Ross, NMFS

(AA = Administrative Appointee; GA = Governor Appointee; LA = Legislative Appointee)

Ex-Officio Members

Staff

Robert Beal
Toni Kerns

Marin Hawk

Guests

Steve Meyers, NMFS
Karyl Brewster-Geisz, NMFS
Clifford Hatt, NMFS

Leann Hogan, NMFS HMS
Sean McKown, NCEA

The Spiny Dogfish and Coastal Shark Management Board of the Atlantic States Marine Fisheries Commission convened in the Presidential Ballroom of the Crowne Plaza Hotel Old Town, Alexandria, Virginia, February 21, 2013, and was called to order at 11:30 o'clock a.m. by Chairman Mark Gibson.

CALL TO ORDER

CHAIRMAN MARK GIBSON: My name is Mark Gibson from Rhode Island. I am the new board chair. The first business is to thank Bob for standing in for me in Philadelphia, which was supposed to be my first meeting. I had a rather embarrassing incident. I stumbled out of bed and injured my knee. I guess that is a true senior moment.

Of all the species the commission manages, I probably know the least about coastal sharks, so you're going to need to help me with this, the board members that understand these fisheries; and obviously Bob and Toni and the staff, I going to need a lot of help from. It is a deep learning curve for me.

APPROVAL OF AGENDA

CHAIRMAN MARK GIBSON: The first order of business is approval of the agenda. Under other business I would like to add a brief discussion about the northern region spiny dogfish management program. We have had several fishermen approach Bob as well as myself and other commissioners about the northern region dogfish management, particularly an interest in perhaps some additional structure within the program that would ensure that there were fish available to take later in the season; perhaps sub-periods, trimesters and things like that.

I would like to add that to the agenda under other business. Is there anything else that the board would like to add to discuss under other business? Seeing none; is there any objection to moving ahead with the agenda as I have just modified? Seeing none; the agenda stands approved.

APPROVAL OF PROCEEDINGS

CHAIRMAN MARK GIBSON: The next item is approval of the proceedings from the annual meeting in October 2012.

Are there any board members wishing to make edits or adjustments to the meeting proceedings? Seeing none; those stand approved.

PUBLIC COMMENT

CHAIRMAN MARK GIBSON: Item 3 on the agenda is public comment. This would be an opportunity for individuals to comment to this board on items not on the agenda. I don't think anyone signed in to speak. Okay, we will move right on to Item 4, consider Draft Addendum II to the Interstate Coastal Sharks Fishery Management Plan.

DRAFT ADDENDUM II TO THE INTERSTATE COASTAL SHARKS FISHERY MANAGEMENT PLAN

MS. MARIN HAWK: This is Draft Addendum II to the Interstate Fishery Management Plan for Coastal Sharks. It will be going out for public comment after we review it today and make any necessary changes that you guys see fit. So just a brief introduction; back in 2011 the board initiated an addendum to allocate state shares of the smooth dogfish. This was in response to NOAA Fisheries Amendment 3. In August 2012 the board asked New Jersey, North Carolina, Florida and Massachusetts to conduct research into smooth dogfish fin-to-carcass ratios and include those results in an addendum.

This addendum addresses both of those issues, and I will explain why they're so far apart time-wise in a bit. NOAA Fisheries is currently working to implement the Shark Conservation Act of 2010, and they're also making some other changes to their Highly Migratory Species FMP. This is going to result in some inconsistencies between our plan and their plan.

Mainly they are working to implement a 12 percent maximum fin-to-carcass ratio for smooth dogfish and are also working to implement a smooth dogfish quota, which will be included in that rule. State shares were proposed to prevent the possible federal quota being taken in one region while shutting other states out.

As I mentioned, the 12 percent fin-to-carcass ratio for smooth dogfish would be inconsistent with our FMP, which states that all fins may be removed with a 5 percent maximum fin-to-carcass ratio from March through June, and you must keep the dorsal fin attached naturally through landing for the rest of the year.

In the past smooth dogfish have not been managed in federal waters; and in the absence of a stock assessment, the board has chosen not to implement a quota or possession limit for state waters. Amendment 3 to the Highly Migratory Species Plan intended to implement a smooth dogfish quota for 2012; however, that has since been delayed.

At that time the board had already directed that this addendum be developed, so staff proceeded to develop this addendum. Currently NOAA Fisheries anticipates that smoothhound quota will be proposed with the Shark Conservation Act of 2010 Rule. Just some background for the at-sea processing; New Jersey requested that the board look at whether or not they could remove the first dorsal fin year round.

The technical committee reviewed that request back in June of 2012. The technical committee determined at that time that setting the ratio too high would allow a loophole for finning and they did not endorse a paper from North Carolina which calculated a 3.51 percent fin-to-carcass ratio because that was based on six fish.

At that time the board tasked Massachusetts, New Jersey, North Carolina and South Carolina to research an appropriate fin-to-carcass ratio to include in Draft Addendum II. Unfortunately, due to data limitations the only data that the technical committee was able to review is that data from New Jersey. The data indicated that there was anywhere from a 7 to 12 percent fin-to-carcass ratio based on the fins kept and the cut of the fin.

Due to the limited data, the technical committee decided that since the Shark Conservation Act 12 percent ratio cannot be changed, they decided that maintaining consistency between federal and state waters was necessary, so they recommended that 12 percent fin-to-carcass ratio be included in this addendum as an option.

I am just going to go right through the options in the addendum. They're the same as the

document that you have so you can follow right along. Issue 1 deals with smooth dogfish state shares. Option A is status quo. Option B is historical landings 1998 to 2007. This reference period includes the base years used to calculate the initial smoothhound quota in the Amendment 3 Final Rule.

Option C, which is historical landings 1998 to 2010, is the reference period which includes the base years used to calculate the initial smoothhound quota, 1998-2007; and the most recent years, 2008 to 2010. Option D, is the five-year moving average as a reference period, which is adjusted annually to include the most recent five years of available data; so 2013 quota shares would be calculated based on the average landings from 2008 to 2012.

This is just a table that shows you the different options and the percent shares under those options that are in your document. Here is another table which outlines the various options under the five-year moving average. Again, this is a graph which shows you how the five-year moving average option changes over the years.

Issue 2 deals with state quota transfer. Option A is no quota transfer. Option B is allow quota transfer. Issue 3 is quota rollovers. Option A is status quo. Option B is a rollover of state quota, and this does not specify that transferred quota may be rolled over nor does it prohibit the rollover of transferred quota.

Option C is transferred quota may not be rolled over, and that is pretty straightforward. Option D is the rollover of transferred quota. This states that a state may roll over any unused transferred quota from one fishing year to the next. If a state receives transferred quota and does not harvest its final quota amount, the remaining amount will be added to the corresponding state's quota the following year.

Option E is a 5 percent quota rollover. Staff recommends – just a side note – that Options B and D are very unclear for the public comment draft and requests that the board clarify which options to include under this issue. I did want to point that out.

Issue 4 is possession limits. Option A is a board-specified possession limit. Option B is a state-specified possession limit. Issue 5 is a three-year reevaluation of state shares. Option A is no

three-year reevaluation and Option B is a three-year reevaluation. Finally, Issue 6 deals with smooth dogfish processing at sea.

Status quo, which again is that 5 percent maximum fin-to-carcass ratio from March through June, and then the dorsal fin must remain intact the remainder of the year. Option B is measures consistent with the Shark Conservation Act, which is a 12 percent maximum fin-to-carcass ratio year round. Thank you, Mr. Chairman.

CHAIRMAN GIBSON: First, are there any questions for Marin on the addendum; and then after that the board could have at it for any improvements or refinements and then an action to send it out to hearing. Louis.

DR. LOUIS B. DANIEL: Marin, that study that is cited from North Carolina with six sharks at 3.51 percent; I'm unaware of that study. If we could talk about that later, I'm not aware of any smooth dogfish fin-to-carcass ratio work we have done that hasn't been pretty consistent with what NMFS has at 12 percent. I need to know where that came from, but we do plan on doing some additional work between now and I guess when we take final action. If we do find anything extraordinary, we will let the board know. But as I recall, 12 percent was around the number that we were finding as well. I think it is probably consistent with why NMFS put it in there.

MR. WILLIAM A. McELROY: I would like to respond to Louis' comment. As I recall at the last board meeting, a fisherman came to the public microphone from North Carolina and he had done a private study to come up with those numbers. It wasn't a state-promulgated thing.

MS. MARGO SCHULZE-HAUGEN: Just to clarify; the 12 percent didn't come from the federal government. That is in the statute so that came from congress.

DR. DANIEL: If that is the case, though, I think that information needs to be off the record because that is just not right. That 3.51 percent isn't even close to being right. If that is not an endorsed North Carolina study, I'd rather not just use hearsay from somebody at the podium.

CHAIRMAN GIBSON: Is that the sense of the board? I wasn't there. Pat Augustine.

MR. PATRICK AUGUSTINE: Mr. Chairman, I agree with Dr. Daniel. If it is not substantiated, I think it would be foolish to put it off to the public unless there is another source to verify similar information. Margo didn't say that there was another source. This is the only source we had as far as you're aware?

MS. SCHULZE-HAUGEN: I think the work that the technical committee did in support of this based on state landings is the source.

MR. AUGUSTINE: I agree with Dr. Daniel; I think without being substantiated at this point in time, it would be foolish. I would suggest that we remove it.

CHAIRMAN GIBSON: I am seeing mostly people agreeing with that or not responding, so that seems to be the consensus we have. Is there anything else on the addendum? Pete Himchak.

MR. PETER HIMCHAK: Yes, just as a point of clarification; the New Jersey data that they did in Barnegat Light, what was the ratio on that? From what I'm reading here is essentially they could remove that dorsal fin after July 1st as long as the ratio does not exceed 12 to 1; is that correct?

MS. HAWK: That is correct. The New Jersey research was done by Russ Babb on the technical committee and he found that there was anywhere from a 7 to 12 percent fin-to-carcass ratio. Does that answer your question?

MR. HIMCHAK: Yes; thank you very much.

CHAIRMAN GIBSON: Are there any other questions?

MR. AUGUSTINE: Are you ready for a motion?

CHAIRMAN GIBSON: Almost; unless there is a need or desire to refine the addendum in any way before we move to take it to hearing. Seeing none; we're ready for Mr. Augustine.

MR. AUGUSTINE: Mr. Chairman, I move that the board approve Draft Addendum II to the Interstate Fishery Management Plan for Atlantic Coastal Sharks Smooth Dogfish State Shares for public comment.

CHAIRMAN GIBSON: Staff is telling me we didn't deal with Issue 3, so why don't you address that, Marin.

MS. HAWK: If you all look at Issue 3, quota rollovers on Page 8 of your draft addendum, Option B and Option D, neither one specifies whether or not you can roll over transferred quota. Both of them say that you can roll over both transferred or non-transferred quota. I was hoping for some clarification. They're worded a little bit funny, I think.

DR. DANIEL: Yes, I think for consistency we normally do not allow transferred quota to be rolled over. For consistency's sake, I think that would be my recommendation would be to clarify that it would not include transferred quota in a rollover.

CHAIRMAN GIBSON: Is there any disagreement of opinion on that? Not seeing anything at the board; is that –

MS. HAWK: So, no option to allow the rollover of transferred quota, then?

CHAIRMAN GIBSON: Right.

MS. HAWK: So that would make Option B and Option D the same, and so I will remove one of those options.

MR. ROB O'REILLY: I'm just trying to figure out how that would roll over. Would that roll over from the state that received the transfer or would that go back to the state that provided the transfer and then it would be part of the original quota? It is complicated that way. Do you have an idea on how that was intended? Was it intended for the recipient state to be able to include that in a rollover?

MS. HAWK: Option D says if a state receives transferred quota and does not harvest its final amount, the remaining amount will be added to that corresponding state's quota the following year, so that would allow transferred quota to be rolled over, yes.

MR. O'REILLY: That does not sound like a good idea.

CHAIRMAN GIBSON: I think we have agreement that option will be removed. Is there anything else? Okay, Mr. Augustine again.

MR. AUGUSTINE: Mr. Chairman, one more time; **I move that we approve Draft Addendum II to the Interstate Fishery Management Plan for Atlantic Coastal Sharks Smooth Dogfish State Shares for public comment with the changes as agreed to today.**

CHAIRMAN GIBSON: Seconded by Peter Himchak. Is there any discussion on this motion? Is there any opposition to this motion? **Seeing none; the motion stands approved.** Okay, the next item is FMP reviews.

SPINY DOGFISH AND COASTAL SHARKS FISHERY MANAGEMENT PLAN REVIEW AND STATE COMPLIANCE

MS. HAWK: I will make this very brief. There was nothing surprising with the commercial harvest or recreational harvest of spiny dogfish, so I am going to just move right through to state compliance. The plan review team reviewed all state compliance reports. All states' regulations were consistent with the FMP.

New York did not turn in a report but its regulations are consistent with the FMP. There were four requests for de minimis; Delaware, South Carolina, Georgia and Florida. De minimis is less than 1 percent of total landings. There are no monitoring requirements, but those states must report landings annually. Connecticut qualified for de minimis but did not request it. The plan review team recommends all requests for de minimis be granted. Thank you, Mr. Chairman.

CHAIRMAN GIBSON: Are there any questions for Marin on the compliance reports? Seeing none; we will take another motion.

MR. AUGUSTINE: Okay, **move to approve the request for de minimis status for Delaware, South Carolina, Georgia and Florida. The PRT recommends all requests for de minimis be granted and approval of the status of the states relative to their reporting.**

CHAIRMAN GIBSON: So your motion is to approve de minimis status and accepts the reports. Seconded by Bill Adler. Is there any discussion on this motion which approves the de minimis status requests and accepts the FMP reports? Is there any objection to this motion?

Seeing none; it is approved. Next is Coastal Sharks FMP Review.

MS. HAWK: Again, I will go through this very briefly. In the small coastal shark species there was a 39 percent increase from the 2010 landings; and the pelagic species there was a 65 percent increase from the 2010 landings. Recreational harvest; there was a 3 percent total increase in harvest from 2010 fishing seasons.

Small coastal sharks comprised 60 percent of the harvest in 2011, and this is an increase of 26 percent from 2010. Large coastal shark harvest decreased by 32 percent from 2010. There are no specific surveys aimed at coastal sharks; however, eleven surveys encountered sharks in 2011. There were trends in two of these surveys; in Delaware and South Carolina.

In Delaware sand tiger catch per mile remained high. Sandbar and smooth dogfish catches continue to increase. In South Carolina it was the lowest catch-per-unit effort in the small coastal shark gill net survey since 1998. The plan review team reviewed all state compliance reports and found that most states' regulations were consistent with the FMP.

Connecticut has not implemented the appropriate recreational measures; however, they are in the middle of the regulatory process to implement those measures. New York did not turn in a report, but their regulations are consistent with the FMP. There are no de minimis requests. Thank you.

CHAIRMAN GIBSON: Are there any questions? Doug Grout.

MR. DOUGLAS GROUT: Now, there are states that do have a de minimis status; and is that ongoing de minimis status. We don't have to apply every year for it?

MS. HAWK: Yes, your de minimis status remains unless your landings pattern change or you request a discontinuation.

CHAIRMAN GIBSON: Mr. Augustine, are you ready to do your thing?

MR. AUGUSTINE: Mr. Chairman, **move to approve the review of the FMP Coastal Report.**

CHAIRMAN GIBSON: Seconded by Mr. Adler. Is there any discussion on that motion? Is there any objection to the motion? **The motion is approved.**

OTHER BUSINESS

CHAIRMAN GIBSON: That brings us to other business. I was going to ask either Mr. Bellavance or Mr. McElroy to speak to the northern region issue that has been intimated to us.

MR. RICK BELLAVANCE: Mr. Chairman, I just have just a little brief background on the problem and maybe some potential solutions. In the Southern New England Region, to the north the fishermen are concerned that the quota is going to be expended early in the season and they won't be able to continue to fish through the winter period when the price is a little higher for the dogfish and they can also target codfish and the dogfish simultaneously to make a more profitable trip for them.

The suggestion is to develop some sort of a tool that can be used to either divide the season into a trimester so that there is allocation devoted to that specific winter period or some other tool of monitoring quota throughout the season and enact slowdowns to extend the quota through that January/February/March period. That was the problem as it was described to me, and I just look to the board for comments or suggestions as to how we could accomplish a solution to that.

CHAIRMAN GIBSON: Marin, do you know what the status of the northern region quota is at this point with the significant increase we had?

MS. HAWK: There are at about 99 percent of their quota.

CHAIRMAN GIBSON: A closure is imminent; okay. I guess the other question is do we even need a commission formal action for us to do this or is it within the purview of the northern region states simply to agree that we need more restrictive rules than the current action requires us; for example, reduce possession limits, days out, closures, additional sub-period structure with allocations in there. I asked Toni about that and we had a little discussion.

MS. TONI KERNS: I think that if the northern region wants to get together and come up with an

agreement, it is well within their ability to do so. In the future if you want to codify that agreement through the FMP, it would be somewhat like a gentleman's agreement that you guys would all follow those regulations that you decide to put together.

CHAIRMAN GIBSON: Do other northern region partners have any feedback for us? Dave.

MR. DAVID SIMPSON: I'm happy with that arrangement. Personally I'm just thinking about regulatory authority; and to move quickly we have a great deal of latitude to comply with the commission plan. I don't know if we need something from the board that sort of authorizes this action. Toni, do you have any thoughts on that or the chair?

CHAIRMAN GIBSON: I think what we're looking for right now is just an opening discussion on this. Paul.

MR. PAUL DIODATI: I don't have a solution but I have a similar concern as David. I think it is similar in that we manage spiny dogfish through an annual specification that is tied back to an action that takes place as ASMFC. Technically the gentleman's agreement outside of the actual management plan doesn't really meet our law, so that is just a concern.

I'm not sure about that, but I hesitate to say let's do addendum because that's probably the next alternative. I'm willing to do whatever possible and as simple as possible. I think the simplest thing would be some kind of trimester quotas or something like that. But, whatever, I'm willing to give it a try as an agreement moving forward, but I think it is best to do it through an addendum as soon as possible.

MR. GROUT: Well, the northern quota at 99 percent right now, I am not sure that for this fishing year we're really going to be able to do anything. Next year we're seeing again a substantial increase in the quota for the next three years. This may be a problem that we're going to have to deal with three or four years down the line as I look at this.

I mean, here we are almost in March and we still haven't utilized the northern quota at this point, so I think your process here sounds like a good one where we could start talking about it for

something in the future and how we break that up.

It sounds like your fishermen – Ted Platz had brought I think this up – are looking for something in that March/April time period, some kind of set-aside so you could probably have a first – you could have a big chunk of quota, say, in the first three quarters and then maybe in the last quarter have a little set-aside sort of like with tuna there are different areas that have like a small set-aside toward the end of the season. I don't know; but that is something I think we could talk about and see what would be appropriate.

CHAIRMAN GIBSON: Yes, I think we're certainly not looking for any action within this fishing year. Let's see with the increased quota how this thing works out. As you point out, we're almost into March and it hasn't closed yet. We're scheduled for another increase so it may that we could just continue talking about this and see how this year performs, take a look at next year's quota and see if we want to consider some sort of action through the commission that would better meter out the large quotas. With the quota going up, the problem might be even less of a concern. Rick, do you want to add something?

MR. BELLAVANCE: Just a couple of things. March and April is a sixth of the season and I think that is a significant period of time; so if we close by March 1st, we'll still lose March and April. I think that is what they're looking to preserve mostly, but also that January/February fishery. We are getting an increase in quota but also that daily possession limit is going up a thousand pounds, which is a 25 percent increase there.

Even though we have more quota, this season still can possibly end similar to this year for the next three seasons. I think they're looking for some sort of stability in their business model to be able to plan for purchase gear and adapt their fishing techniques to capitalize on that full final trimester there.

CHAIRMAN GIBSON: I think I've heard what I needed to hear; and I think if the board is comfortable with that, certainly this year is going to play out however it plays out and we start the May fishing year with a new quota and a new possession limit and watch the performance of that and start talking within the region; and if

and when we're ready to come forward with a request for an action, we do that. There doesn't seem to any objection to that course of action. Thank you for the opportunity to talk about that. Is there any other business to come before the board? Louis Daniel.

DR. DANIEL: I just was hoping to get I don't know maybe some guidance or any suggestions I think from our discussion yesterday on Amendment 5 on how we move forward in the board with making comments. We're going to have an opportunity to review additional information. We're going to have the time now to be able to address the various components that are going to be delayed.

I'm assuming there is going to be several months probably to be able to have our technical folks and some of the state folks looking at making more specific and informed comments. I don't know how much time we're going to have, though, after the next board meeting because we don't have a schedule yet for when it is going to happen. I would suspect some time this summer, maybe, so I think we would need to have some discussions on our positions on this at our May meeting. We need some direction somewhere on what to do between now and the May meeting.

CHAIRMAN GIBSON: Thank you for that. We will make notes to that and make sure that we have an opportunity to do that and think that through before the May meeting. Margo.

MS. SCHULZE-HAUGEN: I don't know that we're going to have anything new out by May. I think August would certainly be a reasonable target. This would be an FMP amendment, so we would be looking at another 60-day comment period. That is I think as much as I know right now.

DR. DANIEL: Well, I just think we need to keep – I want to make sure the board is aware of all the various issues and the potential implications and ramifications of the restrictions so that we have an opportunity to see how that fits in with our coastal shark plan and provide any good comments that we need to NMFS as a board and a commission.

CHAIRMAN GIBSON: We will stay ahead of it the best we can and keep the flow of information. Bob Beal.

EXECUTIVE DIRECTOR ROBERT E. BEAL: Mr. Chairman, given what Margo said there likely is not anything new by the May meeting; Margo and I can talk between this meeting and as the May meeting gets a little closer.

I think it was pretty obvious during the Policy Board that if there is anything new that the HMS staff would like to present to our board, we can find them more prime time on the agenda to get that in front of this group. I am not sure if that is May or August but Margo and I can chat; and if there is new information or questions that you have or the board, of whatever it is, we can handle that at the May meeting. If not, we can wait until August.

MR. JOHN CLARK: Mr. Chair, I just had a quick question if the commission knows how many states are facing Humane Society shark finning bills in this session? The new approach they're taking in Delaware and I know Tom has told me the same thing in Maryland is to allow possession in state but they can only sell the fins out of state. Of course, if they have the same bill pass in all states, there is going to be no place to sell them. I just wonder if they have any information.

CHAIRMAN GIBSON: I do not.

MS. HAWK: Right now I think different states have different legislation; so Maryland, the dealers cannot sell the sharks unlike in Delaware as you just described.

MR. CLARK: Well, the bill that is being proposed would allow possession of the fins but no sale within Delaware. They're proposing, well, go to Maryland and sell them there; but, of course, if Maryland has the same law, then they can't sell them there either. I was just curious if this is moving up and down the coast again.

CHAIRMAN GIBSON: Does anyone want to add anything to that? Tom.

MR. THOMAS O'CONNELL: The legislation in Maryland won't go away and it would prohibit dealers from selling a detached shark fin. There seems to be interest by the sponsor to exempt spiny and smooth dogfish, which I think is in the bill that is being considered in New York.

We have also tried to identify some chain of custody that would meet interstate and

international trade laws that would allow our fishermen to sell marked detached fins from the other shark species that we occasionally come across. That has been a challenge but we're still working on that.

ADJOURNMENT

CHAIRMAN GIBSON: Are there any other comments from the board on that issue? Any other business to come before the board? Seeing none; is there a motion to adjourn? So moved and seconded by everyone. We are adjourned.

(Whereupon, the meeting was adjourned at 12:10 o'clock p.m., February 21, 2013.)



Atlantic States Marine Fisheries Commission

1050 N. Highland Street • Suite 200A-N • Arlington, VA 22201
703.842.0740 • 703.842.0741 (fax) • www.asmf.org

MEMORANDUM

April 18, 2013

To: Spiny Dogfish and Coastal Sharks Management Board
From: Marin Hawk, FMP Coordinator
RE: Public Comment for Draft Addendum II

There were 144 written comments submitted for Draft Addendum II. Of those comments one was from a group (NOAA Fisheries) and one was a form letter signed by six groups (Shark Advocates International, Wildlife Conservation Society, Project AWARE, The Humane Society of the United States, and Humane Society International). Four public hearings were held, one each in the states of New Jersey, Maryland, Virginia, and North Carolina. There were 23 attendees.

There were twelve commenters that specified which options outlined in the document they preferred. The majority of public commenters from this group favored the options below:

- Issue 1, Option C; historical landings 1998-2010 (11)
- Issue 2, Option B; allow quota transfer (12)
- Issue 3, Option B or C; allow rollover of state quota (12)
- Issue 4, Option B; state-specified possession limits (12)
- Issue 5; Option A; no three-year re-evaluation of state-shares (9)
- Issue 6; Option B; measures consistent with Shark Conservation Act of 2010 (12)

Other commenters suggested options that were not contained within the document.

Other Written Comments:

- Adopt a fins-naturally-attached rule for smoothhound sharks (58)
- Don't create loopholes for fishermen (8)
- Where did the 12:88 fin: carcass ratio come from? (2)
- Wait until a stock assessment has been conducted before proceeding with smoothhound measures (2)
- Stop shark finning in United States waters (53)
- The State of New Jersey should develop a smooth dogfish landing permit
- The Highly Migratory Species Branch should not be managing smooth dogfish

Enclosed are public hearing summaries and copies of all the comments that were received.

M13-19

Public Hearings

There were no attendees at the Maryland or Virginia hearings.

Manahawkin, New Jersey

March 21, 2013

22 Attendees; 10 Submitted public comments

Meeting Participants: Christian Einselen (F/V Antoinette Inc), Bernard Elakkar (F/V Antoinette Inc), Jim Elliott (F/V Riddler Fly Near's), Robert Elsey (F/V Endurance), Warren Apel (F/V Jenna & Taylor), Ernie Panacek (Viking Village), James Brindley (F/V Rebait Inc), Gus Brindley (Lighthouse Marina), Tim Brindley (F/V Viking Rose), Paul Bykow (F/V Gimmick), Mike Karch (F/V Endeavor), John Breitling (F/V Sea Tiger II), Greg DiDominico (Garden State Seafood Association), Chris Rainone

Issue 1: Smooth Dogfish State Shares

Meeting participants unanimously supported deriving state shares from the historical landings from 1998-2010 (Option C), preferring a known percentage over an uncertain five year average, though the 5 year average approach was intriguing. Some feared the negative impact on the 5-year average in one or more years by a significant weather event, as occurred with Superstorm Sandy.

Issue 2: State Quota Transfers

There was no objection to allowing one state to transfer unused quota to another state to cover any state's overage in a given year but if a 5-year moving average is selected to determine state allocations, the transferred quota should remain with the state transferring the quota.

Issue 3: Quota Rollovers

It was explained to participants that a rollover of unused quota can only occur under ASMFC policy if the stock is not overfished and overfishing is not occurring. **Participants favored the rollover of unused quota, some specifically limiting the rollover to 5%.**

Issue 4: Possession Limits

All participants agreed that the State should set its own possession limits by having the smooth dogfish fishery advisors making recommendations to the New Jersey Marine Fisheries Council.

Issue 5: Three-year Re-evaluation of State Shares

The vast majority favored no three-year re-evaluation of state shares.

Issue 6: Smooth Dogfish Processing At Sea

All participants favored allowing full processing at sea as long as the weight of fins did not exceed 12%. They had several questions with the wording on Slide 17 in the powerpoint presentation which describes Option B. Measures Consistent with Shark Conservation Act and wanted to be sure that consistency with the Shark Conservation Act only applied to the 12% finning at sea issue. Questions on other measures in the Shark Conservation Act, relating to gear configuration and possible tethering of gear to vessels while fishing could not be answered at the public hearing. Staff assured the participants that when Issue 6 was discussed by the

Management Board in May 2013, the measures consistent with the Shark Conservation Act would be clarified in the motion to apply only to the 12% processing at sea fin allowance.

Manteo, NC

March 21, 2013

1 Attendee

Meeting Participants: Dewey Himelright

The meeting participant gave input on all options in the Draft Addendum. **Option D (five year moving average) was preferred for Issue I.** He expressed concern over the 2014 stock assessment of smooth dogfish and how the stock assessment might influence any state-shares or quota that was set prior to the stock assessment.

For the other options, he preferred: **Issue 2, Option B – allow transfer of quotas; Issue 3, Option B – rollover of state quotas; Issue 4, Option B - individual states set possession limits; Issue 5, Option B – allow for a three year re-evaluation; Issue 6, Option B – measures consistent with the Shark Conservation Act of 2010.**

Table 1: Summary of Public Comment Received at Hearings on Addendum II to the Coastal Sharks FMP.

Public Hearing: Location, Date, and Number of Attendees	Smooth Dogfish Processing At-Sea and State-Shares								
	Issue 1: State-Shares				Issue 2 Transfers		Issue 3 Rollover		
	Status Quo	Option B	Option C	Option D	Option A	Option B	Option A	Option B	Option C
Manahawkin, NJ 22 Attendees			preferred			preferred		preferred	
Manteo, NC 1 attendee				preferred		preferred		preferred	

Public Hearing: Location, Date, and Number of Attendees	Smooth Dogfish Processing At-Sea and State Shares					
	Issue 4 Poss. Limits		Issue 5 Re-Evaluation		Issue 6 Processing	
	Option A	Option B	Option A	Option B	Status Quo	Option B
Manahawkin, NJ 22 Attendees		preferred	preferred			preferred
Manteo, NC 1 attendee		preferred		preferred		preferred

RECEIVED
MAR 25 2013
U.S. DEPARTMENT OF COMMERCE
NATIONAL MARINE FISHERIES SERVICE



UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
NATIONAL MARINE FISHERIES SERVICE
Silver Spring, MD 20910

Robert Beal
Director, Atlantic States Marine Fisheries Commission
1050 N. Highland St., Suite 200 A-N
Arlington, VA 22201

MAR 20 2013

RB
TK
MH

Dear Mr. Beal,

Thank you for the opportunity to provide comments on Draft Addendum II to the Interstate Fishery Management Plan for Atlantic Coastal Sharks: Smooth Dogfish State Shares.

The Highly Migratory Species (HMS) Management Division of the National Marine Fisheries Service (NMFS) is currently developing a rulemaking to implement the smoothhound-related provisions of the 2010 Shark Conservation Act, as well as smoothhound shark management measures including a federal smoothhound shark quota.

With regard to the Atlantic States Marine Fisheries Commission (ASMFC) proposal to establish state shares of the smoothhound quota, please note that landings counted toward the federal smoothhound shark quota will include smoothhound shark landings from the Atlantic Ocean, the Gulf of Mexico and the Caribbean Sea. We recognize that the majority of the landings are currently from the Atlantic Ocean; however, because fishermen in the Gulf of Mexico regularly catch smoothhound sharks while fishing for other species, we believe it is possible that in the future smoothhound shark landings could increase in other areas. If landings in the Gulf of Mexico or Caribbean Sea increase, the amount of the federal smoothhound shark quota available to the Atlantic States could be affected.

Draft Addendum II also proposes measures to allow States to transfer quota and to allow rollovers of unused quota from one fishing year to the next, potentially resulting in an increase in the State's annual quota. We support ASMFC in its efforts to provide flexibility in the amount of quota available to each State. However, the proposed rollover provisions could result in the total State quota and any rollovers exceeding the federal smoothhound shark quota, potentially resulting in overfishing. We adjust the federal shark quotas for allowable underharvest based on stock status. For instance, if a stock is determined to be healthy, we roll over underharvests up to 50 percent of the base quota to the following year. We do not roll over underharvested quota for stocks with an unknown status or for stocks that are overfished or experiencing overfishing. The status of smoothhound sharks is currently unknown and the first stock assessment is scheduled for 2014. The timing of our proposed rulemaking and the results of the 2014 stock assessment may impact our ability to adjust the federal smoothhound shark quota.



Thank you, and we appreciate all the work that the ASMFC has put into the Interstate Fishery Management Plan for Atlantic Coastal Sharks and implementing measures that are complementary to the federal shark regulations. If you have questions or concerns about our comments, please do not hesitate to contact Margo Schulze-Haugen or Karyl Brewster-Geisz at 301-427-8503.

Sincerely,



Emily Menashes
Deputy Director
Office of Sustainable Fisheries

March 28, 2013



Marin Hawk
Coastal Shark Coordinator
Atlantic States Marine Fisheries Commission
1050 N. Highland St., Suite 200 A-N
Arlington VA, 22201



HUMANE SOCIETY
INTERNATIONAL

Dear Ms. Hawk:

Shark Advocates International, Wildlife Conservation Society, Project AWARE, The Humane Society of the United States, and Humane Society International appreciate this opportunity to comment on the draft addendum to the Atlantic States Marine Fisheries Commission (ASMFC) Interstate Fishery Management Plan for Atlantic Coastal Sharks that proposes measures for smooth dogfish (smoothhound, *Mustelus canis*) sharks.

Whereas we do not oppose in principle the stated purpose of the addendum (i.e. the establishment of state smoothhound shares in anticipation of a quota system), we are exceptionally troubled by the proposals to further relax rules aimed at preventing shark finning (slicing off a shark's fins and discarding the body at sea) as well as by the lack of options that would strengthen the ASMFC shark finning ban. Our specific comments, which also include some concerns about quota implementation, follow.

Finning Ban Enforcement

Our organizations strongly support the ASMFC coastal shark plan's general ban on removing shark fins at sea, and strongly oppose the exception to this rule granted for smoothhound sharks. We assert that this exception, which relies on a fin-to-carcass weight ratio limit, will hamper finning ban enforcement and create room for fishermen to fin smoothhounds or other sharks of similar size without detection. Considering that we already find fault in the current regulation which limits the smoothhound shark fin-to-carcass weight ratio to 5% of dressed weight, it should be no surprise that we are appalled by the effort to more than double this limit to 12%. Such an increase would put the ASMFC fin-to-carcass ratio as the world's highest and therefore most lenient, and would exacerbate all the problems associated with ratios at a time when stronger finning bans are being adopted around the world. This potential misstep also undermines US global leadership in shark conservation.

It is widely acknowledged that shark finning, driven by high Asian market demand for shark fins, is associated with unacceptably high levels of waste and mortality. As we expressed last August, our organizations are aligned with most other conservationists and scientists worldwide in strong support of the "fins naturally attached" method as the most reliable means for enforcing shark finning bans. As detailed in a 2010 expert report¹ from the European Elasmobranch Association (EEA) and the International Union for Conservation of Nature (IUCN) Shark Specialist Group (SSG), under such a policy:

- Enforcement burden is greatly reduced;
- Information on species and quantities of sharks landed is vastly improved;
- "High-grading" (mixing bodies and fins from different animals) is impossible; and
- Value of the finished product can be increased.

¹ Fowler, S. and Séret, B. 2010. *Shark fins in Europe: Implications for reforming the EU finning ban*. European Elasmobranch Association and IUCN Shark Specialist Group.

The technique of making a partial cut and folding fins against the body can address industry concerns about safety and efficient storage, as has been clearly demonstrated by pioneering Atlantic shark fishermen.

The same 2010 EEA/SSG study concluded that:

- Prohibiting the removal of fins on-board vessels is the “*only fail-safe, most reliable, least expensive means to prevent finning and measure compliance.*”

Another expert study² on the topic from 2007 concluded that:

- A fin-to-carcass ratio is a complicated and inadequate tool for preventing finning because of differences in cutting techniques and variability among species’ fin sizes and values;
- Setting ratios at the upper end of (or above) scientifically derived ratios exacerbates this problem and leaves species with small fins and/or low value meat at particular risk;
- Lack of data and inconsistent fin removal prevent scientific determination of a single optimal ratio; and
- To ensure finning cannot take place, sharks should be landed with their fins attached.

This topic has been addressed as well in a number of peer-reviewed technical studies in recent years. Notably, in April 2012, the *Journal of Fish Biology* published a special issue on “The Current Status of Elasmobranchs: Biology, Fisheries and Conservation” that includes a University of British Columbia Fisheries Centre global review of species-specific fin to body weight ratios and relevant legislation³. Authors report that:

- The mean wet-fin-to-round-mass ratio for 50 species reviewed is 3.0%, with smoothhound at 1.7%;
- A 5% ratio is too high, meaning that “*current legislation provides an opportunity for fishers to harvest extra fins from more sharks without retaining all of the corresponding shark carcasses*”;
- The generalized 5% ratio used in existing regulations presents a “*dangerous loophole*”;
- Species and/or fleet-specific ratios are not a practical solution due to difficulties associated with high-grading and accurate species identification;
- Requiring all sharks be landed with fins attached is the best way to close finning loopholes; and makes it is “*easier for trained observers at landing sites to record the number, mass and species of sharks landed, making data collection and monitoring more straightforward and accurate.*”

The above mentioned analyses back up the ultimate conclusion of a 2006 assessment of the validity of the 5% fin-to-carcass ratio⁴ from a collective volume of scientific papers produced by the International Commission for the Conservation of Atlantic Tunas (ICCAT):

- “*The only guaranteed method to avoid shark finning is to land sharks with all fins attached.*”

² Hareide, N. R., Carlson J., Clarke, M., Clarke, S., Ellis, J., Fordham, S., Fowler, S., Pinho, M., Raymakers, C., Serena, F., Seret, B. and Polti, S. (2007). *European Shark Fisheries: a preliminary investigation into fisheries, conversion factors, trade products, markets and management measures*. European Elasmobranch Association.

³ Biery, L. and Pauly, D. (2012). A global review of species-specific shark fin to body weight ratios and relevant legislation. *Journal of Fish Biology*. DOI: 10.1111/j.1095-8649.2011.03215.x

⁴ Cortes, E. and Neer, J. A. (2006). Preliminary reassessment of the validity of the 5% fin to carcass weight ratio for sharks. *ICCAT Collective Volume of Scientific Papers* 59, 1025–1036.

Surely it was this type of advice and the numerous practical advantages associated with the fins-naturally-attached method that led the ASMFC to adopt this policy for all other managed shark species, as is the case for U.S. federal fisheries. This policy has also been:

- implemented throughout Central America,
- adopted by other fishing nations, such as Brazil, Colombia, Chile, Venezuela, Sri Lanka, United Arab Emirates, and Taiwan; and
- endorsed by the European Union Council of Fisheries Ministers and the European Parliament.

The US has been a leader in demonstrating the benefits of fins-naturally-attached policies and has proposed their adoption by other key shark fishing nations and Regional Fishery Management Organizations, such including ICCAT and the Commission for Conservation of Antarctic Marine Living Resources (CCAMLR). A weak ASMFC finning ban jeopardizes our nation's reputation and goals as an international shark conservation champion, and may encourage efforts to weaken finning regulations in other fishing nations.

We stress that not only small coastal sharks, but also juvenile large coastal species, many of which are severely depleted and prohibited (e.g. dusky and sandbar sharks), are at great risk for finning from the opportunity and incentive to high-grade under a 12% smoothhound fin-to-carcass ratio.

Based on this information and for these reasons, we find the smoothhound fin-to-carcass ratio ill-advised and problematic for coastal finning ban enforcement and data collection, and the proposal to dramatically increase it egregious with widespread negative impacts on sharks and broader shark conservation policies. We strongly urge the ASMFC to reject the proposed option for a ratio increase as well as the status quo, and to instead immediately begin the process for ending the smoothhound exception altogether.

Commercial Quotas and Possession Limits

We are keenly aware that even well-enforced finning bans alone are wholly insufficient to safeguard sharks from overfishing, and that science-based limits on catch are essential for ensuring population health and sustainability. We remain deeply concerned that basic, initial smoothhound shark catch limits have been repeatedly delayed, and that no population assessment yet exists. We urge the ASMFC to work with the National Marine Fisheries Service toward prompt completion of the smoothhound assessment and immediate interim catch restrictions based on previously agreed landing limits.

Until smoothhound quotas are in line with scientifically advised limits generated through the population assessment, we oppose any transfer or roll-over of quota shares. In the interest of proper oversight and consistency for migratory species, we favor the option for the ASMFC Shark Board to set smoothhound possession limits over the option for these limits to be set by individual states.

Conclusion and Summary

At a time when the rest of the world is waking up to the plight of sharks and addressing problems accordingly, we are deeply troubled that the ASMFC is presiding over an essentially unregulated shark fishery, and furthermore proposing to substantially relax the only safeguard for its target species. We call on the ASMFC to change course for responsible, effective shark conservation and finning prevention by:

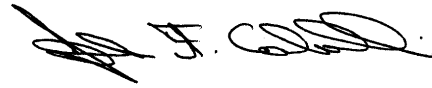
- rejecting any increases in the smoothhound fin-to-carcass ratio;
- ending entirely the smoothhound exception to the fins-naturally-attached best practice rule;
- facilitating completion of a smoothhound population assessment as a matter of priority;
- establishing immediately the interim smoothhound catch limits that were previously agreed;
- delaying smoothhound quota transfer and/or roll-over until science-based limits are in place; and
- mandating that any possession limits would be set by the Board, not by individual states.

We look forward to the next steps in this process. Thank you for considering our views.

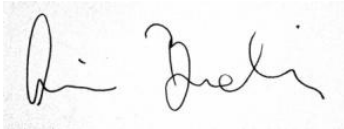
Sincerely,



Sonja Fordham
President
Shark Advocates International



John F. Calvelli
Executive Vice President, Public Affairs
Wildlife Conservation Society



Ania Budziak
Associate Director
Science and Policy
Project AWARE



Sharon Young
Marine Issues Field Director
Humane Society United States /
Humane Society International

Marin Hawk < comments@asmfc.org >
Atlantic States Marine Fisheries Commission
1050 N. Highland St., Suite 200-A-N
Arlington, VA 22201

Draft Addendum II to the Interstate Fishery Management Plan for Atlantic Coastal Sharks: Smooth Dogfish State Shares

In reference to the above, I write with concern and with relevant questions...

Finding that the FMP could establish state Smooth Dogfish shares based on fishing history, in anticipation of federal quotas, but also threatens to relax the already lenient finning measures by allowing commercial fishermen to remove "all" fins from Smooth Dogfish all year-round. Currently, this is only authorized from March to June albeit under a complicated fin-to-carcass weight ratio aimed at ensuring fins and bodies are landed in the appropriate proportion. Also, a proposed amendment to more than double the current maximum Smooth Dogfish fin-to-carcass ratio, from 5% of dressed weight to 12%, means that much higher volumes of fins could be landed per carcass. This is disturbing considering that Smooth Dogfish have not been assessed, their stock status unknown, and landings have been on the rise in recent years.

According to the IUCN Red List: The Dusky Smoothhound (*Mustelus canis*) is a demersal coastal shark found in many areas of the western Atlantic. An abundant species seasonally in many areas of the northwest Atlantic, in recent years they have become commercially important in this region. Recent rapid increases in directed gillnet fishing has caused a decline in some stocks of large females. According to the IUCN Red List: Conservation Actions: No demographic modelling has been done to predict how the North Atlantic population of Dusky Smoothhounds will respond to this recent increase in fishing pressure and what management measures will be most appropriate. Currently there is no management for this species.

Confirming that the 'smoothhound complex' has been established for the purpose of minimizing confusion with Spiny Dogfish.

Noting also (via the IUCN Red List) that; whilst genetic analyses suggests that the Narrowfin Smoothhound (*M. Norrisi*) and The Dusky Smoothhound (*M. Canis*) may be one species, its taxonomic status is uncertain, and while little information is available on this species, as known it has a moderate fecundity, is targeted by small commercial fisheries throughout its range, and it occurs in waters where it is vulnerable to being caught as bycatch, all areas that receive relatively intensive coastal and shelf fishing pressure, and it has a patchy distribution in the western Atlantic in US waters.

All of these factors indicate that this species could be vulnerable to overexploitation (as documented in other *Mustelus* species in parts of its range). Further research should verify its taxonomic status, but there is a need to determine population trends and catch status where it occurs.

Additionally, the Narrowfin Smoothhound population size would require 14 years to double – without fishing pressure.

According to the March 2013 Atlantic States Marine Fisheries Commission > Stock Status Packet > Overview of Stock Status Coastal Sharks, Smooth Dogfish are managed based only on Maximum Sustainable Yield using quotas and possession limits to control harvest level and effort, and, status for Smooth Dogfish is marked as "unknown" if "Overfished", and "unknown" if "Overfishing is Occurring", and Reference/Comments is marked as "No Assessment".

Recently, the European Union (EU) has moved forward from lenient and hard-to-enforce ratios toward complete bans on at-sea removal of shark fins, regardless of species. As the Atlantic States Marine Fisheries Commission are aware, the U.S. has supported the end of complicated fin-to-carcass ratios in the EU (and elsewhere), proposing complete bans on at-sea shark fin removal at international fisheries bodies.

Along with “fins-naturally-attached” already in place in other shark-fisheries around the globe, these policies are based on expert advice that the only way to be sure that sharks have not been finned and carcasses discarded is to mandate that fins cannot be removed until landing...

The U.S. federal Atlantic has banned at-sea shark fin removal, and though text contained within the 2010 Shark Conservation Act suggests an exception for Smooth Dogfish in a national ban on removing shark fins at sea, this communication has not yet been interpreted by the Federal government and therefore the State interpretation and implementation is premature.

With it understood that the Interstate Fishery prohibits finning and discarding carcasses at sea for all sharks – allowing year-round shark fin removal for Smooth Dogfish under the world’s most lenient fin-to-carcass ratio would:

- Hinder enforcement and create risk via opportunity for fishermen to fin and discard carcasses of these, as well as other (perhaps depleted) sharks, without detection.
- Jeopardize U.S. reputation and goals as an international advocate of the fins-naturally-attached method.

At a time when much of the rest of the world is moving toward the best practice for finning ban enforcement: requiring that all shark fins stay naturally attached to shark bodies, the proposed IMFMP changes present risk, and are nothing short of a step backwards in finning policy.

1. Given that quotas have been implemented for other species as a management strategy following assessment results that indicate a need to reduce harvest, and, that Smooth Dogfish have not been assessed and stock status is unknown whilst landings have been on the rise in recent years:
 - a) How was this percentage increase derived?
 - b) How and why is a precautionary approach not considered?
2. Given the Atlantic States Marine Fisheries Commission Mission Statement: To promote the better utilization of the fisheries, marine, shell and anadromous, of the Atlantic seaboard by the development of a joint program for the promotion and protection of such fisheries, and by the prevention of physical waste of the fisheries from any cause – and; the Atlantic States Marine Fisheries Commission Vision Statement: Healthy, self-sustaining populations for all Atlantic coast fish species or successful restoration well in progress by the year 2015, and relative to the above-question, how and why would this/these decision(s) not:
 - a) First assess population status and sustainable catch?
 - b) Follow “best practices” and utilize the most conservative options for Issues 1 – 5?
 - c) Follow “best practices” and require a “land sharks with fins naturally attached” policy for Issue 6?
 - d) Be hypocritical and duplicitous in international terms (without following “c”)?

Thank you for the opportunity to comment and question, I hope my questions can be answered positively and credibly.

Earnestly, Paul Crooks

March 28, 2013

To: Marin Hawk
Atlantic States Marine Fishery Commission
1050 N. Highland St., Suite 200-A-N
Arlington, VA 22201

Subject: Draft amendments to the Atlantic States Marine Fishery Commission's coastal shark plan

Dear Mr. Hawk:

I am a Marine Conservation Biologist who recently completed a postdoctoral fellowship with Dr. Peter Auster of the University of Connecticut. I have also consulted for NOAA on the Stellwagen Bank National Marine Sanctuary management plan and for the New England Fishery Management Council on their scallop and groundfish management plans.

I am writing today to comment on proposed regulation changes pertaining to the smoothhound shark (*Mustelus canis*) in the draft amendment to the Atlantic States Marine Fishery Commission's coastal shark plan. In particular, I am strongly opposed to changes that would:

- allow commercial fishermen to remove *all* of the fins of smoothhound sharks year-round, and
- increase the maximum smoothhound shark fin-to-carcass ratio from 5% of dressed weight to 12%, meaning much higher volumes of fins could be landed per carcass.

It is not clear in the first place that these measures would be consistent with the federal Shark Conservation Act of 2010. Language in the Act pertaining to smoothhound sharks is vague and has yet to be interpreted by the federal government; therefore, any changes in regulations by the states that could harm shark populations in potential violation of the law should at the very least await clarification.

But regardless of how the language is sorted out, it is certain that permitting a higher ratio of shark fins to carcass weight, up to 12%, would virtually ensure that finning of smoothhound sharks would continue. And, there would be no way to prevent the same thing from happening to other shark species. It is a loophole that would be exploited to the fullest extent, further endangering many of the species the law was intended to protect.

I agree with the experts on this matter. The only way to be sure that sharks have not been finned is to mandate that fins be attached to the bodies of any landed sharks. Knowing how many sharks are actually taken by the fishery is the only way we can effectively monitor and conserve their populations.

Most importantly, the U.S. ban on shark finning at sea was a huge step forward in conservation. Together with the European Union, which also acted recently to ban at-sea removal of shark fins, the U.S. is leading a movement toward the global moratorium on this wasteful, immoral, and destructive fishing practice. Any attempts now to exclude certain species from protection would severely weaken our ability to lead on this issue.

For all of these reasons, I implore the Commission to oppose the proposed changes for a more lenient fin-to-carcass ratio and instead support a fins-naturally-attached rule for *all* sharks. Thank you very much.

Sincerely,

Rosamonde Cook, Ph.D.
528 Spruce Street
Riverside, CA 92507

Marin Hawk

From: David Stein [naturephotoman@hotmail.com]
Sent: Thursday, March 28, 2013 5:56 PM
To: Comments
Subject: from a concerned citizen

As a concerned and very active citizen, I request that no delay occur regarding the banning of shark finning. This was a major undertaking by many and a set back would be a slap in the face on our right to petition and effect change. The sharks deserve to be left alone to roam the oceans that they inhabit and own. Humans cannot decide the fate of any animal for our own gain. For once help to show that the U.S. is a leader in the world of animal rights and has the courage to back it up!

David Stein
Sarasota, FL

Marin Hawk

From: Tina Berger
Sent: Thursday, March 28, 2013 3:59 PM
To: Marin Hawk
Subject: FW: shark finning

From: Melaney Scott [<mailto:scottfarm@mtelco.com>]
Sent: Thursday, March 28, 2013 3:56 PM
To: Tina Berger
Subject: shark finning

I don't believe any shark finning is ok. It is cruel and inhumane. Being partially butchered while still alive and then to have them returned to the ocean where they will die slowly or savagely. We as humans should be ashamed of our actions on all animals that are inhumane and cruel. I eat meat and am not happy with factory farming and large processing plants either. But there is a definite thing we can agree to stop finning of any shark species before we drive them to extinction through our greed. Besides I hear the soup isn't what it is made out to be, that it isn't the delicious delicacy that is worth the price both in lives and money.

Marin Hawk

From: Steve Christianson [stevenchr@yahoo.com]
Sent: Thursday, March 28, 2013 2:49 PM
To: Comments
Subject: Smooth dogfish Addendum II
Attachments: hong-kong-shark-fin-selle.pdf

To whom it may concern,

I am opposed to any commercial fishing of sharks. The past decade has seen a decimation of all shark species for Asians to get boners or so-called wedding feasts from the oceans inhabitants due to overfishing and wasted by-catch from factory trawlers throughout the world. To propose an increase to shark finning is illogical and should be banned.

With that said, if your going to license it. I am opposed to Addendum II. All sharks in U.S. waters should be landed with fins attached and not according to a so-called "fin ratio". 12% is higher than what science supports and with the increasing human population pressuring all species, this is unacceptable.

Additionally, in the draft, you wrote "Due to data confidentiality issues, landings cannot be presented annually by state." I have to ask, why is scientific data confidential? Are people within these agencies receiving public funds, if so, that data belongs to the public and the public has a right to know.

If your allowing fisherman to harvest sharks from the oceans, the health risk associated with the consumption of the shark should be included in your analysis to increase quotas for harvest. It is not beneficial to hide this from anyone. Included as part of my comments is a recent article on the length of which shark finners go to hide their practices from the world.

Shark fins contain high levels of a potent neurotoxin that scientists have linked to neurodegenerative diseases like Alzheimer's and Parkinson's.

Sharks are among the most threatened groups of marine species. Populations are declining globally to support the growing demand for shark fin soup. Sharks are known to bioaccumulate toxins that may pose health risks to consumers of shark products. The feeding habits of sharks are varied, including fish, mammals, crustaceans and plankton. The cyanobacterial neurotoxin β -N-methylamino-L-alanine (BMAA) has been detected in species of free-living marine cyanobacteria and may bioaccumulate in the marine food web. In this study, we sampled fin clips from seven different species of sharks in South Florida to survey the occurrence of BMAA using HPLC-FD and Triple Quadrupole LC/MS/MS methods. BMAA was detected in the fins of all species examined with concentrations ranging from 144 to 1836 ng/mg wet weight. Since BMAA has been linked to neurodegenerative diseases, these results may have important relevance to human health. We suggest that consumption of shark fins may increase the risk for human exposure to the cyanobacterial neurotoxin BMAA. <http://www.mdpi.com/1660-3397/10/2/509>

Sincerely,

Steve Christianson
San Diego, CA 92109

Marin Hawk

From: imh7977@alum.uncw.edu
Sent: Thursday, March 28, 2013 2:41 PM
To: Comments
Subject: FW: Smooth Dogfish Addendum II

Dear Atlantic States Marine Fisheries,

I am writing to implore that you DO NOT pass a policy that would allow for shark finning in US waters. I am a resident of a Wilmington, NC and I love the ocean and fishing as much as the next person. Fishing for shark is one thing, but the practice of finning has to be one of the most inhumane practices in the hunting and fishing industry. Can you imagine the pain and fear of having your limbs removed then being left to drown? It is bad enough that finning is still practiced all over the world to support a very small market but I always took solace that at least it wasn't happening in our waters. Please don't damage our fragile coastal ecosystem for tasteless (in more ways than one) shark fin soup.

Thank you for your time,

Ivy Hinson

Marin Hawk

From: Kevin [kevin02ta@aol.com]
Sent: Thursday, March 28, 2013 2:18 PM
To: Comments
Subject: Ban shark finning

As a concerned and very active citizen, I request that no delay occur regarding the banning of shark finning. This was a major undertaking by many and a set back would be a slap in the face on our right to petition and effect change. The sharks deserve to be left alone to roam the oceans that they inhabit and own. Humans cannot decide the fate of any animal for our own gain.

Marin Hawk

From: Ashley Scott [ashleyannscott@gmail.com]
Sent: Thursday, March 28, 2013 2:15 PM
To: Comments
Subject: Shark Finning Policy

Dear Ms. Hawk,

It has come to my attention that the ASMFC is proposing changes that will weaken the current coast-wide ban on shark finning. As a professional in the scientific community, I have to say that I am disgusted. These proposals represent a huge step backwards in finning policy at a time when the rest of the world is moving toward the best practice for finning enforcement - requiring all shark fins stay attached to shark bodies, regardless of species, until after landing.

Why, after seeing the steps forward throughout the world, is the ASMFC moving backwards? With the two proposals on the table, allowing year round fin removal and the most lenient fin-to-carcass ratio in the world, you put many populations severely at risk.

These proposals jeopardize the reputation of the U.S. as we have supported finning bans elsewhere, yet here bans are being relaxed.

This contradiction is incredibly harmful to all involved. I hope that the ASMFC will reconsider these proposals, and instead decide to support a fins-naturally-attached solution as we move towards banning finning altogether.

Best,
Ashley Scott Cobert

Marin Hawk

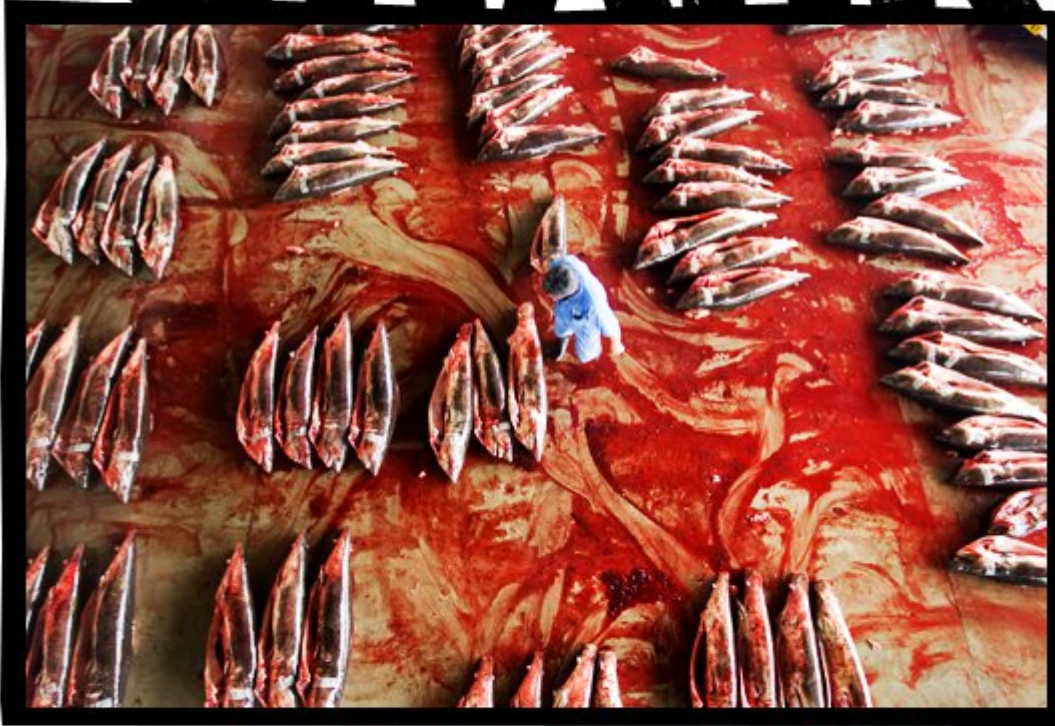
From: Bob Clark [bclark856@gmail.com]
Sent: Thursday, March 28, 2013 2:14 PM
To: Comments
Subject: Smooth Dogfish Addendum II

I live in northeastern North Carolina and am a big supporter of banning shark finning worldwide. Please do not allow this horrible and barbaric practice to be legalized and performed in US waters.

With shark populations worldwide disappearing, these animals need our help for their survival. I don't want animals that have been on the Earth for billions of years to go extinct within a hundred years of humans.

Do what's right and block this addendum.

STOP SHARK



FINNING

--
Bob Clark



Marin Hawk

From: Richard Nielsen [entropybrain@gmail.com]
Sent: Thursday, March 28, 2013 2:07 PM
To: Comments
Subject: Smooth dogfish Addendum II

I understand that you are about to pass legislation that allows the finning of sharks in US waters. I oppose this. As a scuba diver, as the father of a daughter that aspires to be a Marine Biologist, as someone who wants the oceans to be here for the next generations I oppose this. Sharks are the apex predators of the ocean, and removing them from the ocean disrupts the whole eco system. Shark finning is a disgusting practice and should not be allowed anywhere, much less in US waters.

Sincerely,
-Richard Nielsen
Merritt Island, FL

Marin Hawk

From: Schreiber, Alice Catherine [a.schreiber1@miami.edu]
Sent: Thursday, March 28, 2013 2:00 PM
To: Comments
Subject: Opposition to Addendum II

Dear Marin Hawk,

Sharks, as apex predators, are vitally important to the health of ocean ecosystems. This applies to every species, including the smoothhound sharks. Though the landings have been on the rise in recent years, there are no assessments of population status or sustainable catch. The shark finning measures are already much too lenient, but by relaxing them further the volume of fin-to-carcass ratio will be much higher than those supported by scientific studies. Much of the world is moving *forward* by banning all shark finning at sea, requiring that fins stay natural attached to shark bodies. Lenient fin-to-carcass ratios mean difficulty in enforcement, and create wiggle room for fishermen to fin smoothhound sharks without detection. Small coastal sharks and already threatened juveniles will also be under increased risk because of these loop holes. We cannot risk jeopardizing the future of any shark species, for the health of our oceans, and ourselves.

I **STRONGLY** oppose the proposed 12% fin-to-carcass ratio for smoothhounds, and support instead a fins-naturally-attached rule for all sharks, or even stronger rules.

Thank you for your time,
Alice Schreiber
University of Miami
Rosenstiel School of Marine and Atmospheric Science
Marine Affairs and Policy

Marin Hawk

From: Andrea Wither [andrea.wither@gmail.com]
Sent: Thursday, March 28, 2013 1:40 PM
To: Comments
Subject: Shark Finning

Dear Ms. Hawk:

I am writing in regards to my opposition of the increase of finning ratios on various shark species. These animals are an integral part of our ecosystem and their demise by this cruel act of selfishness needs to end. At what point do we allow these old customs of wealth and status to be a social norm when innocent animals are left victim to a cruel and unusual death? Shark finning should be banned world-wide not only for our generation, but for future generations as well. I want to show my children what sharks look like in person, instead of showing them pictures in a book.

I usually don't write e-mails like this, but the marine ecosystem is something near and dear to my heart. I spent several years as an advocate against commercial whaling and will now fight on behalf of these innocent creatures as well.

Best,

Andrea Wither

Marin Hawk

From: rebecca533@aol.com
Sent: Thursday, March 28, 2013 1:00 PM
To: Comments
Subject: Re: Smooth dogfish Addendum II

I understand that the smoothhound shark are subject being targeted by commercial fisheries without quotas. I looked up and found no assessments of population status (IUCN) or sustainable catch. How can you guarantee this to be sustainable?

Allowing the removal of all the fins year round and by increasing the fin to carcass ratio from 5% to 12% only means you can land more fins per carcass. Will you be counting the bodies and the fins so to make sure that all have been accounted for correctly? Just looking at the volume ratio that comes in does nothing for sustainability of the species.

I am an American who believes that shark finning is wrong.

I am opposed to the Smooth dogfish Addendum II.

Thank you,

Rebeca

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

From: Comments <comments@asmfc.org>
To: 'rebecca533@aol.com' <rebecca533@aol.com>
Sent: Thu, Mar 28, 2013 11:33 am
Subject: RE: Smooth dogfish Addendum II

Thank you for your interest in coastal sharks. The Interstate FMP prohibits the finning of all coastal sharks. Finning is defined as the removal of the fin while discarding the carcass back into the ocean. Two potential ways to manage sharks while prohibiting finning are to require fins to remain naturally attached or implement a fin-to-carcass ratio. Fin-to-carcass ratios are intended to allow processing of sharks at sea, but not allowing the wasteful discarding of the shark carcass. Smooth dogfish must be processed at sea in order to prevent the meat from spoiling.

Draft Addendum II proposes a fin-to-carcass ratio management program for smoothhound sharks. The total weight of the fins cannot exceed 12% of the total weight of the carcasses on board. This is consistent with the Shark Conservation Act of 2010 which was approved by Congress.

If you have any questions, please feel free to contact me at mhawk@asmfc.org.

Marin

From: rebecca533@aol.com [mailto:rebecca533@aol.com]

Sent: Thursday, March 28, 2013 10:49 AM

To: Comments

Subject: Smooth dogfish Addendum II

I oppose the Smooth Dogfish Addendum II. All sharks in U.S. waters should be landed with fins attached, not according to a fin ratio. Shark finning is endangering shark populations worldwide and the United States needs to stand strong against facilitating their demise. Accepting finning is immoral and destructive. Please do not allow this practice to occur in American waters.

Best,

Rebeca Suarez

Marin Hawk

From: Brandi Neifert [blneifert@gmail.com]
Sent: Thursday, March 28, 2013 12:45 PM
To: Comments
Subject: US Atlantic Shark Finning Policy Proposals

Dear Ms. Hawk,

It has come to my attention that the ASMFC is proposing changes that will weaken the current coast-wide ban on shark finning. As a former biology student and someone who is still active in the scientific community, I have to say that I am disgusted with the proposals. The current text from the 2010 Shark Conservation Act has not been interpreted at the federal level, making state interpretation and implementation premature. In addition, these proposals represent a huge step backwards in finning policy at a time when the rest of the world, most specifically CITES and the EU, where the EU is moving toward the best practice for finning ban enforcement - requiring all shark fins stay naturally attached to shark bodies, regardless of species, until after landing.

My question for you is why, after seeing the steps forward throughout the world, are these not options for the ASMFC, even for public comment? With the two proposals on the table, allowing year round smoothhound fin removal under the most lenient fin-to-carcass ratio in the world, you put not only smoothhound populations severely at risk for undetected finning, but also other species of smaller coastal sharks and juveniles of larger coastal sharks.

These measures jeopardize the reputation of the U.S. as we have supported finning bans elsewhere, and yet are relaxing bans on a state-level. This contradiction is incredibly harmful to all involved. I hope that the ASMFC will reconsider these proposals, and instead decide to support a fins-naturally-attached solution in order to facilitate enforcement of ratios and standing laws as we move towards banning finning altogether.

Best,
Brandi Neifert

--

Brandi Neifert
Office Manager
Council of Scientific Society Presidents
[202-872-6230](tel:202-872-6230)

Marin Hawk

From: Christiane Schmitz [christianeschmitz@yahoo.de]
Sent: Thursday, March 28, 2013 12:32 PM
To: Comments
Subject: Please ban and stop shark finning!

Dear Sirs,

Shark finning is nothing but cruelty to animals and needs to be totally banned.

Marin Hawk

From: David Weinstein [dweinstein@rsmas.miami.edu]
Sent: Thursday, March 28, 2013 12:22 PM
To: Comments

I am a marine science PhD Student at the University of Miami. I am writing to let you now how very oppose I am to Addendum II. Sharks are the oceans top predators and have suffered so much at by the hands of humans. They are so important to our ocean health it is ridiculous to even consider allowing any type of finning. Thank you.

David Weinstein

Marine Geology and Geophysics
Rosenstiel School of Marine and Atmospheric Science
University of Miami
4600 Rickenbacker Causeway
Miami Fl 33149
<http://www.rsmas.miami.edu/users/dweinstein/>

Marin Hawk

From: Jessica Craft [jacpisces@hotmail.com]
Sent: Thursday, March 28, 2013 10:30 AM
To: Comments
Subject: Comments on Addendum II: c/o Marin Hawk

Dear Council (c/o Marin Hawk),

As a marine biologist and concerned citizen, I oppose Addendum II, and believe instead that all sharks in U.S. waters should be landed with fins attached and not according to a "fin ratio", and that even if we are using a fin ratio, 12% is much higher than what is supported by the science! The U.S. is a leading country in conservation efforts and we need to set a standard for other countries to model. The fight to stop shark finning, especially in Asian countries, is going to be a long, hard battle (I currently live in Hong Kong) and I believe that the U.S. has a responsibility to set a global example. Please reconsider the terms of Addendum II.

Sincerely,

Jessica Craft Ward

Marin Hawk

From: Daniel Smith [ds1948@nova.edu]
Sent: Thursday, March 28, 2013 10:28 AM
To: Comments
Subject: Smooth dogfish Addendum II

Dear ASMFC,

As a marine biologist who follows recent events I do not feel this is the way to go. The fin ration system is bad enough, fins are notoriously hard to ID as being part of one species over another. Therefore, raising the ratio is not a good idea. While the previous ratio was understandable, though problematic, raising it to 12% has to be more of a political move. The fins ceratotrichia does not compose 12% of the total biomass of that shark. The liver would in smoothhounds but that is not the question here. This plan is just asking for more illegal discards at sea which raises back to my first point, fins are hard to ID. Fisherman could easily slip other species into the fin pile especially since smoothhounds do not have spines. In my opinion, doing this would be a huge mistake.

Sincerely,

Daniel Smith

Phone: (513) 218-6585

Email: ds1948@nova.edu

B.S. in Biology at Bowling Green State University

Specialization in Marine and Aquatic Sciences

Minor in Paleontology

Masters student at Nova South Eastern University

Marin Hawk

From: Michelle Andersen [nautilus412@yahoo.com]
Sent: Thursday, March 28, 2013 10:23 AM
To: Comments
Subject: Closing shark finning loophole

To whom it may concern,

I am appalled that there is a possibility for finning to be condoned in U.S waters. Shark populations around the world are in great decline. The U.S has been a leader in banning the cruel practice of finning and allowing this loophole would be a major setback.

Thank you for your consideration,
Michelle Andersen

Sent from Yahoo! Mail on Android

Marin Hawk

From: welshd7@gmail.com
Sent: Thursday, March 28, 2013 12:09 PM
To: Comments
Subject: Shark running.

Sir, please consider the ban on shark finning. The cruel practice of fin removal from a live shark is horrendous. Just consider having your appendages removed while you are being pinned down against your will and suffering the indescribable pain. It is shocking that this practice continues in a society where we have supposedly moved away from ignorance. In addition, the amount of sharks which are routinely killed in our oceans is in the millions and will lead to a massive shift in ecology and biodiversity. Sharks provide more importance than a rich man's treat, they provide a cleaning of the seas debris as they are scavengers. They are our clean up crew. Please allow the ban on shark finning. We need them. Thank you, Diane Welsh

Sent from my HTC EVO 4G LTE exclusively from Sprint

Marin Hawk

From: Selbo, Tara [tselbo@ryland.com]
Sent: Thursday, March 28, 2013 11:56 AM
To: Comments
Subject: Finning of Sharks

Mission

To promote the better utilization of the fisheries, marine, shell and anadromous, of the Atlantic seaboard by the development of a joint program for the promotion and protection of such fisheries, and by the prevention of physical waste of the fisheries from any cause.

This is your mission statement?

May God show the same amount of mercy and pass that same judgment on you that you are showing to one of his creatures.

By the time big business gets done with our planet it is scary to think what will be left for our children.

Tara M. Selbo
Mount Pleasant, South Carolina
Tmgallagher88@gmail.com
Mobile: (843) 200-3285

Marin Hawk

From: Willis Kliefoth [wkliefoth@oceanconservancy.org]
Sent: Thursday, March 28, 2013 11:49 AM
To: Comments
Subject: I Support A Fins-Naturally-Attached Rule FOR ALL SHARKS

Dear Ms. Hawk:

I am writing as a concerned citizen on behalf of Atlantic Sharks. The proposals before the ASMFC which would allow *year-round* finning of smoothhound sharks and double the maximum smoothhound shark fin-to-carcass ratio from 5% of dressed weight to 12% are only in the short-term interest of commercial fisherman, not the interest of the sharks, the ecosystem, or the long-term health and sustainability of the fishery.

While personally I oppose shark-finning as a practice all together, what we in the shark protection community are asking for is not that drastic. We are simply asking for a "land sharks with fins naturally attached policy," which is beyond reasonable and the only humane solution.

I would like to remind you and your colleagues that part of your mission statement calls for "the prevention of physical waste from fisheries from any cause." Allowing smoothhounds to be processed at sea is in flagrant opposition to this goal and the practice prevents proper monitoring of species.

I hope you take the time to properly consider the unconscionable and harmful long-term effects of enacting these proposals.

Best regards,



Willis Kliefoth
1300 19th Street NW, 8th Floor
Washington, DC 20036
wkliefoth@oceanconservancy.org
[Web](#) | [Facebook](#) | [Twitter](#)

Marin Hawk

From: Jon Oh [jonathanoh84@gmail.com]
Sent: Thursday, March 28, 2013 10:15 AM
To: Comments
Subject: US Atlantic Shark Finning Policy

Hi,

I'm writing in response to your call for public opinion for the proposed 12% fin to carcass ratio for smoothhounds. I implore you to not implement this increase as it will be a major setback to US shark conservation policies. We are lacking behind the world in helping prevent the decline in shark populations. The EU has recently adopted a 100% no finning policy and I feel we as Americans should follow suit and throw our support behind shark conservation. We have an extensive coastline and we should be honorable coastguards and do the right thing.

Increasing the quota will place immense pressure on the declining shark populations. In addition, the new policy will set a precedent for other shark species and makes it that much harder for shark conservation efforts.

I sincerely hope you consider our voice and prevent this increase.

Thanks...Jon

Marin Hawk

From: Cindy Araya [araya.sindy@hotmail.com]
Sent: Thursday, March 28, 2013 10:52 AM
To: Comments
Subject: Smooth Dogfish Addendum II

I oppose the 12% fin-to-carcass ratio for smoothhounds. No matter what the ratio is, finning is an extraordinarily cruel thing to do to a living animal. I do understand that this is a business. What I don't understand is why discard the shark afterwards. Can't you can sell the shark meat at the local warfs (like D.C.) or even donate the meat to local foodbanks for a tax write-off? A fins-naturally-attached rule is much better approach.

There really is a delicate balance in the eco-system, especially in the ocean. Over-fishing and polluting the waters will lead to a shortage of the fish people depend on for food and for thier livelihoods. For this reason, there should be regulations to record mortality numbers of the sharks landed and honest enforcement of these regulations.

I normally don't write these types of email but I felt that it was very important. Thank you for your time in reading my email. I hope that you consider a fins-naturally-attached rule for ALL sharks.

Sincerely,

Sindy Araya

Marin Hawk

From: rebecca533@aol.com
Sent: Thursday, March 28, 2013 10:49 AM
To: Comments
Subject: Smooth dogfish Addendum II

I oppose the Smooth Dogfish Addendum II. All sharks in U.S. waters should be landed with fins attached, not according to a fin ratio. Shark finning is endangering shark populations worldwide and the United States needs to stand strong against facilitating their demise. Accepting finning is immoral and destructive. Please do not allow this practice to occur in American waters.

Best,

Rebeca Suarez

Marin Hawk

From: Becca Shelton [beccashelton2921@gmail.com]
Sent: Thursday, March 28, 2013 9:51 AM
To: Comments
Subject: Smooth Dogfish Draft Addendum II

Dear Atlantic States Marine Fisheries Commission,

I am writing because I am concerned about your Smooth Dogfish Draft Addendum II. Most shark species are in decline and a major factor is fining. While I personally believe that fining is cruel, I am not asking you to stop fining. All I am asking is that sharks from US waters to be landed with the fins attached and not follow the 12% "fin ratio" proposal. Smooth Dogfish are a small species of shark and so the "12%" is very high and not supported by scientific research to be sustainable for this species. Again, I am not saying don't fin, just make sure that the whole shark is landed with the fins attached. I have heard the argument that the meat will spoil before landing to justify fining and that is not really a valid excuse. If a fisherman is going to partake in a fishery, they should have the proper equipment to handle catch and transport. I know economic times are tough (believe me), but sharks and the Atlantic seafood stocks need to have stricter regulations because overfishing is an issue and that's the unfortunate reality. The ocean's stocks are not infinite. Please help the Smooth Dogfish by enforcing landing with the fins attached. Thank you.

Sincerely,

Becca Shelton

Marin Hawk

From: Heather K [gemini_85@msn.com]
Sent: Thursday, March 28, 2013 8:19 AM
To: Comments
Subject: ANIMAL WELFARE - SHARKS FINS

Sirs,

I oppose the proposed 12% fin-to-carcass ratio for smoothhounds, and support instead a fins-naturally-attached rule *for all sharks*, or even stronger rules to ensure the safety and welfare of these creatures.

Thanks

Heather Kennedy

Marin Hawk

From: eekasmouse@aim.com
Sent: Thursday, March 28, 2013 8:07 AM
To: Comments
Subject: Shark Finning

I was distressed to hear that you are considering allowing the finning of sharks in American waters. This a cruel practice that has no place in our developed society, and sends a message to other countries that it is OK.

I am concerned mostly for the sharks that will suffer and die cruelly at the hands of man, but more importantly, the health of the oceans. Sharks play an enormous role in keeping the ocean healthy, but they are being exterminated world-wide due to ignorance, fear, and a silly asian belief that eating the fin gives you long life or some other fantastical belief.

Chef Gordon Ramsey has a great video on YouTube where he finds out how sharkfin soup is made, and said that the fin has virtually no taste. He then visits a place where shark fins are drying in the sun, thousands and thousands of shark fins. To think that all these fins were cut from a living creature which is then tossed back into the sea to drown is repugnant because of the barbarity of the act. People look to the USA for many standards, and we should refuse to support this barbaric practice, period!

Please do not allow this to happen in our waters!

Sincerely,
Carol Smouse
11511 Aberstraw Way
Germantown, MD 20876
Sent via BlackBerry by AT&T

Marin Hawk

From: Laura K. Jordan [ljordan@ucla.edu]
Sent: Thursday, March 28, 2013 1:29 AM
To: Comments
Subject: ASMFC Shark fin proposal

Hello,

I oppose the ASMFC proposal allowing a 12% fin-to-carcass ratio for smoothhounds, and support instead a fins-naturally-attached rule for all sharks. The US should be helping to close loopholes that allow the wasteful and destructive practice of shark finning not facilitate it.

Thank you,

L Jordan, PhD
ljordan@ucla.edu

Marin Hawk

From: David Granirer [psychocomic@me.com]
Sent: Thursday, March 28, 2013 1:24 AM
To: Comments
Subject: shark finning

Don't allow finning of smoothhound sharks (*Mustelus canis*) in U.S. waters. This would be a huge step back in U.S. shark fisheries management policy. This is an endangered species and must be protected!

David Granirer Beatrice Scott
3633 Triumph Street
Vancouver, BC
V5K 1V4

Marin Hawk

From: Richard Theiss [rtsea@sbcglobal.net]
Sent: Thursday, March 28, 2013 12:45 AM
To: Comments
Subject: RE: amendment to 2010 Shark Conservation Act regarding fishing of smoothhound sharks

Atlantic States Marine Fisheries Commission:

In light of the current evidence of rapid population declines of several critically important shark species, it would be unsustainable ecologically and counterproductive to the intent of the 2010 Shark Conservation Act to implement any amendment or change to the Act, such as the current amendment regarding the fishing and subsequent finning of smoothhound sharks. As a US citizen, I respectfully request that the ASMFC not proceed with such an amendment.

Regards,

Richard Theiss
Media Communications
Digital Cinematography
RTSea Media
rtsea@rtsea.com
949-645-4304 Office
949-294-9876 Cell
Skype: rtsea1
www.rtseamedia.com
www.rtseablog.blogspot.com



Marin Hawk

From: Dawn Rubick [dawnrubick@gmail.com]
Sent: Thursday, March 28, 2013 12:40 AM
To: Comments
Subject: upcoming vote on shark finning

Thank you for reading my letter.

As a concerned citizen I would first like to thank you for your work. The balance of protection of the fisheries while preventing waste is no doubt a difficult task. Today the world is making a significant step forward toward the reduction of shark finning practices. The recent CITES votes from around the world and strong legislation by the EU to reduce or eliminate shark finning is clearly a move desired by the other progressive countries of the world.

I hope that as you consider your upcoming vote that you will consider my letter today. Please support a "fins attached" fishing management program. It is important to me and clearly important to the world community. Don't make the United States one of the countries that is pointed out as one that refuses to join the forward progress of the other progressive nations and continue the barbaric practice of shark finning.

Thank you very much.

Marin Hawk

From: Judy Mazowiecki [marathon26_2@msn.com]
Sent: Thursday, March 28, 2013 12:16 AM
To: Comments
Subject: END SHARK FINNING!

please end ALL shark finning.

judy mazowiecki, m.s.

fit-rx.net

judy@fit-rx.net

www.outdoorfitnessadventures.com

judy@outdoorfitnessadventures.com

"we are all faced with great opportunities brilliantly disguised as impossible situations."

Marin Hawk

From: scabreram [scabreram@hotmail.com]
Sent: Thursday, March 28, 2013 12:12 AM
To: Comments
Subject: Sharks

Dear Marin Hawk

Please help end shark finning in the us.

Save the sharks.

Regards
Stefan Cabrera

Enviado desde Samsung Mobile

Marin Hawk

From: Susie Graham [smrgraham@gmail.com]
Sent: Thursday, March 28, 2013 12:04 AM
To: Comments
Subject: Support of a fins-naturally-attached rule

Dear Marin Hawk,

I **OPPOSE** the 12% fin-to-carcass ratio for the smoothhound sharks and **SUPPORT** a fins-naturally-attached rule for all sharks(or even stronger) rules. Please, let's not take a giant step backwards on this.

Thank you for your consideration.

Sincerely,

Susan R. Graham

Marin Hawk

From: Lynn [lynnheisler@att.net]
Sent: Wednesday, March 27, 2013 11:26 PM
To: Comments
Subject: SHARK FIN AMENDMENT

The practice of finning sharks is not only cruel, it is destructive. Sharks are one of the top predators in the ocean's ecosystem. Essential to the eco-system, it will fail to the detriment of the rest of the species and the biodiversity of the ocean is lost forever. Please refer to our land mammal, the wolf. Yellowstone National Park's ecosystem, for example, was devastated before the re-introduction of its top predator.

Lynn H.

"Look deep into nature, and then you will understand everything better."

--Albert Einstein

Marin Hawk

From: Aida Shirley [aidashirley@yahoo.com]
Sent: Wednesday, March 27, 2013 9:01 PM
To: Comments
Subject: Please help all Sharks keep their fins.

The protection of all shark species is the right thing to do.

The rule to have all shark fins stay naturally attached to shark bodies is the best alternative by far.

Please do not make any exceptions (regardless of the shark species) whatsoever.

Thank you,

Aida Shirley

8734 Stockholm Avenue

Las Vegas, NV 89147

Marin Hawk

From: Shawn Stoddard [stoddard@pobox.com]
Sent: Wednesday, March 27, 2013 8:58 PM
To: Comments
Subject: Shark finning - AGAINST!

I was truly upset when I heard that your department was considering allowing the finning of sharks. Doing so places us on a slippery slope leading to the destruction of entire food chains, messes with the web of life both above and below the water, and places financial gain ahead of a healthy ocean. Please consider the larger, long term picture and do the right thing; do not allow this practice in American waters.

Shawn Stoddard

Marin Hawk

From: Sandra Domizio [sandradomizio@doctors.org.uk]
Sent: Wednesday, March 27, 2013 7:47 PM
To: Comments
Subject: Shark finning

Dear Sirs

The proposed changes for smoothhound sharks represent a huge step backwards in finning policy at a time when much of the rest of the world is moving toward the clear best practice for finning ban enforcement: requiring that all shark fins stay naturally attached to shark bodies. For example, the European Union (EU), among the top suppliers of shark fins to Asia, has recently changed course from lenient, hard-to-enforce ratios toward complete bans on at-sea removal of shark fins, regardless of species.

The U.S. federal Atlantic ban on at-sea shark fin removal, along with “fins-naturally-attached” decisions in the EU and elsewhere, are based on expert advice that the only way to be sure that sharks have not been finned is to mandate that their fins cannot be removed until after landing. In addition to improving and easing enforcement, this policy facilitates the collection of species-specific catch data, which are vital for population assessment. The ASMFC, however, has not even proposed a fins-naturally-attached policy for smoothhound sharks, or any stronger measures, as options for public comment.

Allowing year-round smoothhound shark fin removal under the world’s most lenient fin-to-carcass ratio would hamper enforcement and create wiggle room for fishermen to fin smoothhound sharks without detection. Other species of small coastal sharks as well as juveniles of depleted large coastal shark species could also be at risk for undetected finning and unrecorded mortality because of these loopholes.

In addition, relaxing a state finning ban jeopardizes the U.S. reputation and goals as an international champion of the fins-naturally-attached method. The U.S. has supported the end of complicated fin-to-carcass ratios in the EU and elsewhere, and has proposed complete bans on at-sea shark fin removal at international fisheries bodies.

I am very concerned about this proposal by the ASMFC and would urge you to move forward rather than backward in the prevention of shark finning.

Yours sincerely

Dr Sandra Domizio MD

Marin Hawk

From: Andrew Smith [bombur_smith@yahoo.com]
Sent: Wednesday, March 27, 2013 7:34 PM
To: Comments
Subject: Please do not allow shark finning to recommence

Dear Marin,

I am writing to urge you to please not allow shark finning to recommence once more and for you to please maintain the protection for all sharks, including the smoothhound shark. To allow finning for any shark species would be a step backwards and could lead to pressure to allow other species to be finned. Sharks are in peril. All populations are in decline. Please help and stand firm and help protect a wonderful creature.

Thank you.

Kindest regards,

Andrew M. Smith

Marin Hawk

From: Michael Potter [michael@xonline.org.uk]
Sent: Wednesday, March 27, 2013 7:40 PM
To: Comments
Subject: Shark Finning

Very disappointed if an amendment allowing anything other than a total ban on shark finning get through,

with best wishes,

looking forward to a more peaceful world,

Michael Potter.

Marin Hawk

From: Sue Hughes [hughes28@live.co.uk]
Sent: Wednesday, March 27, 2013 7:30 PM
To: Comments
Subject: Prevention of Shark finning

Please would you adopt the “fins-naturally-attached” rule for all sharks based on expert advice, as adopted by the EU and elsewhere.

It is vital to protect all sharks in order to protect our oceans.

I am totally opposed to the proposed 12% fin-to-carcass ratio for smoothhounds.

Thank you.

Susan Hughes
Cambridge, UK

Marin Hawk

From: Kalli Doubleday [kalliraquel128@gmail.com]
Sent: Wednesday, March 27, 2013 7:17 PM
To: Comments
Subject: stand tall with LA and African nations / ASMFC proposals

Hello Mr. Hawk,

I am writing in hopes that you have decided to not support the proposing changes by the ASMFC that apply to smoothhound shark fining. We both Japan and China being overturned at the CITE early this year I hope the US does not send a world message we are not standing with the rest of the world to halt the horrible process of fining sharks and supplying the East Asian market. With Latin American and African countries standing up against Japan and China I think it would be deplorable to have the US take a step back at this time.

Allowing year-round smoothhound shark fin removal under the world's most lenient fin-to-carcass ratio would hamper enforcement and create room for fishermen to fin smoothhound sharks without detection. Other coastal sharks as well as juveniles of depleted coastal shark species could also be at risk for undetected finning and unrecorded mortality because of these loopholes.

In addition, relaxing a state finning ban jeopardizes the US reputation and goals as an international champion of the fins-naturally-attached method. The US has supported the end of complicated ratios in the EU and elsewhere, and has proposed a ban on at-sea shark fin removal at international fisheries bodies.

Please stand tall and do not support these proposed changes.

Thank you for your time,

Kalli Doubleday

Geography PhD. Student

The University of Texas at Austin

Marin Hawk

From: Zachary Ostroff [zachostroff@gmail.com]
Sent: Wednesday, March 27, 2013 7:08 PM
To: Comments
Subject: Shark finning

Hello,

I support the notion that all shark fins should be landed still attached to the animal carcass. More lenient regulation would only inhibit management of the respective fisheries. We are in a time where more stringent regulation is becoming necessary to preserve the health and robustness of fish stocks, for both economic viability and the health of marine ecosystems.

Zachary Ostroff, M.Sc.

Marin Hawk

From: Brian Spears [bmspears77@gmail.com]
Sent: Wednesday, March 27, 2013 7:04 PM
To: Comments
Subject: Shark finning

Good afternoon,

I am writing to comment on the shark finning issue. This is an excellent opportunity for the US to take the lead in shark conservation by banning the practice of shark finning in our fisheries. I am in no way endorsing a ban on shark fishing, I am only against the unsustainable practice of finning. With so many species in peril, it is time to take measures to ensure a sustainable fishery, and be an example of conscientious conservation for the world.

Thank you for taking my comment into consideration.

Brian Spears

Marin Hawk

From: Adam Hanlon [info@adamhanlon.com]
Sent: Wednesday, March 27, 2013 6:41 PM
To: Comments
Subject: Changes to US shark fin ban by ASMFC

Dear Mr Hawk,

I note that the ASMFC is proposing to interpret the 2010 Shark Conservation Act as allowing commercial fishermen to fin the smoothhound shark (*Mustelus canis*), and to land catches at 12% fin to carcass ratio, as opposed to 5%.

The US has been rightly applauded by the international conservation community for its forthright and forward looking stance on shark conservation issues. The U.S. has supported the end of complicated fin-to-carcass ratios in the EU and elsewhere, and has proposed complete bans on at-sea shark fin removal at international fisheries bodies. The above interpretation of the Act makes it very hard to justify calls for the elimination of finning practices elsewhere in the world and damages and demeans the US as an arbiter of ant-finning policy.

The rest of the world notes that you have not even offered any fin-on option for public comment.

I urge you to persuade the ASMFC membership to seek their profits from alternative means, and not to return to an unsustainable and damaging method of fishing.

Yours

Adam Hanlon

Marin Hawk

From: Tina Berger
Sent: Wednesday, March 27, 2013 6:28 PM
To: Marin Hawk
Subject: FW: Smooth hound shark & protecting them

Categories: Sharks

From: Dennis G. Church [<mailto:dgcincr@hotmail.com>]
Sent: Wednesday, March 27, 2013 6:25 PM
To: Tina Berger
Subject: Smooth hound shark & protecting them

Dear Ms. Berger, I am writing to ask ASMFC to protect the Smoothhound Shark from finning, & not to implement an amendment that would allow finning of the Mustelus Canis. Please protect the smooth hound shark in the implementation of the 2010 Shark Conservation Act. The U.S. must set a good example to the rest of the world, & ban all shark finning!

Thank you, Cassandra Church
1853 County Rd. E.Montpelier, Vt. 05601

Marin Hawk

From: Dickison, Jeanette C (Maysville) [jeanette.dickison@kctcs.edu]
Sent: Wednesday, March 27, 2013 6:10 PM
To: Comments
Subject: All shark-finning should be banned!

This practice is such a horrendous wasteful and un-stewardship practice! Humans are so creative at coming up with outrageously useless things to do to other creatures (to themselves as well). I can't imagine the USA permitting **any** shark-finning. It's come to be expected from other countries but really, how long does it take for our species to evolve out of stupidity and cruel behavior? Jeanette Dickison, Felicity, Ohio

Marin Hawk

From: M Anderson Shaw [sword.sorcery@virgin.net]
Sent: Wednesday, March 27, 2013 5:12 PM
To: Comments
Subject: Proposed changes to finning policy for the smoothhound shark

To Whom It May Concern,

I write in concern at the proposed changes to shark finning policy, relating to smoothhound sharks, which suggest allowing an alteration to the fin-to-carcass ratio for fishing vessels. At a time when much of the world is revising catch allowances in the opposite direction, due to rising concern for shark populations, this seems to be the wrong step to take. It is in the best interests of the marine environment that all fishing policy be based upon sound principals of sustainability, and to alter the fin-to-carcass ratio of any shark species is a danger to population levels. It also risks permitting fishermen to use the demonstrably cruel method of de-finning live sharks, which is most assuredly a step backwards.

The US Federal Atlantic ban on the removal of shark fins whilst at sea, in keeping with similar policies elsewhere in the world, results from expert advice and analysis, and helps to ensure that catch levels can be accurately monitored, in order that population levels can be properly judged. Given the support that the US has given to movements in the European Union to end complicated fin-to-carcass ratio policies, it does not seem to me that it would be sensible to go forward with the proposed changes that the ASMFC is considering. Catch levels for smoothhound sharks have been on the rise in recent years, and the species is already faced with lenient finning measures. In addition there has been no proper assessment of the status of the smoothhound population. Any change to finning allowances would therefore be extremely premature, as well as against the best interests of both the species and the fishing industry.

Yours,

Max Anderson Shaw

UK

Marin Hawk

From: James Fairgrieve [james.fairgrieve@btinternet.com]
Sent: Wednesday, March 27, 2013 5:11 PM
To: Comments
Subject: Shark finning

Sir/Madam

I would just like to add my voice to the debate on relaxing the regulations on smoothhound shark finning, a cruel and abhorrent practice.

Allowing any shark fins to be landed unattached to the shark bodies provides loop holes for unscrupulous operators who have no qualms about finning protected species or juvenile animals. It will also make population monitoring far more difficult.

In addition it is wasteful and utterly heartless, to throw sharks overboard to die a horrible death.

I hope you will make the right decisions on this like CITES and the EU recently. Sustainable fishing is the only real long term solution.

Kind regards

James Fairgrieve

Rochester, UK

Marin Hawk

From: Micah Steiger [mmsteiger@gmail.com]
Sent: Wednesday, March 27, 2013 4:40 PM
To: Comments
Subject: My comments on shark fin

Dear Marin,

I would like to say that I oppose the proposed 12% fin-to-carcass ratio for smoothhounds (and in general, all other commercially taken shark species). Instead, I would like to see a fins-naturally attached rule for all shark fisheries (similar to the legislation in the EU) as I know that percentages and ratios can lead to arbitrary catch amounts, unreported finning and potentially mismanaged species harvesting - as the demand for fins is pretty much insatiable, and thus many fisherman could be tempted to harvest fins only.

I love sharks and I love fishing. Let's make sure we can continue to love both forever.

Regards,
Micah

Marin Hawk

From: gwen p [gwenp4487@yahoo.com]
Sent: Wednesday, March 27, 2013 4:40 PM
To: Comments

Marin Hawk,

I'm writing you to voice my support for moving forward rather than backward in the prevention of shark finning

The proposed changes represent a huge step backwards in finning policy at a time when much of the rest of the world is moving toward the clear best practice for finning ban enforcement: requiring that all shark fins stay naturally attached to shark bodies.

Allowing year-round smoothhound shark fin removal under the world's most lenient fin-to-carcass ratio would hamper enforcement and create wiggle room for fishermen to fin smoothhound sharks without detection. Other species of small coastal sharks as well as juveniles of depleted large coastal shark species could also be at risk for undetected finning and unrecorded mortality because of these loopholes.

In addition, relaxing a state finning ban jeopardizes the U.S. reputation and goals as an international champion of the fins-naturally-attached method. The U.S. has supported the end of complicated fin-to-carcass ratios in the EU and elsewhere, and has proposed complete bans on at-sea shark fin removal at international fisheries bodies.

Please support a fins-naturally-attached rule *for all sharks*, or even stronger rules.

Gwen Purssell

Marin Hawk

From: pamstlouis12@aol.com
Sent: Wednesday, March 27, 2013 4:24 PM
To: Comments
Subject: Suport Fins Naturally attached Rule!

Dear Marin Hawk,

Please support a fins-naturally-attached rule for all sharks! I oppose the fin ratio amendment and support landing sharks with fins attached! I support stronger rules, not the weaker laws for the smoothhound sharks that do not even have a quota. Please Propose a FINS NATATURALLY ATTACHED RULE!

Thank you so much for your time reading this!
Thank you so much more if you take it into consideration!
Pamela St Louis,
Concerned U.S Citizen

Marin Hawk

From: Misti Parrott [MistiP@jansenco.com]
Sent: Wednesday, March 27, 2013 3:55 PM
To: Comments
Subject: Finning Proposals

There should be NO EXCEPTION to finning. PERIOD.

A national at sea ban should be enacted. Finning and leaving ANY SHARK to die in the sea is cruel and inhumane.

Misti S. Parrott
Jansen International, LLC
10440 North Central Expressway
Suite 1010
Dallas, Texas 75231

mistip@jansenco.com

214 634 8700 Phone

214 267 8700 Fax

Marin Hawk

From: Hi [whysomanypeople@gmail.com]
Sent: Wednesday, March 27, 2013 3:38 PM
To: Comments
Subject: Landing of sharks with fins attached.

Dear ASMFC i am opposed to your proposed fin ratio amendment and am wholly in support of landing sharks with fins attached. If you go ahead the loophole you create will be exploited and decimate shark populations. Whilst I am opposed to any shark fishing I can accept your economic exploitation of this resource, however exploitation of the loophole will destroy the resource you rely on. Please don't be short term exploiters be long term sustainable responsible farmers. Regulation and monitoring will reduce tomorrow's profits but protect next years and the following years income.

Yours sincerely
Richard Laverick

Marin Hawk

From: Jen Richards [orcaaa@googlemail.com]
Sent: Wednesday, March 27, 2013 3:17 PM
To: Comments
Subject: Smoothhound shark measures

To whom it may concern,

I am writing to you to oppose the proposed 12% fin-to-carcass ratio for smoothhound sharks, a decision that could dangerously exploit a species whose population status and sustainable catches have not yet been assessed, even as unregulated landings increase. Landing sharks of any species with their fins naturally attached is the only reliable way to ensure that illegal finning has not taken place. In recent years the world has largely been taking applauded steps in shark conservation, and it is my feeling that the United States should continue to move forward, not backward, on these issues. I support a fins-naturally-attached rule for all sharks.

Many thanks for your time.

Jen Richards
Trainer, Georgia Aquarium

[The Marine Life Art of Jen Richards](#)

Marin Hawk

From: Sarah Brown [mitzialways@hotmail.co.uk]
Sent: Wednesday, March 27, 2013 2:48 PM
To: Comments
Subject: Important Information

Dear Marin

Regarding the proposed amendment to allow shark finning at sea in certain circumstances.

The process of removing a shark's fin is abhorrent and rather than moving forwards towards compassionate and scientifically acceptable methods of fishing it seems that the 'quick and easy' method which some fishermen prefer is still on the agenda - why?

As a practice it is, as stated, cruel and cannot be allowed to continue legally under any circumstances.

We hope that you listen to the voices of ethics and reason not profit and commercialism.

Sincerely,

Sarah M. Brown
B.Ed Hons, Env. Man Dip, Animal Behaviour and Welfare Dip

Please support:

<http://www.forgetmenotanimalrescue.org.uk>

Marin Hawk

From: hanks340@comcast.net
Sent: Wednesday, March 27, 2013 2:47 PM
To: Comments
Subject: Shark finning

I will be brief. Please do not allow any mutilation of animals for human use. The worth of a society is defined by the way they treat their most helpless. And, yes, compared to humans, sharks are helpless.

Marin Hawk

From: Jennifer Valentine [faboo1028@yahoo.com]
Sent: Wednesday, March 27, 2013 2:39 PM
To: Comments
Subject: please ban shark finning - cruel and unnecessary

thank you
Jennifer Valentine
NY

Marin Hawk

From: Michael Sterken [msterken@tekstat.com]
Sent: Wednesday, March 27, 2013 2:38 PM
To: Comments
Subject: RE: Shark finning

The human body has absolutely no need for a shark's fin. It has no nourishment. The killing of an animal simply to add to a soup for the purpose of making it a delicacy is sad.

We humans should sincerely have more regard for our environment.

Sincerely,

Michael Sterken

Marin Hawk

From: Nuria Gonzalez Montalban [nuria.gonzalez.montalban@gmail.com]
Sent: Wednesday, March 27, 2013 1:53 PM
To: Comments
Subject: Fin Ratio Amendment

To whom it may concern,

I strongly opposed the new Fin Ratio Amendment and support landing sharks with their fins attached.

For that reason, I have to ask you to reconsider said amendment.

Sincerely,

Nuria Gonzalez-Montalban, PhD

Department of Microbiology and Immunology School of Medicine University of Maryland Baltimore

Marin Hawk

From: Deirdre O'Doherty [deirdreodoherty@hotmail.co.uk]
Sent: Wednesday, March 27, 2013 1:40 PM
To: Comments

Dear Sir or Madam

Allowing year-round smoothhound shark fin removal under the world's most lenient fin-to-carcass ratio would hamper enforcement and create wiggle room for fishermen to fin smoothhound sharks without detection. Other species of small coastal sharks as well as juveniles of depleted large coastal shark species could also be at risk for undetected finning and unrecorded mortality because of these loopholes.

In addition, relaxing a state finning ban jeopardizes the U.S. reputation and goals as an international champion of the fins-naturally-attached method. The U.S. has supported the end of complicated fin-to-carcass ratios in the EU and elsewhere, and has proposed complete bans on at-sea shark fin removal at international fisheries bodies.

Information is that concerned citizens can write to the ASMFC by **5:00pm EST March 28** to voice support for moving forward rather than backward in the prevention of shark finning. State fishery managers clearly need to hear from people who oppose the proposed 12% fin-to-carcass ratio for smoothhounds, and support instead a fins-naturally-attached rule *for all sharks*, or even stronger rules.

As a concerned citizen, albeit of the UK rather than the US, I would ask that you please do everything in your power to make a step forward - not just for the eventual victims but also for ourselves. We cannot carry on treating the world and its creatures and resources as though they were an endless supply. Something has to give and, in the end, I suspect it will be us (following on from other civilisations down the millenia who have disappeared due to shortcomings/short sightedness of one kind or another).

Appreciating that this is but one step in many - I implore you to make the right choices - as the well know saying states, every journey starts with the first step. Please do lead the way on this.

With kindest regards and thank you, in advance, for your help,

Deirdre O'Doherty
London, England

Marin Hawk

From: Chuck Bangley [cbangley@gmail.com]
Sent: Wednesday, March 27, 2013 1:39 PM
To: Comments
Subject: Smooth Dogfish Draft Addendum II

To the Atlantic States Marine Fisheries Commission,

I am a PhD student and research assistant who has been involved in research on spiny dogfish and coastal sharks since 2009. I have worked extensively with commercial fishermen and management agencies, and am familiar with the Coastal Shark and Spiny Dogfish FMPs. I would like to make a public comment as a member of the research community that it would best suit the fishery to bring smooth dogfish into compliance with the rest of the species in the fishery, requiring that they should be landed with fins attached. If this is not possible, then the fin-carcass ratio for smooth dogfish should not be increased.

The fin-to-carcass ratio has rightfully been derided as a major loophole allowing the over-harvest of sharks and the landing of prohibited species. Barring genetic analysis, a shark carcass with fins and head removed is nearly impossible to identify to species. The ratio itself is also problematic. Of the limited literature on the subject of shark fin-to-carcass ratios, Cortes and Neer (2006) and Biery and Pauly (2012) found that many exploited species actually have a fin-to-body weight ratio considerably less than 5%. Cortes and Neer (2006) provided a detailed analysis of several species common in the US Atlantic Coastal Shark fishery, among them smooth dogfish. They found a 3.51% (+/- 1.84%) fin-dressed carcass weight ratio this species. The former 5% ratio would have been on the high end of this range, which calls into question how the 12% ratio would be appropriate. After a thorough search through agency documents and the literature, I have been unable to find where or how the 12% ratio was determined, and have not seen a source cited in any document referencing this ratio. Making the source of this crucial piece of information known would restore confidence that this fishery is being managed based on the best available science.

None of the issues related to the fin-carcass ratio would even need to be discussed if smooth dogfish were being landed with fins attached, as the ASMFC has been requiring for other coastal shark species since 2008. One reason given for the smooth dogfish exception is the need for fast processing to prevent the meat from spoiling. Waters (2010) found that cutting smooth dogfish fins using the same method suggested in the 2008 FMP (cutting fins to allow the carcass to bleed out but leaving them attached by a small portion of uncut skin) still allowed for the landing of high-quality meat. The ASMFC's FMP also pre-dates the Shark Conservation Act by two years. An increase in the fin-carcass ratio would lower the standards already set by the ASMFC.

It would be my recommendation to include smooth dogfish among the species landed under the fins-attached requirement. If that is not possible, and since that option is not currently listed in the Draft Addendum, then the fin-carcass ratio should be kept at the current status quo of 5%.

I thank the ASMFC for the opportunity to comment and hope this comment is helpful in the decision-making process.

Charles Bangley
PhD student - Coastal Resources Management, East Carolina University
Writer - Southern Fried Science (www.southernfriedscience.com), Ya Like Dags?
(www.yalikedags.southernfriedscience.com)

Sources:

Biery, L. and D. Pauly. 2012. A global review of species-specific shark-fin-to-body-mass ratios and relevant legislation. *Journal of Fish Biology* 80: 1643-1677.

Cortes, E. and J.A. Neer. 2006. Preliminary reassessment of the 5% fin to carcass weight ratio for sharks. *Collected Volumes of Scientific Papers of the ICCAT* 59: 1025-1036.

Waters, J. 2010. A preliminary investigation of smooth dogfish (*Mustelus canis*) at-sea processing techniques. 4 p. Available [here](#).

Marin Hawk

From: Mickey Graves [eddybrandy@yahoo.com]
Sent: Wednesday, March 27, 2013 12:50 PM
To: Comments
Subject: Shark finning

No shark finning should be allowed! These creatures deserve to roam the oceans as they were meant to without human interference. Humans should not have the right to decide another species future. Shark finning is absolutely not necessary for any reason.

Marin Hawk

From: Blue & White [bluewhitelife@gmail.com]
Sent: Wednesday, March 27, 2013 12:32 PM
To: Comments
Subject: Opposition to 12% fin-to-carcass shark finning proposal

To whom it may concern:

It has been brought to my attention that there is there is a proposal concerning a 12% fin-to-carcass ratio. To me, this seems unacceptable.

Sharks play a huge role in our ocean's ecosystems, and since the oceans cover a vast amount of the Earth, this is a big deal. Although the 12% fin-to-carcass ratio will not completely abolish sharks, it will definitely increase the danger to their health and wellbeing.

As a scuba diver, I'd appreciate if sharks were around for me to dive with and enjoy. As an oxygen breather, I'd appreciate if sharks were around to feed on the predators of phytoplankton, one of Earth's main sources of oxygen.

I do not support shark finning in any form, and this 12% fin-to-carcass proposal is a bad idea.

Sincerely,
Cheryl

Marin Hawk

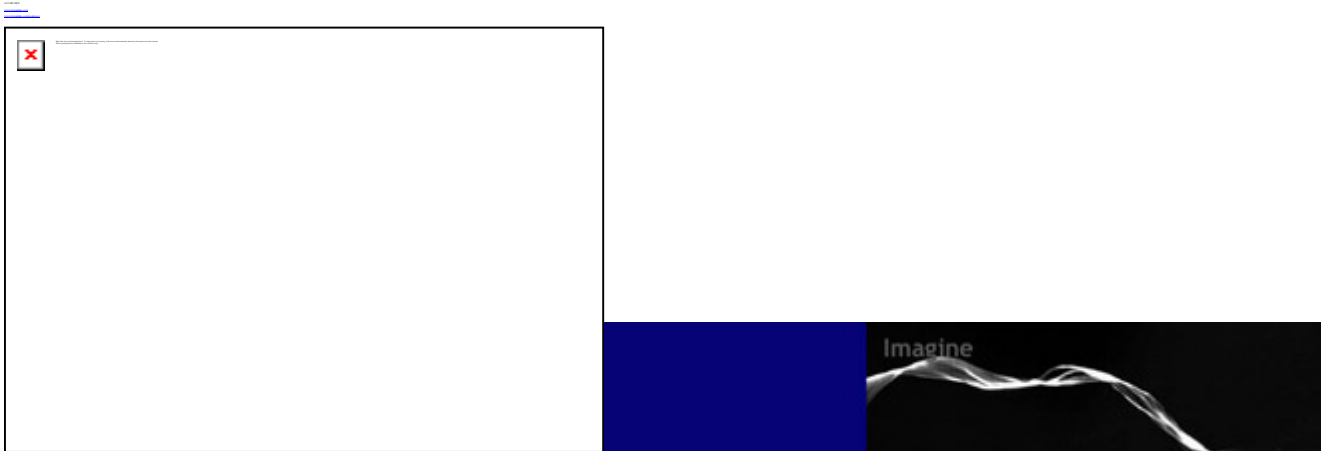
From: Tristan Luke [tristanluke@gmail.com]
Sent: Wednesday, March 27, 2013 12:22 PM
To: Comments
Subject: Crucial Message:

It is unthinkable and horrifying that you would even consider allowing *some* shark finning (of smoothhound sharks) as an environmental and fishery commission. Should you do this, you will send a message that this cruel, barbaric and unsustainable practice can ever be tolerated or permissible, a horrible crime on your part. I expect you to look into your heart, use your head, show your humanity and common sense and prohibit *all* shark finning. We all eventually review, and feel and experience, everything we've done in this life. I truly hope you will not do something so horrible and senselessly cruel.

Sincerely,

Tristan L. Sullivan

49 Village Park
Amherst, Ma
01002



Marin Hawk

From: Laura Triplett [arualenn@gmail.com]
Sent: Wednesday, March 27, 2013 11:50 AM
To: Comments
Subject: ASMFC comments on shark finning.

To whom it may concern,

I oppose the proposed 12% fin-to-carcass ratio for smoothhounds, and support instead a fins-naturally-attached rule *for all sharks*, or even stronger rules. I hope that we can join the EU and other international leaders in mandating that shark fins cannot be removed until after landing without exception.

Thanks!
Laura Triplett

Marin Hawk

From: Rosemary [rlachance01@comcast.net]
Sent: Wednesday, March 27, 2013 11:46 AM
To: Comments
Subject: Shark Finning

I oppose shark finning, PERIOD!!

Rosemary Lachance

"We change our behavior when the pain of staying the same becomes greater than the pain of changing. Consequences give us the pain that motivates us to change." *Henry Cloud*



www.RosemaryLachance.com

Marin Hawk

From: M.N. Romero-Piche [nicole_piche@yahoo.com]
Sent: Wednesday, March 27, 2013 11:45 AM
To: Comments
Subject: Sharks

Sharks are not your standard fish, able to reproduce many in a short period of time. They reproduce slowly, mature slowly, and this was generally a good thing as it led to ecological balance. However, you introduce man into the equation, and we have a few extra variables we need to account for which cannot be regulated with any leniency with regards to finning, a horrible practice which allows for great waste, and will ultimately lead to the collapse of these species' wild populations if left unchecked.

Within many of our agricultural industries we have created systems to reduce waste and increase the usability of what would have been thrown away in the past. Allowing finning to continue in any form is wasteful, and unnecessary.

No amount of finning should be allowed under any condition, and responsible management practices include safe guards to these animal populations, and encourage use of the whole shark for a profit, not just the fins.

~ Nicole Romero-Piche

Biology Teacher

Marin Hawk

From: alex kadzitu [akadzitu@gmail.com]
Sent: Wednesday, March 27, 2013 11:36 AM
To: Comments
Subject: Shark Finning

Hey guys!

I fully agree that we need to keep going forward . My personal feeling is that there is no point backsliding . We only have one world and one ecosystem when will people realize that this biodiversity is crucial to our very existence and that of our children and their children ?

This wanton destruction and systemic destruction of our environment has to stop . Hope I helped swell the numbers guys shared the post on facebook hope that makes people in my corner of the world a little bit more aware .

Kind regards

Alex K. Kadzitu
Financial Consultant
P.O.Box 70388
00400 GPO
Nairobi.

Cell:+254727472252 / 0771146460
Skype:akadzitu

Marin Hawk

From: Sandra Woodall [swoodall@gmail.com]
Sent: Wednesday, March 27, 2013 11:28 AM
To: Comments
Subject: finning of smoothhound sharks

I strongly oppose unlimited catching or finning of any sharks. We do not have firm, scientific data on the population of smoothhound sharks, so we have no benchmark for measuring the effect of your shark catch proposal.

We do know that all sharks reproduce slowly. We do know that populations of sharks that are subject to finning are quickly decimated.

I am sorry that people won't be able to eat their favorite soup. I consider it sorrier that we would allow any species to be eradicated so that some folks can have unlimited access to their favorite soup.

Since "finning" equals "killing" and since shark populations are already depressed, I suggest that we not kill or fin any sharks. Humans can survive without shark fins. Sharks cannot.

Marin Hawk

From: Cathy M. Thornburn [cathythornburn@yahoo.com]
Sent: Wednesday, March 27, 2013 11:22 AM
To: Comments
Subject: smoothhound sharks (Mustelus canis) in U.S. waters

Dear Commission members:

I strongly oppose the proposal to allow the de-financing of smoothhound sharks (Mustelus canis) in U.S. waters. I am in favor of protecting these sharks, and all at risk sharks. Please do not let this proposal be approved. Sharks must be protected as valuable members of our oceans.

Thank you,

Cathy Thornburn

Marin Hawk

From: dalyengel@gmail.com on behalf of Toby Daly-Engel [tdalyengel@uwf.edu]
Sent: Wednesday, March 27, 2013 11:16 AM
To: Comments
Subject: changes to yearly restricted finning of smoothhound sharks

To whom it may concern,

As a concerned citizen and shark biologist, I am writing to oppose the exception of smoothhound sharks (*Mustelus* sp.) to the ban on year-round fin removal in our nation's waters. Recent evidence has shown that sharks worldwide are being fished beyond the maximum sustainable yield for most species, and without measures such as those that are in place now, the disappearance of species such as the smoothhound ill only be hastened. Please allow such legislation as we have to remain in place in application to all shark species, and apply both fisheries quotas and fins-attached rules to *Mustelus* in particular.

With thanks,
Dr. Toby Daly-Engel
University of West Florida

--

Toby S. Daly-Engel, PhD
Assistant Professor
Department of Biology
University of West Florida
11000 University Parkway
Pensacola, FL 32514
Ph: 850-857-6414
Fax: 850-474-2749
<http://uwf.edu/biology/facstaff/daly-engel.cfm>

Marin Hawk

From: Dennis J. [propmaker@gmail.com]
Sent: Wednesday, March 27, 2013 11:15 AM
To: Comments
Subject: finning

Don't do it. It's wrong and bad. Stop finning. It's cruel.

Marin Hawk

From: Laetitia Deliot [laetitiadeliot@gmail.com]
Sent: Wednesday, March 27, 2013 11:15 AM
To: Comments
Subject: Question

Dear Sir/Madam,

Please don't accept the amendment that would allow some finning of the poor smoothhound sharks. This would be a huge step back in U.S. shark fisheries management policy.

I am opposed to the proposed 12% fin-to-carcass ratio for smoothhounds, instead I would advocate a fins-naturally-attached rule for all sharks, or even stronger rules.

Yours faithfully,
Laetitia Deliot

Marin Hawk

From: Margaret Davies [mmdavies1972@gmail.com]
Sent: Wednesday, March 27, 2013 11:15 AM
To: Comments
Subject: proposed amendment on 2010 Shark Conservation Act

Mr. Marin Hawk
ASMFC
1050 N. Highland St., Suite 200-A-N
Arlington, VA 22201

Dear Mr. Hawk:

The Atlantic States Marine Fisheries Commission is starting to implement the 2010 Shark Conservation Act, and they've proposed an amendment that would allow some finning of smoothhound sharks (*Mustelus canis*) in U.S. waters. This would be a huge step back in U.S. shark fisheries management policy.

After many months of intense attention to advances in international shark conservation policy through [CITES](#) and the [European Parliament](#), it's time to refocus on sharks in my backyard. A potentially terrible shark policy precedent has been brewing through the [Atlantic States Marine Fisheries Commission \(ASMFC\)](#), and threatens to weaken that body's coast-wide ban on finning (slicing off a shark's fins and discarding the body at sea) smoothhounds and other sharks.

The ASMFC is proposing changes that apply to smoothhound sharks, specifically *Mustelus canis*, the only U.S. Atlantic sharks that are subject to targeted commercial fisheries without quotas. Smoothhound landings have been on the rise in recent years, and yet there have been no assessments of population status or sustainable catch. North Carolina, Virginia, and New Jersey are the top states for smoothhound landings. A draft amendment to the ASMFC coastal shark plan could establish state smoothhound shares based on fishing history, in anticipation of quotas, but also threatens to relax already lenient finning measures by:

- allowing commercial fishermen to remove *all* of the fins of smoothhound sharks year-round (currently only allowed for four months under a complicated fin-to-carcass weight ratio aimed at ensuring fins and bodies are landed in the appropriate proportion), and
- more than doubling the maximum smoothhound shark fin-to-carcass ratio from 5% of dressed weight to a whopping 12%, meaning much higher volumes of fins could be landed per carcass.



Photo by Andy Murch of ElasmDiver.com, via Arkive.org

The troubling proposals stem from confusing text contained within the [2010 Shark Conservation Act](#), which suggests a smoothhound exception in a national ban on removing shark fins at sea. This language, however, has yet to be interpreted by the federal government. State interpretation and implementation is therefore premature.

More important, the proposed changes represent a huge step backwards in finning policy at a time when much of the rest of the world is moving toward the clear best practice for finning ban enforcement: requiring that all shark fins stay naturally attached to shark bodies. For example, the European Union (EU), among the top suppliers of shark fins to Asia, has recently changed course from lenient, hard-to-enforce ratios toward complete bans on at-sea removal of shark fins, regardless of species.

The U.S. federal Atlantic ban on at-sea shark fin removal, along with “fins-naturally-attached” decisions in the EU and elsewhere, are based on expert advice that the only way to be sure that sharks have not been finned is to mandate that their fins cannot be removed until after landing. In addition to improving and easing enforcement, this policy facilitates the collection of species-specific catch data, which are vital for population assessment. The ASMFC, however, has not even proposed a fins-naturally-attached policy for smoothhound sharks, or any stronger measures, as options for public comment.

Allowing year-round smoothhound shark fin removal under the world’s most lenient fin-to-carcass ratio would hamper enforcement and create wiggle room for fishermen to fin smoothhound sharks without detection. Other species of small coastal sharks as well as juveniles of depleted large coastal shark species could also be at risk for undetected finning and unrecorded mortality because of these loopholes.

In addition, relaxing a state finning ban jeopardizes the U.S. reputation and goals as an international champion of the fins-naturally-attached method. The U.S. has supported the end of complicated fin-to-carcass ratios in the EU and elsewhere, and has proposed complete bans on at-sea shark fin removal at international fisheries bodies.

Please support moving forward rather than backward in the prevention of shark finning. As a state fishery manager, please oppose the proposed 12% fin-to-carcass ratio for smoothhounds, and support instead a fins-naturally-attached rule *for all sharks*, or even stronger rules.

Sincerely,

Margaret Davies
24449 Madeira Way
Laguna Niguel, California 92677
949-716-8946

Marin Hawk

From: Jane Schnehage [jhschnehage@yahoo.com]
Sent: Wednesday, March 27, 2013 11:03 AM
To: Comments
Subject: Please leave the sharks alone. All sharks

Dear Sir

Would you like it if your arm and legs are cut off>

We are killing our world, let's make life better by respecting all life, not just our own.

Regards

Jane
South Africa

Marin Hawk

From: Amy Cotten [amy@cotten.net]
Sent: Wednesday, March 27, 2013 11:00 AM
To: Comments
Subject: Comment on proposed changes

Good morning,

I oppose the proposed 12% fin-to-carcass ratio for smoothhounds, and support a fins-naturally-attached rule *for all sharks*.

Thank you,

*Amy Cotten
38 Murmuring Creek Pl
The Woodlands, Texas 77385*

Sent from my iPhone

Marin Hawk

From: Caryn Oresky (PHX) [Caryn.Oresky@lashgroup.com]
Sent: Wednesday, March 27, 2013 10:42 AM
To: Comments
Subject: Shark Fin Ban

Hi,

I suggest you move forward in terms of shark finning prevention. I oppose the proposed 12% fin-to-carcass ratio for smoothhound and support instead a fins-naturally-attached rule *for all sharks*. Personally I would prefer stronger rules to prevent shark finning. It is disgusting to kill an entire animal, leaving it to die a terrible death, just for it's fin to make a soup have a certain consistency. You need stronger rules and enforcement.

Sincerely,

Caryn Oresky
Software Developer III
Lash Group
an AmerisourceBergen Consulting Services company
3735 Glen Lake Drive
Charlotte, NC 28208
P: 704 357 3071 ext. 2012345
Caryn.Oresky@lashgroup.com

Marin Hawk

From: Deborah Thomas [deborahth@btinternet.com]
Sent: Wednesday, March 27, 2013 10:37 AM
To: Comments
Subject: Shark Finning

I am dismayed to read that you are intending to review your position on shark finning. This is most definitely a step backwards for the US. I urge you to reconsider and help protect this wonderful species from such unnecessary suffering.

Regards

Deborah Thmas

Sent from my iPad

Marin Hawk

From: David Shiffman [david.shiffman@gmail.com]
Sent: Wednesday, March 27, 2013 10:34 AM
To: Comments
Subject: Public comment in opposition of ASMFC smoothhound shark amendment

Hello, Atlantic States Marine Fisheries Commission. My name is David Shiffman, and I'm a graduate student studying shark biology and conservation policy at the University of Miami.

I am writing to express my opposition to the proposed smoothhound shark amendment. I would like this opposition to be included as a public comment.

According to my understanding, the proposed policy would allow fishermen to remove fins from smoothhound sharks at sea year round according to a fin-to-carcass ratio of over 12%. This policy is in direct opposition to established best practices for shark fisheries management, which require landing all sharks with fins naturally attached. Additionally, the ratio of 12% is among the highest fin to carcass ratios of anywhere in the world, and is biologically preposterous.

I urge you to institute a "fins naturally attached" policy and help the United States continue to be an international leader in shark fisheries management.

Sincerely,

--

David Shiffman



Copyright 2013 David Shiffman

Marin Hawk

From: Susan Welch [sarabi911@yahoo.com]
Sent: Wednesday, March 27, 2013 10:34 AM
To: Comments
Subject: Shark finning

Please stop the shark finning! It's cruel and useless and I am AGAINST it!!

That's all I have to say about that.

Sincerely,

Susan Welch
Marion, IL

Marin Hawk

From: Ashlee Adams [abomb0975@gmail.com]
Sent: Wednesday, March 27, 2013 10:27 AM
To: Comments
Subject: Shark finning

To whom it may concern,

Upcoming policy changes regarding the finning of sharks needs to have a second look. Relaxing the guidelines for shark finning (smooth hound) et al only propagates further destruction to the species. These are apex predators which keep our entire world in balance. Removing these predators at such a massive rate -12%- would potentially devastate the population and environment. Please maintain current guidelines at the very least or consider moving forward in conservation and make these guidelines even more stringent. Thanks for your consideration and for helping this cause and species.

Regards
Ashlee Adams

Sent from my iPhone. Please pardon any typos.

Marin Hawk

From: Lynette Dumont [nette8@comcast.net]
Sent: Wednesday, March 27, 2013 10:23 AM
To: Comments
Subject: Inexcusable to allow ANY fining.

Loopholes don't work and create enforcement problems. This is nothing more than pandering to opposers of the ban.

Marin Hawk

From: Cindy Neill [neillcin@gmail.com]
Sent: Wednesday, March 27, 2013 10:13 AM
To: Comments
Subject: shark finning

Dear Marin Hawk,

It is my feeling that we need to move forward rather than backward in the prevention of shark finning. I fully support instead a fins-naturally-attached rule *for all sharks*, or even stronger rules. Please do what you can to help these animals which have as much right to be here as we do.

THANK YOU,
Cindy

--

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Marin Hawk

From: Oliver Williams [oliverwilliamsnyc@gmail.com]
Sent: Wednesday, March 27, 2013 10:13 AM
To: Comments
Subject: Stop Smoothound finning

Dear Marin Hawk

I am writing to express my fierce opposition to any language that gives the right to de-fin smoothound sharks at sea.

This practice is wholly un-policeable and flies in the face of European and global more enlightened conservation rules.

All shark fishing must rigorously enforce the rule, "Land sharks with fins naturally attached." Period. No exceptions.

Thank you for your attention to this issue.

Sincerely - Oliver Williams

Marin Hawk

From: info@sherillturner.com
Sent: Wednesday, March 27, 2013 10:12 AM
To: Comments

Dear ASMFC,

I'm writing to ask you to halt your revisions to the policy for finning smoothhead sharks. I truly believe this to be a step backwards in protecting the shark population and am astonished that this is even being considered, as I've always valued the US as a world leader on fair practices.

Sincerely,

Sherill Turner

Marin Hawk

From: Erin McMichael [erin.mcmichael@gmail.com]
Sent: Wednesday, March 27, 2013 10:09 AM
To: Comments
Subject: U.S. Atlantic Shark Finning Policy

Dear Marin Hawk,

As a concerned citizen, I am writing to let you know that I oppose the proposed 12% fin-to-carass ratio for smoothhounds, and support instead a fins-naturally-attached rule *for all sharks*, or even stronger rules if possible.

Let's move forward in the finning policy for sharks. It's devastating to a species who is used for their fins and left to die on their own in the sea. They struggle for their last few attempts at life and, quite frankly, it's inhumane.

We need to remember that we are not superior as a species to others. We exist in the same world as the rest of the living beings and we all want the same thing: to live. We have so much control over many species' livelihoods and we simply should not. It's exploitation and unfortunately what goes around comes around and this will come back to haunt us.

Please consider this as you look to the future to help us progress to a more ethical and moral society.

Thank you for your time and consideration.

Sincerely,

Erin McMichael

Marin Hawk

From: Rose Kerr [theroseway@comcast.net]
Sent: Wednesday, March 27, 2013 10:09 AM
To: Comments
Subject: Shark Finning

I am hoping that this can be avoided

The proposed changes represent a huge step backwards in finning policy at a time when much of the rest of the world is moving toward the clear best practice for finning ban enforcement: requiring that all shark fins stay naturally attached to shark bodies. For example, the European Union (EU), among the top suppliers of shark fins to Asia, has recently changed course from lenient, hard-to-enforce ratios toward complete bans on at-sea removal of shark fins, regardless of species. This is where we should be. We should be beyond these barbaric practices. We need stronger laws protecting the sharks before it is too late.

Allowing year-round smoothhound shark fin removal under the world's most lenient fin-to-carcass ratio would hamper enforcement and create wiggle room for fishermen to fin smoothhound sharks without detection. Other species of small coastal sharks as well as juveniles of depleted large coastal shark species could also be at risk for undetected finning and unrecorded mortality because of these loopholes. Please don't let this happen.

Thank you
Rose Kerr
Santa Cruz, CA

Marin Hawk

From: Cathy Druckhammer Bales [thehammer30@hotmail.com]
Sent: Wednesday, March 27, 2013 10:08 AM
To: Comments
Subject: Shark Finning

I oppose the proposed 12% fin-to-carcass ratio for smoothhounds, and support instead a fins-naturally-attached rule *for all sharks*, or even stronger rules. *How can we allow shark finning after Asian countries are finally putting a stop to this?*

*Thank you,
Cathy Druckhammer Bales*

Marin Hawk

From: Patricia O'Donnell [patricia.odonnell@hotmail.com]
Sent: Wednesday, March 27, 2013 9:50 AM
To: Comments
Subject: Preventing a Potential Setback in U.S. Atlantic Shark Finning Policy

Dear Sirs/Madam,

I would like to register that I am completely opposed to the proposed 12% fin-to-carcass ratio for smoothhounds, and support instead a fins-naturally-attached rule *for all sharks*, or even stronger rules.

Please do the right thing to help protect all shark species from this brutal practice.

Yours Sincerely,

Patricia O'Donnell

Marin Hawk

From: Boris Knoblich [boris.knoblich@gmx.de]
Sent: Wednesday, March 27, 2013 7:23 AM
To: Comments
Subject: please no steps back - please no shark finning

hello ladies and gentlemen,
hello marin hawk,

i am writing you from berlin, germany, because i read about the asmfc-plans to weak the ban on finning for some special shark species.

as more or less most of the shark species under strongest pressure of extermination, i sacrifice a lot of my private time to work on "sharks publicity"...

but not only the millions of killed sharks a year is a reason to make the animal welfare stronger and not "softer", i think. event especially finning is one of the most brutal method to take a animals life you can think of.

so i really want to ask, to please you to think about it again. is it worth it erase a species out of our world, just of economic reasons? is it morally acceptable to cut of pieces of a living body?

two questions... and i hope, even for you, just one answer: NO!

please support the fight to safe the fight for sharks survival, please don't allow any shark fishing and certainly not finning!

yours faithfully

boris knoblich

boris knoblich
schrammstr. 5
d-10715 berlin

Marin Hawk

From: Sari Seppanen [seppanensari@gmail.com]
Sent: Wednesday, March 27, 2013 5:35 AM
To: Comments
Subject: Proposed change in smoothhound shark finning policy

Dear Marin Hawk, I have come across information on ASMFC proposing legalising the finning smoothhound sharks, in particular *Mustelus canis*. I find this without grounds first of all as we currently do not have solid data to state the population size of the species. Secondly, the moral aspect of shark finning should at this day and age push for opposite kind of actions, not legalising it. I hope your organisation can take this into consideration.
Kind regards, -Sari Seppanen (Kenya/Finland)

Marin Hawk

From: Erik Nelson [erik@fmgfunds.com]
Sent: Wednesday, March 27, 2013 5:22 AM
To: Comments
Subject: Why are we weakening the coast-wide ban on finning????

Hi Marin,

I understand this is just one small part of the problem, but for the sake of our planet, do the right thing!

Pretty sad and scary to think this could be one more step in the extinction of the apex predator in our seas. Then who's/what's next!

Please do what's right,

Erik L. Nelson
General Manager

FMG (Malta) Ltd
6th Floor, Airways House
Gaiety Lane
Sliema SLM 1549
Malta

Phone: [+356 2131 4011](tel:+35621314011)
Mobile: [+356 9978 8778](tel:+35699788778)
Erik@fmgfunds.com
www.fmgfunds.com

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Marin Hawk

From: Tanja Schumacher [schumacher.tanja@googlemail.com]
Sent: Wednesday, March 27, 2013 2:49 AM
To: Comments
Subject: To Marin Hawk

Good morning,

as it just came to my ear that the ASMFC is proposing to weaken the ban on finning, I wanted to ask you some questions...

Do you even consider the consequences? Not just for the animals themselves, but also for every other debate on finning worldwide? How do you think will other nations react if the USA widens the law again? Don't you think that the ASMFC will be used as a role model for many debates as well? Meaning that other nations might weaken the bans, which we fought for so hard, and thousands of thousands of sharks being finned again.

Not only "allowed" by law, but then also undetected. Thousands of different shark species and juveniles could then be finned and killed undetected because of the loopholes this weakening would mean.

I doubt that this is what you want. Sharks being killed without control (or just existing on paper) would mean slaughter of shark species that might be endangered or even closer to extinction. and if the sharks are gone - the ocean won't be the same for us! Old and sick animals would survive longer and maybe bring diseases we don't even know yet, because they are no longer under control (by sharks)

We need the ocean, we need life in the oceans!!

And just to mention: it's not just a topic for the US, but a worldwide one - I'm from Germany and still this is concerning me a lot!!

I beg you, don't weaken the law! Help putting an end to this massacre where living animals are slaughtered and thrown back into the water alive. No way of swimming, no way of breathing, just sinking down and suffocating alive in their own environment!

Thank you!

Best regards from Germany

Tanja Schumacher

--

Tanja Schumacher

Niedere Straße 21
37603 Holzminden
Tel: 05531-7048168
Mobil: 0170-3863428

Marin Hawk

From: Shannon Dewees [shannondewees@hotmail.com]
Sent: Tuesday, March 26, 2013 10:33 PM
To: Comments
Subject: Attn: Marin Hawk, ASMFC

To Whom It May Concern:

I am writing on behalf of all sharks worldwide, specifically the smoothhound shark. It is imperative that measures be taken to protect all species of marine animals so that their populations and environments do not become threatened. It is essential that commercial fishing quotas are established, maintained and enforced.

In addition to strict fishing quotas, I am absolutely opposed to shark finning of any kind. This practice is cruel, wasteful, and extremely dangerous to shark populations. This practice should be banned entirely.

I respectfully request that you do what is necessary to move forward with a complete ban on shark finning. Thank you for your consideration.

Sincerely,
Shannon Dewees, B.A. Marine Biology, SCUBA Diving Instructor
1225 Pickett Street
Sonoma, CA 95476

Sent from Shannon's iPhone

Marin Hawk

From: Lauren Wiskerson [laurenwiskerson@hotmail.com]
Sent: Tuesday, March 26, 2013 2:25 PM
To: Comments
Subject: Shark finning

Hi Mark,

I am writing to express my support for moving forward rather than backward in the prevention of shark finning.

Thank you for your attention.

Lauren

Marin Hawk

From: Comments
Sent: Monday, March 25, 2013 5:32 PM
To: Marin Hawk
Subject: FW: Smooth Dogfish Draft Addendum II

Categories: Sharks

From: kafoni@verizon.net [<mailto:kafoni@verizon.net>]

Sent: Monday, March 25, 2013 3:55 PM

To: Comments

Subject: Smooth Dogfish Draft Addendum II

Hello. I am John Breitling, owner and operator of F/V Sea Tiger II 624588, in Barnegat Light NJ. I gillnet for smooth dogfish.

Regarding the draft addendum these are my preferences:

Issue 1 C
Issue 2 B
Issue 3 B and C
Issue 4 B
Issue 5 A
Issue 6 B

Thank you for your work to help us in the fishing industry. John B

From: [Tanya Tiedje](#)
To: [Comments](#)
Subject: BAN ALL SHARK FINNING!!
Date: Wednesday, March 27, 2013 9:40:46 AM

To whom it may concern

It goes beyond my understanding how the so-called most advanced species on this planet continues to exploit, abuse and exterminate the creatures we share this planet with to no end, in the name of science, profit, 'entertainment' and who knows what else. Is this really what we have become, the greatest enemy of this planet and everything that walks upon it? When will the human race take up it's responsibility as the guardians of this earth that we were meant to be? All living creatures have the right to freedom and dignity. More than this, a life of free of cruelty, neglect, abuse and imprisonment. It is our responsibility as the 'rulers' of this planet to make sure they get it, and to protect our beautiful natural environment and it's inhabitants for future generations. Please do everything in your power to stop the horrific practice of slicing of a hapless creature's fin, leaving it to die a gruesome death, so some people may indulge themselves in what they consider a delicacy. It is shocking how arrogant and indulgent humans are and how millions upon millions of creatures have to suffer because of this. It is time for the human race to change our ways.

Kind regards

Tanya Tiedje

From: [Virginia Lange](#)
To: [Comments](#)
Subject: PROTECT SHARKS, PLEASE!!
Date: Wednesday, March 27, 2013 3:49:08 PM

I would like to add my small voice to those of experts who realize that we are destroying are shark population to satisfy Chinese idiots who believe shark fins (Or rhinoceros horns) can make them virile. Send them Viagra or Cialis and save the shark!!!

Virginia Lange
Sarasota Florida

From: [Raymond Chua](#)
To: [Comments](#)
Subject: U.S. Atlantic Shark Finning Policy
Date: Wednesday, March 27, 2013 10:13:54 AM

It is obvious that you are giving a chance for fisherman to accidentally mistaken the kind of sharks they can kill.

There is no good reason to give such an excuse to fisherman to kill sharks. The "research" whaling by Japan is a good example of the damage this bill will cause to ALL shark populations.

Thanks
Raymond

Marin Hawk

From: kafoni@verizon.net
Sent: Monday, March 25, 2013 3:55 PM
To: Comments
Subject: Smooth Dogfish Draft Addendum II

Hello. I am John Breitling, owner and operator of F/V Sea Tiger II 624588, in Barnegat Light NJ. I gillnet for smooth dogfish.

Regarding the draft addendum these are my preferences:

Issue 1	C
Issue 2	B
Issue 3	B and C
Issue 4	B
Issue 5	A
Issue 6	B

Thank you for your work to help us in the fishing industry. John B

Marin Hawk

From: Claudia Chauvet [cgchauvet@gmail.com]
Content: Wednesday, March 27, 2013 10:00 AM
Subject: Comments

Marin Hawk
ASMFC
1050 N. Highland St., Suite 200-A-N

Sirs,

I am voicing my support for moving forward rather than backward in the prevention of shark finning. I oppose the proposed 12% fin-to-carcass ratio for smoothhounds, and support instead a fins-naturally-attached rule *for all sharks*, or even stronger rules.

The U.S. federal Atlantic ban on at-sea shark fin removal, along with "fins-naturally-attached" decisions in the EU and elsewhere, are based on expert advice that the only way to be sure that sharks have not been finned is to mandate that their fins cannot be removed until after landing. In addition to improving and easing enforcement, this policy facilitates the collection of species-specific catch data, which are vital for population assessment. The ASMFC, however, has not even proposed a fins-naturally-attached policy for smoothhound sharks, or any stronger measures, as options for public comment.

Arlington, VA 22201
Allowing year-round smoothhound shark fin removal under the world's most lenient fin-to-carcass ratio would hamper enforcement and create wiggle room for fishermen to fin smoothhound sharks without detection. Other species of small coastal sharks as well as juveniles of depleted large coastal shark species could also be at risk for undetected finning and unrecorded mortality because of these loopholes.

In addition, relaxing a state finning ban jeopardizes the U.S. reputation and goals as an international champion of the fins-naturally-attached method. The U.S. has supported the end of complicated fin-to-carcass ratios in the EU and elsewhere, and has proposed complete bans on at-sea shark fin removal at international fisheries bodies.

I thank you in advance for the attention given to my letter.

Claudia Chauvet

Marin Hawk

From: Marcus Merrin [marcus.merrin@emptyair.com]
Sent: Wednesday, March 27, 2013 9:50 AM
To: Comments
Subject: Smoothhound finning regulations

Dear Marin Hawk:

I would like to add my comment to those who oppose relaxation of shark finning regulations. I am an experienced scuba diver and underwater photographer, and I take great interest in all matters pertaining to marine wildlife and conservation. Relaxing regulations on smooth hound finning will, in my opinion have impacts reaching far beyond that species. Amongst other considerations, it will make enforcement on other species more difficult and sends the message that finning is an acceptable harvesting practice. I strongly urge you to consider these implications carefully. Up to now, the USA has had a better record than most countries on this issue. It would be a shame to take a step back from the high ground.

Yours Truly,
Marcus Merrin Ph.D.

Marin Hawk

From: Jean Michel GUERRIER [charles-guerier@orange.fr]
Sent: Wednesday, March 27, 2013 10:20 AM
To: Comments
Subject: Public comment for ASFMC.

Dear Sirs,

I wish to add my voice to the advocates of sharks who urge you NOT to implement or try to implement any regressive amendment that would allow some finning of some sharks in US waters.

No finning at all must be the only possibility !

Thank you for your consideration of this matter.

Sincerely,

Jean-Michel GUERRIER
La Chapoulie
24210 PEYRIGNAC
FRANCE
(33) 5 53 50 60 00

Marin Hawk

From: George [geokapushy3@gmail.com]
Sent: Wednesday, March 27, 2013 10:17 AM
To: Comments
Subject: U.S. Atlantic Shark Finning Policy

To Whom it may Concern,

Please do not allow the an increase in fin-to-carcass weight ratio and year round finning of Soothhound Sharks (Mustelus canis). We should have more stringent regulations regarding finning with studies that address the impact of our fishing before we implement new guidelines.

Thank You,
George S. Kapushy III

Marin Hawk

From: Barbara Richert [barbararichert@suddenlink.net]
Sent: Wednesday, March 27, 2013 10:55 AM
To: Comments
Subject: Shark Finning

God's creatures are having a tough time in the wild. They don't need to be sacrificed for soup. Greed. Insensitive. Need less waste of beautiful living creatures.

Barbara Richert
706 Chimney Rock Street
Lufkin Tx 75904

903 588.5322

Marin Hawk

From: Bruce Coonradt [seatek2@frontier.com]
ent: Wednesday, March 27, 2013 10:49 AM
o: Comments
Subject: NO on shark finning

Dear Sir,

As a concerned citizen, I request that no delay occur regarding the banning of shark finning. This was a major undertaking by many and a set back would be a slap in the face on our right to petition and effect change. The sharks deserve to be left alone to roam the oceans that they inhabit and own. Humans cannot decide the fate of any animal for our own gain. In my view to allow this to occur is morally and ethically wrong. This is human greed pure and simple. We need to respect and protect all living creatures on this planet.

Carol Coonradt
Mukilteo, WA

Marin Hawk

From: fwtks.nero@hush.com
ent: Wednesday, March 27, 2013 11:05 AM
o: Comments
Subject: Stop Shark Finning

I am writing to say that I support for moving forward rather than backward in the prevention of shark finning. I ask you to please support a fins-naturally-attached rule *for all sharks*.

Thank you,
Nick Scholtes

Marin Hawk

From: Megan Shoff [meganelizabeth25@gmail.com]
Content: Wednesday, March 27, 2013 11:02 AM
Subject: Comments
Attn: Marin Hawk

I oppose the proposed 12% fin-to-carcass ratio for smoothhounds, and support instead a fins-naturally-attached rule *for all sharks*, or even stronger rules.

The troubling proposals stem from confusing text contained within the **2010 Shark Conservation Act**, which suggests a smoothhound exception in a national ban on removing shark fins at sea. This language, however, has yet to be interpreted by the federal government. State interpretation and implementation is therefore premature.

More important, the proposed changes represent a huge step backwards in finning policy at a time when much of the rest of the world is moving toward the clear best practice for finning ban enforcement: requiring that all shark fins stay naturally attached to shark bodies. For example, the European Union (EU), among the top suppliers of shark fins to Asia, has recently changed course from lenient, hard-to-enforce ratios toward complete bans on at-sea removal of shark fins, regardless of species.

The U.S. federal Atlantic ban on at-sea shark fin removal, along with "fins-naturally-attached" decisions in the EU and elsewhere, are based on expert advice that the only way to be sure that sharks have not been finned is to mandate that their fins cannot be removed until after landing. In addition to improving and easing enforcement, this policy facilitates the collection of species-specific catch data, which are vital for population assessment. The ASMFC, however, has not even proposed a fins-naturally-attached policy for smoothhound sharks, or any stronger measures, as options for public comment.

Allowing year-round smoothhound shark fin removal under the world's most lenient fin-to-carcass ratio would hamper enforcement and create wiggle room for fishermen to fin smoothhound sharks without detection. Other species of small coastal sharks as well as juveniles of depleted large coastal shark species could also be at risk for undetected finning and unrecorded mortality because of these loopholes.

In addition, relaxing a state finning ban jeopardizes the U.S. reputation and goals as an international champion of the fins-naturally-attached method. The U.S. has supported the end of complicated fin-to-carcass ratios in the EU and elsewhere, and has proposed complete bans on at-sea shark fin removal at international fisheries bodies.

Once again, I oppose the proposed 12% fin-to-carcass ratio for smoothhounds, and support instead a fins-naturally-attached rule *for all sharks*, or even stronger rules.

Thank you,

Megan Shoff, PhD

Marin Hawk

From: alqudshug@gmail.com on behalf of Lars ROSENBLUM SORGENFREI [zoz@poofish.com]
Sent: Wednesday, March 27, 2013 12:17 PM
To: Comments
Subject: Preventing a Potential Setback in U.S. Atlantic Shark Finning Policy

The troubling proposals stem from confusing text contained within the **2010 Shark Conservation Act**, which suggests a smoothhound exception in a national ban on removing shark fins at sea. This language, however, has yet to be interpreted by the federal government. State interpretation and implementation is therefore premature.

More important, the proposed changes represent a huge step backwards in finning policy at a time when much of the rest of the world is moving toward the clear best practice for finning ban enforcement: requiring that all shark fins stay naturally attached to shark bodies. For example, the European Union (EU), among the top suppliers of shark fins to Asia, has recently changed course from lenient, hard-to-enforce ratios toward complete bans on at-sea removal of shark fins, regardless of species.

The U.S. federal Atlantic ban on at-sea shark fin removal, along with "fins-naturally-attached" decisions in the EU and elsewhere, are based on expert advice that the only way to be sure that sharks have not been finned is to mandate that their fins cannot be removed until after landing. In addition to improving and easing enforcement, this policy facilitates the collection of species-specific catch data, which are vital for population assessment. The ASMFC, however, has not even proposed a fins-naturally-attached policy for smoothhound sharks, or any stronger measures, as options for public comment.

Allowing year-round smoothhound shark fin removal under the world's most lenient fin-to-carcass ratio would hamper enforcement and create wiggle room for fishermen to fin smoothhound sharks without detection. Other species of small coastal sharks as well as juveniles of depleted large coastal shark species could also be at risk for undetected finning and unrecorded mortality because of these loopholes.

In addition, relaxing a state finning ban jeopardizes the U.S. reputation and goals as an international champion of the fins-naturally-attached method. The U.S. has supported the end of complicated fin-to-carcass ratios in the EU and elsewhere, and has proposed complete bans on at-sea shark fin removal at international fisheries bodies.

Sincerely,

Lars ROSENBLUM SORGENFREI

Danmark

Marin Hawk

From: Monica [kpetty04@yahoo.com]
Sent: Wednesday, March 27, 2013 12:05 PM
To: Comments
Subject: Shark finning

Stop the cruel and unnecessary removal of shark fins at sea. It is an irresponsible act of greed.
Sent from my iPhone

Marin Hawk

From: Hodah En [hodah_18@yahoo.com]
Sent: Wednesday, March 27, 2013 12:58 PM
To: Comments
Subject: To Marin Hawk: 2010 Shark Conservation Act Changes

To Marin Hawk,

The 2010 Shark Conservation Act suggests a smoothhound exception in a national ban on removing shark fins at sea. The proposed changes represent a huge step backwards in finning policy at a time when much of the rest of the world is moving toward the clear best practice for finning ban enforcement: requiring that all shark fins stay naturally attached to shark bodies. For example, the European Union (EU), among the top suppliers of shark fins to Asia, has recently changed course from lenient, hard-to-enforce ratios toward complete bans on at-sea removal of shark fins, regardless of species.

The U.S. federal Atlantic ban on at-sea shark fin removal, along with “fins-naturally-attached” decisions in the EU and elsewhere, are based on expert advice that the only way to be sure that sharks have not been finned is to mandate that their fins cannot be removed until after landing. In addition to improving and easing enforcement, this policy facilitates the collection of species-specific catch data, which are vital for population assessment. The ASMFC, however, has not even proposed a fins-naturally-attached policy for smoothhound sharks, or any stronger measures, as options for public comment.

Allowing year-round smoothhound shark fin removal under the world’s most lenient fin-to-carcass ratio would hamper enforcement and create wiggle room for fishermen to fin smoothhound sharks without detection. Other species of small coastal sharks as well as juveniles of depleted large coastal shark species could also be at risk for undetected finning and unrecorded mortality because of these loopholes.

In addition, relaxing a state finning ban jeopardizes the U.S. reputation and goals as an international champion of the fins-naturally-attached method. The U.S. has supported the end of complicated fin-to-carcass ratios in the EU and elsewhere, and has proposed complete bans on at-sea shark fin removal at international fisheries bodies.

Please move forward rather than backward in the prevention of shark finning. State fishery managers clearly need to open their proposals to public comment for the proposed 12% fin-to-carcass ratio for smoothhounds, and support instead a fins-naturally-attached rule *for all sharks*, or even stronger rules.

Thank you, Hodah En
Longs Marine Lab
Santa Cruz, CA

Marin Hawk

From: Shirley [ssamples@shaw.ca]
Sent: Wednesday, March 27, 2013 1:27 PM
To: Comments
Subject: Shark finning

To Whom It May Concern:

Please ensure that at-sea shark removal is banned. I cannot write much as I have a bad arm. But I feel so strongly about the humane way that sharks are treated. I actually would like to see a total ban on shark finning - leave the poor creatures alone - get people to make soup out of something else!

Thank you
Shirley Samples
2716 164 Street
Surrey BC
V3S 0E2

Marin Hawk

From: lindsay bellefeuille [lindsayb1986@hotmail.com]
ent: Wednesday, March 27, 2013 1:15 PM
o: Comments
Subject: Shark Finning

To whom it may concern,

I am writing this email to you regarding the case of the shark finning. As a concerned citizen I think it is inhumane to go forward with this. These sharks deserve to be left alone and be able to roam the sea free of fear of us humans. They deserve to live in their habitat where they belong. They have no voice they can not speak for themselves. WE ARE THEIR VOICE. All I am asking is you please take my email as well as many others and their comments into consideration. I personally believe "Shark Finning" should be banned all together but that's probably asking the government for too much. Right? There is so much animal cruelty going on in this world and the US that I am ashamed to say I live in the United States. I THOUGHT this country was the country of DREAMS and FREEDOM??? Thank you for your time I very much appreciate it.

Sent from Windows Mail

Marin Hawk

From: Emily Bauernfeind [emoparker@gmail.com]
ent: Wednesday, March 27, 2013 1:27 PM
o: Comments
Subject: ATTN: Marin Hawk re: smoothhound shark finning ratios

I oppose the proposed 12% fin-to-carcass ratio for smoothhounds, and support instead a fins-naturally-attached rule *for all sharks*. I'd support even stronger regulations for shark protections.

I just wanted to throw my 2-cents in there before the ASMFC takes final action on these measures in May.

– Emily Bauernfeind
Jamaica Plain, Mass.

Marin Hawk

From: Elsy Shallman [gomerlu@yahoo.com]
ent: Wednesday, March 27, 2013 1:59 PM
o: Comments
Subject: 2010 Shark Conservation Act

Dear Mr. Hawk,

Allowing year-round smoothhound shark fin removal under the world's most lenient fin-to-carcass ratio would hamper enforcement and create wiggle room for fishermen to fin smoothhound sharks without detection. Other species of small coastal sharks as well as juveniles of depleted large coastal shark species could also be at risk for undetected finning and unrecorded mortality because of these loopholes.

In addition, relaxing a state finning ban jeopardizes the U.S. reputation and goals as an international champion of the fins-naturally-attached method. The U.S. has supported the end of complicated fin-to-carcass ratios in the EU and elsewhere, and has proposed complete bans on at-sea shark fin removal at international fisheries bodies.

Respectfully,

Elsy Shallman

Marin Hawk

From: Kevin J. Parcell [peoplepower@me.com]
Sent: Wednesday, March 27, 2013 2:31 PM
To: Comments
Subject: Shark in your pants

Marin Hawks, it's your name that we will all remember as the one who saved or extinguished the sharks. Blame your parents for the distinctive name, but yourself for what happens to it.

Good luck with that.
Kevin
[Http://reconomy.net](http://reconomy.net)

Sent from my iPad

Marin Hawk

From: Jillian Morris [sharkyjillian@gmail.com]
ent: Wednesday, March 27, 2013 2:59 PM
o: Comments
Subject: Concerns about Shark Finning

Marin:

I am writing because of my concern regarding proposed changes to the finning regulations on the Atlantic coast. I am from Maine and grew up on the water. The ocean ecosystem is a delicate balance and fisheries management is crucial for the future of our oceans, but also for the fishermen who rely on them.

The U.S. federal Atlantic ban on at-sea shark fin removal, along with "fins-naturally-attached" decisions in the EU and elsewhere, are based on expert advice that the only way to be sure that sharks have not been finned is to mandate that their fins cannot be removed until after landing. In addition to improving and easing enforcement, this policy facilitates the collection of species-specific catch data, which are vital for population assessment.

Allowing year-round smoothhound shark fin removal under the world's most lenient fin-to-carcass ratio would hamper enforcement and create wiggle room for fishermen to fin smoothhound sharks without detection. Other species of small coastal sharks as well as juveniles of depleted large coastal shark species could also be at risk for undetected finning and unrecorded mortality because of these loopholes.

In addition, relaxing a state finning ban jeopardizes the U.S. reputation and goals as an international champion of the fins-naturally-attached method. The U.S. has supported the end of complicated fin-to-carcass ratios in the EU and elsewhere, and has proposed complete bans on at-sea shark fin removal at international fisheries bodies.

Thank you for your time. Please consider the future of our oceans and the critical role sharks play in keeping them healthy.

Cheers,

Jillian

--
Jillian Morris
Executive Director & Cameraman
Oceanicallstars
www.oceanicallstars.com
www.shark-girl.com

" In the end we will conserve only what we love;we will love only what we understand;and we will understand only what we are taught."

Dream, teach, get active and get involved. Be the change you want to see in the world

Marin Hawk

From: FRANKLIN CHRISTINE [frankie42@ntlworld.com]
ent: Wednesday, March 27, 2013 2:55 PM
o: Comments
Subject: Shark finning

Allowing finning of smoothhound sharks (*Mustelus canis*) in U.S. waters would be a huge step back in U.S. shark fisheries management policy. Please leave out the ammendment to the 2010 Shark Conservation Act so as to prevent this and move forward instead.

C. Franklin)Ms)

Marin Hawk

From: Nick Picha [nickpicha@yahoo.com]
ent: Wednesday, March 27, 2013 4:55 PM
o: Comments

Hello,

I support landing all sharks with fins naturally attached, with no exceptions. I support responsible management, not fin ratio loopholes. I support NO shark finning of any kind or any species anywhere, especially in United States waters.

Nick Picha

Marin Hawk

From: N Nafziger [nikkinashmusic@gmail.com]
Sent: Wednesday, March 27, 2013 4:55 PM
To: Comments
Subject: NO SHARK FINNING! NO EXCEPTIONS!

I am appalled and outraged that you would consider an exception! THAT IS UNACCEPTABLE! NO SHARK FINNING! NO EXCEPTIONS! WHAT PART OF NO DON'T YOU UNDERSTAND?

SHARK FINNING IS IMMORAL AND EVIL AND THE MAJORITY OF PEOPLE ARE OPPOSED TO IT! DO NOT MAKE EXCEPTIONS THAT WEAKEN THE LAW AND DEFEAT THE PURPOSE OF YOUR ORGANIZATION....WHICH IS TO PROTECT, NOT DESTROY!

DON'T ALLOW WEAKENING OF HARD FOUGHT FOR PROTECTIONS! SHARK FINNING IN THE WATER AND ON THE LAND SHOULD BE ILLEGAL FOR ALL SHARKS! IT IS WRONG!

DO THE RIGHT THING AND PROTECT SHARKS, NOT SATANIC KILLERS! (THOSE WHO FIN SHARKS ARE SATANIC KILLERS AS WELL AS THOSE WHO SANCTION THEM)!

--

Sincerely,
Nikki Nafziger
BA Psychology
US Citizen/voter/taxpayer/God Worshipper/Grandma

Marin Hawk

From: SNL [annie@sharksneedlove.co.uk]
Sent: Wednesday, March 27, 2013 5:09 PM
To: Comments
Subject: SharkFin

Good Afternoon,

Firstly I do hope you take the time to open my email.

Secondly I would very much appreciate a reply with your thoughts or feedback.

I personally support landing ALL sharks with fins naturally attached with no exceptions. (No 'Finning' at sea) Please confirm your thoughts on this matter?

Regards,
Annie Anderson

Marin Hawk

From: gr8white14@hotmail.com
Sent: Wednesday, March 27, 2013 5:00 PM
To: Comments
Subject: NO weakening of shark finning policy

To Whom It May Concern:

I am writing to implore you not to weaken your stance on shark finning. Shark finning is one of the most cruel and barbaric practices we humans perpetrate on animals. The animals are not just killed but are finned alive and then thrown back in to suffer a slow painful death. And this is done for a soup ingredient that has no flavor or nutritional value.

As shark populations decline the natural order is thrown out of balance at the loss of these magnificent apex predators. Further more as a shark decomposes it leaches ammonia into the water. One shark dying of natural causes is of no consequence but thousands dying in one area poisons the water and plant life in that area and leaves nothing but a barren area with no life.

Sharks are essential to the ocean's health and a healthy ocean is essential to our planet's health. Keep these amazing animals protected!

Sincerely,
Pam Naylor
Connected by DROID on Verizon Wireless

Marin Hawk

From: sshannon7@comcast.net
ent: Wednesday, March 27, 2013 5:49 PM
o: Comments
Subject: Preventing a Potential Setback in U.S. Atlantic Shark Finning Policy

I personally wish all shark finning or fishing is banned, period. However if any shark finning is to be allowed then at the very least let us follow the "fins-naturally-attached" route which is more humane as the shark is not cut while alive and then just left to die, unable to steer in the ocean. The US must take an ethical stand and lead the way for other countries to follow or at least be among the most civilised countries when it comes to our treatment of marine life.

Sam Shannon

Marin Hawk

From: Emily Darling [esdarling@gmail.com]
Sent: Wednesday, March 27, 2013 5:56 PM
To: Comments
Subject: I support landing all sharks with fins naturally attached

Dear Atlantic States Marine Fisheries Commission,

Thank you for the opportunity to be involved in your decision on upcoming shark fisheries policy. I strongly support action that moves forward rather than backward in the prevention of shark finning. I oppose the proposed 12% fin-to-carcass ratio for smoothhound sharks. I instead support a fins-naturally-attached rule *for all sharks*, or even stronger rules outlawing shark finning practices. To be exceptionally clear, I fully support landing all sharks with fins naturally attached. No exceptions.

Thank you very much,

Emily Darling
@emilysdarling

Emily S. Darling, PhD
Department of Biological Sciences
Simon Fraser University

<http://www.sfu.ca/~edarling>

Marin Hawk

From: Amanda Lindell [alindell12@gmail.com]
Sent: Wednesday, March 27, 2013 8:22 PM
To: Comments
Subject: the proposed 12% fin-to-carcass ratio for smoothhounds

Dear Marin Hawk,

The proposed changes represent a huge step backwards in finning policy at a time when much of the rest of the world is moving toward the clear best practice for finning ban enforcement: requiring that all shark fins stay naturally attached to shark bodies. For example, the European Union (EU), among the top suppliers of shark fins to Asia, has recently changed course from lenient, hard-to-enforce ratios toward complete bans on at-sea removal of shark fins, regardless of species.

The U.S. federal Atlantic ban on at-sea shark fin removal, along with "fins-naturally-attached" decisions in the EU and elsewhere, are based on expert advice that the only way to be sure that sharks have not been finned is to mandate that their fins cannot be removed until after landing. In addition to improving and easing enforcement, this policy facilitates the collection of species-specific catch data, which are vital for population assessment. The ASMFC, however, has not even proposed a fins-naturally-attached policy for smoothhound sharks, or any stronger measures, as options for public comment.

Allowing year-round smoothhound shark fin removal under the world's most lenient fin-to-carcass ratio would hamper enforcement and create wiggle room for fishermen to fin smoothhound sharks without detection. Other species of small coastal sharks as well as juveniles of depleted large coastal shark species could also be at risk for undetected finning and unrecorded mortality because of these loopholes.

In addition, relaxing a state finning ban jeopardizes the U.S. reputation and goals as an international champion of the fins-naturally-attached method. The U.S. has supported the end of complicated fin-to-carcass ratios in the EU and elsewhere, and has proposed complete bans on at-sea shark fin removal at international fisheries bodies.

I urge you to support instead a fins-naturally-attached rule *for all sharks*, or even stronger rules

--

Amanda Lindell
alindell12@gmail.com
(863) 258-3124
<https://twitter.com/#!/alindell12>
<http://www.lindellphotography.com/>

Marin Hawk

From: Catherine Stoddard [crbs@pobox.com]
Sent: Wednesday, March 27, 2013 8:58 PM
To: Comments
Subject: Shark finning

Mr. Hawk,

I recently learned that your organization is considering allowing finning of smoothhound sharks. The practice of shark finning is a practice that needs to be abolished completely. Please do not support shark finning. The practice of shark finning needs to be prohibited in all American coastal waters and we need to protect all species of sharks from being killed from finning. Sharks help maintain balance on our reefs and in our oceans. Please help protect the smoothhound sharks and all sharks by not allowing the shark finning proposal to move forward.

Thank you,

Catherine B. Stoddard
Chattanooga, TN
Certified Scuba Diver

Marin Hawk

From: Doris Adebajo [smiles91alot@yahoo.com]
ent: Wednesday, March 27, 2013 11:00 PM
o: Comments
Subject: US shark finning policy comment

TO Marin Hawk & others making decisions regarding the US' policy:

Move forward, not back backward on the US' shark finning policy. Allowing year-round smoothhound shark fin removal under the world's most lenient fin-to-carcass ratio would hamper enforcement and create wiggle room for fishermen to fin smoothhound sharks without detection. Other species of small coastal sharks as well as juveniles of depleted large coastal shark species could also be adversely affected by undetected finning due to changes in this policy.

thank you
Doris Adebajo

Marin Hawk

From: meadowlark527@gmail.com on behalf of Rebecca Deatsman
[rebecca.deatsman@gmail.com]
Sent: Wednesday, March 27, 2013 9:13 PM
To: Comments
Subject: shark finning policy

As a professional naturalist and environmental educator, I **strongly oppose** the proposed 12% fin-to-carcass ratio for smoothhound sharks. On the contrary, I would support a fins-naturally-attached rule for all sharks. Thank you.

Rebecca Deatsman

--

Rebecca Deatsman
Graduate Fellow in Residential Environmental Education
Conserve School/University of Wisconsin-Stevens Point
<http://rebeccainthewoods.wordpress.com>

Marin Hawk

From: Lisa Fletcher [lfletcher@lawyer.com]
Sent: Thursday, March 28, 2013 12:25 AM
To: Comments
Subject: Oppose 12% fin-carcass ration

Attn:

Marin Hawk
ASMFC
1050 N. Highland St., Suite 200-A-N
Arlington, VA 22201

I respectfully request that the 12% fin-carcass ratio for smoothhound sharks be stricken. This is cruel and highly unethical. Please consider stronger rules, that will not leave these sharks to die after being mutilated.

Respectfully,

Lisa M. Fletcher

Attorney at Law

Sacramento, CA 95828

(916) 346-2064

Marin Hawk

From: Krista [krista@iloveimprint.com]
Sent: Thursday, March 28, 2013 12:40 AM
To: Comments
Subject: do not raise shark fin limits

To whom it may concern,

We now know sharks are being harvested at an unsustainable rate. Are we really going to sit by and let the ecosystems of the worlds oceans collapse because of Asia's desire for shark fin soup?!!
Let's send a message to the rest of the countries that we as a nation are not willing to let that happen. Ban shark finning.

Thanks for your time, Krista Rossmann in Florida

Marin Hawk

From: Nikki Best [nkibst@gmail.com]
Sent: Thursday, March 28, 2013 2:17 AM
To: Comments
Subject: Weakening of shark policy

Dear ASMFC,

I support for moving forward rather than backward in the prevention of shark finning. I oppose the proposed 12% fin-to-carcass ratio for smoothhounds, and support instead a fins-naturally-attached rule *for all sharks*, or even stronger rules! We must protect the top predators of the ocean to ensure a healthy ecosystem from the top down.

Regards,
Nikki Best

Marin Hawk

From: Markus Frank [markus@frknet.co]
Sent: Thursday, March 28, 2013 4:02 AM
To: Comments
Subject: Shark finning - shark catching

I object against any catching of sharks - and any using of caught sharks for their fins.

As a concerned and very active citizen, I request that no delay occur regarding the banning of shark finning. This was a major undertaking by many and a set back would be a slap in the face on our right to petition and effect change. The sharks deserve to be left alone to roam the oceans that they inhabit and own. Humans cannot decide the fate of any animal for our own gain.

Best Regards

Markus Frank

Marin Hawk

From: Karen Wilson [geordie.girl@me.com]
Sent: Thursday, March 28, 2013 6:12 AM
To: Comments
Subject: Shark finning

Please please please don't allow finning to continue its bad enough that sharks in danger of extinction are being unsustainably fished but to slice fins of a still alive animal then throw it back alive where it will slowly die of starvation is barbaric.

If you want sharks for food have the whole shark for food please stop this!!

Karen

Marin Hawk

From: Frederik Endres [fredi-endres@web.de]
Sent: Thursday, March 28, 2013 5:08 AM
To: Comments
Subject: Don't create loopholes for the finning industry!

Dear Marin Hawk,

I read an article about the weakening of the US finning policy for some shark species (smoothhound sharks) and want to ask you not to step backwards!

Sharks are so important for the health of our oceans but at the same time so slowly reproducing and easy to overcatch that they have to be protected stronger and not weaker!

Please think again and don't make it easier to catch sharks and, what is more, please don't create loopholes for shark finning!

Yours,

Frederik Endres

Marin Hawk

From: Laurie McLaughlin [lauriemcl59@yahoo.com]
Sent: Thursday, March 28, 2013 9:13 AM
To: Comments
Subject: shark finning...

Greetings, ASMFC officials

I would like to be on record as requesting that you do not increase the percentage of allowable shark finning (on any species).

Ideally, this unsound, unethical practice should be eliminated. It makes the monitoring of fish stocks much more difficult, if not impossible.

And, as a major player in the world fisheries, the US (and Canada, too!) should lead the way with the most scientific, most long-term sustainable regulations and methods.

Thank you,

Laurie McLaughlin
Montreal
(still a 'voting from abroad' US citizen)

Marin Hawk

From: Ansaldi, Virginia Ani [v.ansaldi@miami.edu]
Sent: Thursday, March 28, 2013 9:14 AM
To: Comments
Subject: Public comment to ASMFC

Please do not amend our restriction on shark finning. Allowing this act on smoothhound sharks would be a huge step back in U.S. shark fisheries management policy. Let's move forward, not backward.

Sincerely,
Virginia Ansaldi

Marin Hawk

From: Mary [baileymary000@yahoo.com]
Sent: Thursday, March 28, 2013 9:44 AM
To: Comments
Subject: Shark Finning

Dear Sir.

Please consider not only regulating finning of smooth hound sharks but to ban all shark finning. This is not only barbaric but ultimately upsets the balance of the wild ocean.

Thank you for your consideration,

Mary Bailey
Maxineanddeedee@gmail.com

Marin Hawk

From: inci mutlu [inci@isiline.it]
Sent: Thursday, March 28, 2013 9:36 AM
To: Comments
Subject: Don't step back on your policy

Dear Marin Hawk,

Your new proposed an amendment that would allow some finning of smoothhound sharks in U.S. waters would be a huge step back in U.S. shark fisheries management policy. Please DON't STEP BACK!

Yours sincerely,

Luca Milano



Atlantic States Marine Fisheries Commission

1050 N. Highland Street • Suite 200A-N • Arlington, VA 22201
703.842.0740 • 703.842.0741 (fax) • www.asmf.org

Coastal Sharks Advisory Panel Meeting Summary

Conference Call
April 29, 2013

Advisory Panel Members: Lewis Gillingham (Chair), Dan Dugan (DE), Ernest Bowden, Jr. (VA), Mark Sampson (MD), Sonja Fordham (Shark Advocates International), Tim Fitzgerald (Environmental Defense Fund), Terry Annibale (SC)

ASMFC Staff: Marin Hawk

The Coastal Shark Advisory Panel (AP) had a conference call to review Draft Addendum II to the Coastal Sharks FMP. The call began with the background and purpose of Draft Addendum II. The various options in the Addendum were then outlined and the AP discussed each issue at length. Below are their recommendations and discussion points.

Issue 1: Smooth Dogfish State-Shares

The AP first discussed whether or not implementing state-shares was the correct choice. They discussed the advantages and disadvantages of state-shares. The advantages included:

- 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

The only disadvantage discussed was the fact that state-shares would lock a state in to one percentage. However, further discussions clarified that under Adaptive Management, the Board could revisit state-shares at any time so this was not as large of an issue. The AP agreed that implementing state-shares was the best choice. Option C (historical landings 1998-2010) was the preferred option because it was the most equitable division of the coastwide quota.

Issue 2: Quota Transfer

The AP did not agree on one option under Issue 2. Some members indicated that allowing transfer would further the management plan's objectives by helping states stay under the coastwide quota. However, other members were against allowing quota transfer at this time because of the lack of stock assessment. These members felt that quota transfers could maximize harvest and in the absence of a scientifically-based quota this was not the best management option at present.

Issue 3: Quota Rollover

Most AP members agreed that Option B with no restrictions on rollovers was not the best management choice. They felt that Option C (5% maximum rollover) was the best option for Issue 3 while others reiterated the position that measures aimed at maximizing catch were not appropriate until after science-based catch limits are in place.

Issue 4: Possession Limits

The AP did not feel strongly about this issue, and did not agree on one option. Board-specific possession limits ensure consistency across the range of smoothhound sharks. However, state-specified possession limits allow states the flexibility to adapt to their market.

Issue 5: Re-Evaluation of State-Shares

The AP did not feel strongly about this issue. Under *Section 4.5.2 Adaptive Management* in the Coastal Sharks FMP, state-shares can be revisited at any time. Because of this, the AP felt this issue was somewhat redundant. They also 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

There was general concern and disagreement over this issue. Most members agreed that the scientific basis for the proposed fin: carcass ratio is insufficient, although the reasons for this varied. Some members indicated that without scientific evidence Draft Addendum II will bring scrutiny and negative attention to this well-intentioned plan. Other members indicated that the 5:95 fin: carcass ratio is not accurate due to the fact that fishermen do not trim the fins neatly, and the ratio is closer to 10 percent. Some members of the AP also felt that changing the maximum fin: carcass ratio before NOAA Fisheries proposes a rule is premature.

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Atlantic States Marine Fisheries Commission

**DRAFT ADDENDUM II TO THE INTERSTATE FISHERY
MANAGEMENT PLAN FOR ATLANTIC COASTAL SHARKS:
SMOOTH DOGFISH STATE SHARES**



ASMFC Vision Statement:

Healthy, self-sustaining populations for all Atlantic coast fish species or successful restoration well in progress by the year 2015.

May 2013

Draft for Final Approval

1.0 Introduction

This Draft Addendum proposes measures that would amend the Atlantic States Marine Fisheries Commission's (ASMFC) Interstate Fishery Management Plan for Atlantic Coastal Sharks (FMP) to establish state shares for smooth dogfish and allow commercial fishermen to process smooth dogfish at sea such that the total weight of smooth dogfish fins landed or found on board a vessel does not exceed 12 percent of the total weight of smooth dogfish carcasses landed or found on board the vessel.

2.0 Management Program

2.1 Statement of the Problem

The purpose of this addendum is to preserve the historical distribution of smooth dogfish (smoothhound shark) landings. The National Marine Fisheries Service (NMFS) Office of Highly Migratory Species Division (HMS) is working to amend the Highly Migratory Species FMP to include measures from the Shark Conservation Act. This will include a smoothhound shark quota. In anticipation of the upcoming federal quota for smooth dogfish, the Spiny Dogfish & Coastal Sharks Management Board (Board) initiated this addendum to consider establishing state shares prior to the federal quota implementation.

2.2 Background

Smooth Dogfish State Shares

Smooth dogfish are included as one of the 40 species managed in the Coastal Sharks FMP. The FMP allows the Board to set possession limits and an annual quota for smooth dogfish for up to five years. Quotas have been implemented for other species as a management strategy following assessment results that indicate a need to reduce harvest. Smooth dogfish have not been assessed and stock status is unknown. In the absence of an assessment that indicates their necessity, the Board has chosen to forego setting a smooth dogfish quota or possession limits in previous years.

Amendment 3 classified smooth dogfish as part of the 'smoothhound complex' which includes two species: smooth dogfish (*Mustelus canis*) and Florida smoothhound (*Mustelis norrisi*). NMFS has indicated that it chose the name smoothhound complex to minimize any confusion with spiny dogfish regulations. It notes that both smooth dogfish and Florida smoothhound are likely the same species and are the only members of the smoothhound family (*Triakidae*) found on the Atlantic coast. All smoothhound complex regulations apply to smooth dogfish.

Coastwide landings peaked in 1994 and 1995, but were around 1 million pounds from 1996 – 2007. Landings increased from 2008-2010, but there was a slight decrease in landings in 2011 (Figure 1 and Table 1).

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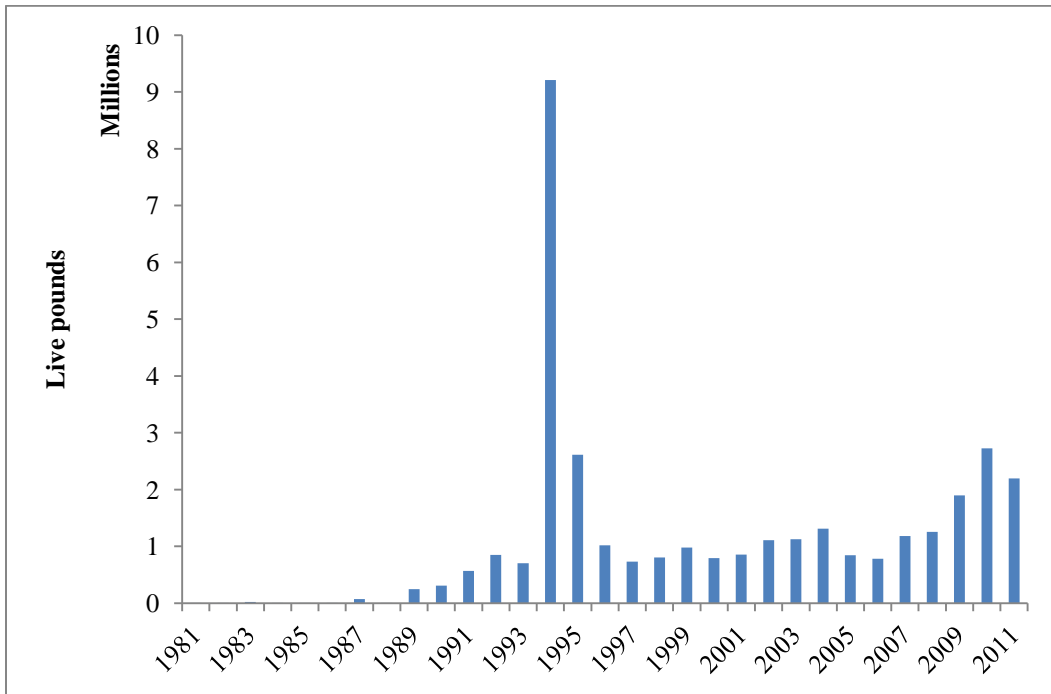


Figure 1. Coastwide smooth dogfish landings 1981 – 2011. Total represents landed weight (not whole or converted weight). Source: ACCSP, 2013.

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Table 1: Smooth Dogfish Coastwide Landings 1981 – 2011. Total represents landed weight (not whole or converted weight). Source: ACCSP, 2013

Year	LW Landings (Pounds)
1981	600
1982	7,500
1983	24,800
1984	1,300
1985	7,800
1986	4,900
1987	71,400
1988	1,600
1989	250,100
1990	310,775
1991	569,567
1992	852,582
1993	701,733
1994	9,210,064
1995	2,612,977
1996	1,019,460
1997	731,935
1998	805,211
1999	978,741
2000	796,764
2001	858,636
2002	1,107,232
2003	1,127,935
2004	1,311,360
2005	845,729
2006	783,013
2007	1,183,894
2008	1,258,081
2009	1,899,471
2010	2,726,677
2011	2,196,081

Due to data confidentiality issues, landings cannot be presented annually by state. A comparison between confidential and non-confidential state smooth dogfish landings showed that non-confidential sources leave out significant amounts of smooth dogfish in many recent years (>800,000 lbs in 2003 & 2004, >600,000 pounds in 2007 & 2008). As such, presenting non-confidential landings would be uninformative and possibly misleading.

Smooth Dogfish Processing at Sea

The Shark Conservation Act of 2010 requires that coastal sharks are landed with fins and tail attached with an exemption for smooth dogfish. Fishermen holding a valid state commercial permit may process smooth dogfish at sea out to 50 miles from shore, as long as the total weight of smooth dogfish fins landed or found on board a vessel does not exceed 12 percent of the total weight of smooth dogfish carcasses landed or found on board.

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Addendum I allows fishermen to process smooth dogfish at sea as follows:

Commercial fishermen may completely remove the fins of smooth dogfish from March through June of each year. If fins are removed, the total wet weight of the shark fins may not exceed 5 percent of the total dressed weight of smooth dogfish carcasses landed or found on board a vessel. This ratio is consistent with the Shark Finning Prohibition Act of 2000.

From July through February for the smooth dogfish fishery only, commercial fishermen may completely remove the head, tail, pectoral fins, pelvic (ventral) fins, anal fin, and second dorsal fin, but must keep the dorsal fin attached naturally to the carcass through landing. Fins may be cut as long as they remain attached to the carcass (by natural means) with at least a small portion of uncut skin. If fins are removed, the total wet weight of the shark fins may not exceed 5 percent of the total dressed weight of smooth dogfish carcasses landed or found on board a vessel.

2.3 Management Options

ISSUE 1. Smooth Dogfish State Shares

This section proposes to establish smooth dogfish state shares. If the Board selects Option B, C, or D it must specify an annual smooth dogfish quota (as specified in *Section 4.3.4 Quota Specification & 4.3.7 Annual Process for Setting Fishery Specifications* of the FMP) for state shares to apply. If the Board opts to forego specifying an annual quota, state shares will not apply. Table 2 presents state percent shares based on Options B, C, & D.

Option A. Status Quo

ASMFC will not establish state shares for smooth dogfish.

Option B. Historical Landings 1998 – 2007

This reference period includes the base years used to calculate the initial smoothhound quota in the Amendment 3 final rule.

Option C. Historical Landings 1998 – 2010

This reference period includes the base years used to calculate the initial smoothhound quota in the Amendment 3 final rule (1998 – 2007) plus the most recent years (2008 – 2010).

Option D. 5-Year Moving Average

This reference period is adjusted annually to include the most recent 5 years of available landings. For example, the 2011 quota shares would be calculated based on the average landings 2006 – 2010; the 2012 quota shares would be based on average landings 2007 – 2011; the 2013 quota shares would be based on 2008 – 2012. Table 3 and Figure 2 show quota percentages based on a 5-year moving average 2007 – 2011.

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Table 2. State percent shares based on Option B, C, & D. Calculated with confidential dealer reports using live pounds. Corrections made on May 16, 2013. Source: ACCSP Data Warehouse, 2013.

	<i>Historical</i>		<i>5-Year Moving Average</i>
	Option B 1998 - 2007	Option C. 1998 - 2010	Option D. 2007 - 2011
ME	0.00%	0.02%	0.03%
MA	0.68%	0.43%	0.36%
RI	0.91%	1.36%	1.70%
CT	0.21%	0.23%	0.19%
NY	7.71%	7.95%	8.82%
NJ	17.08%	18.83%	21.43%
DE	0.03%	0.34%	0.62%
MD	5.27%	6.70%	9.80%
VA	40.66%	34.80%	25.91%
NC	26.64%	28.58%	30.58%
SC	0.81%	0.74%	0.55%

Table 3. Five-year moving average quotas 2008 – 2012. Source: ACCSP Data Warehouse, 2013.

Quota Year	2008	2009	2010	2011	2012
Average	2003-2007	2004-2008	2005-2009	2006-2010	2007-2011
ME	0.00%	0.06%	0.05%	0.04%	0.03%
MA	1.23%	1.20%	1.07%	0.65%	0.36%
RI	0.61%	0.67%	1.46%	1.79%	1.70%
CT	0.31%	0.33%	0.37%	0.27%	0.19%
NY	9.38%	9.03%	8.95%	8.74%	8.82%
NJ	9.01%	10.35%	13.02%	18.08%	21.43%
DE	0.03%	0.03%	0.57%	0.65%	0.62%
MD	1.01%	1.01%	5.63%	7.09%	9.80%
VA	49.18%	44.35%	33.75%	29.94%	25.91%
NC	28.31%	31.97%	33.93%	32.05%	30.58%
SC	0.93%	0.99%	1.19%	0.71%	0.55%

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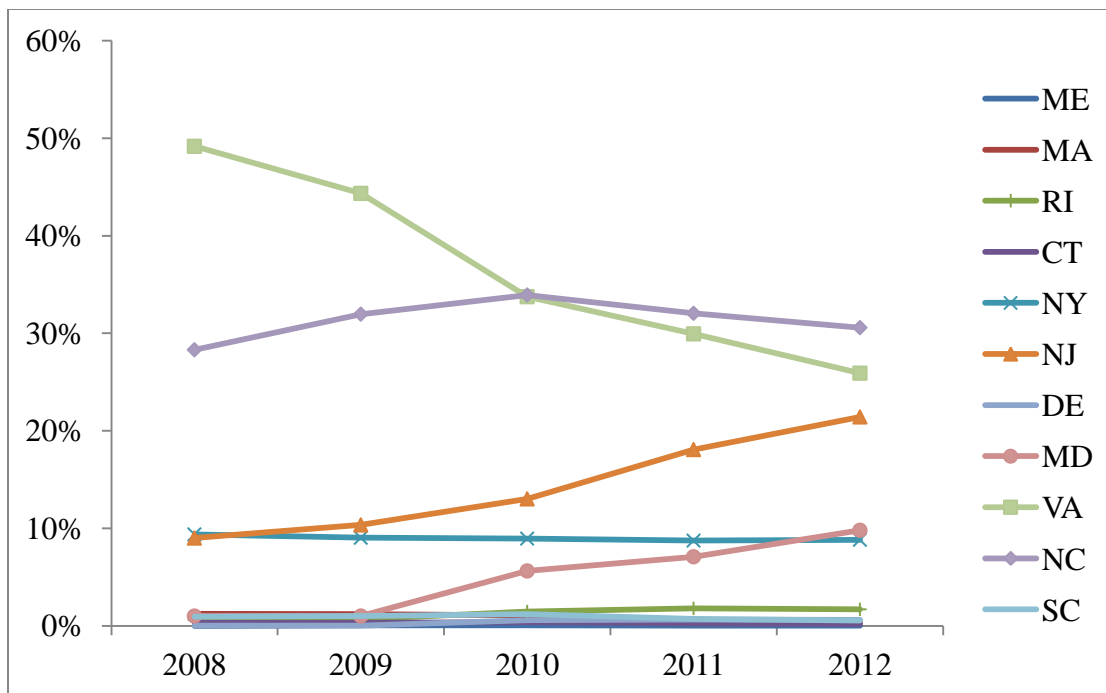


Figure 2. Potential quotas under a 5-year moving average quota system. Source: ACCSP Data Warehouse, 2013.

ISSUE 2. State Quota Transfer

The following options apply only if the Board implements state shares under Issue 1.

Option A: No Transfer of Quotas

States may not transfer quota under this option.

Option B: Allow Transfer of Quotas

Two or more states, under mutual agreement, could transfer or combine their smooth dogfish quota. These transfers would not permanently affect the state-specific shares of the coastwide quota, i.e. the state-specific shares would remain fixed. States would have the responsibility for closing the smooth dogfish commercial fishery in their state once the quota has been reached. The Executive Director or designated ASMFC staff will review all transfer requests before the quota transfer is finalized. Such agreements for state-by-state transfer of quota should be forwarded to the Board through Commission staff.

Once quota has been transferred to a state, the state receiving quota becomes responsible for any overages of transferred quota. That is, the amount over the final quota (the state's quota plus any quota transferred to the state) for a state will be deducted from the corresponding state's quota the following fishing season.

ISSUE 3. Quota Rollovers

The following options apply only if the Board implements state shares under Issue 1.

This section proposes measures to address rollovers under a state shares quota allocation

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system. Rollovers would result in an increase in the following year's annual quota.

The Board may select one or more of the following options.

Option A: Status Quo. State Quotas May Not Be Rolled Over

A state may not rollover any of its unused quota from one fishing year to the next.

Option B: Rollover of State Quota

A state may rollover any unused quota from its allocation under *Issue 1 State Shares* from one fishing year to the next. This option specifies that transferred quota may not be rolled over.

Option C: Maximum 5% Quota Rollover

The maximum total rollover may not exceed 5% of a states allocation for the fishing year in which the under harvest occurred.

ISSUE 4. Possession Limits

The following options apply only if the Board implements state shares under Issue 1.

Option A. Board specified possession limits

The Board will continue to set a maximum possession limit that states may not exceed.

Option B. State Specified Possession Limits

A state may set possession limits as best meets that state's individual needs.

ISSUE 5. Three-year re-evaluation of state shares.

The following options apply only if the Board implements state shares under Issue 1. Reevaluating smooth dogfish state share allows the Board to modify allocations to best meet the states' future needs and respond to any assessment information that may become available.

The re-evaluation process would allow the Board to modify state shares based on changes in the fishery or the development of a smooth dogfish assessment.

Option A. No Three-Year Reevaluation

Option B. Three-year Reevaluation of State Shares

By default, the measures in this Addendum will expire after three years of implementation, unless the Board votes to extend them for a time certain or make them permanent. Under this option, the Board will review the performance of the fishery under this Addendum and can extend the provisions through Board action. If the Board wants to modify the provisions of this Addendum, a new addendum can be initiated.

ISSUE 6. Smooth Dogfish Commercial Processing At Sea

This section proposes to increase the maximum fin to carcass ratio for commercial smooth dogfish fishermen.

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Option A. Status Quo. Commercial fishermen may remove all fins from March through June of each year. If fins are removed, the total wet weight of the shark fins may not exceed 5 percent of the total dressed weight of the smooth dogfish carcasses landed or found on board a vessel. For the remainder of the year, the dorsal fin must remain naturally attached to the carcass through landing.

Option B. Measures Consistent with Shark Conservation Act. Commercial fishermen may remove all smooth dogfish fins. If fins are removed, the total wet weight of the shark fins may not exceed 12 percent of the total dressed weight of smooth dogfish carcasses landed or found on board a vessel.

3.0 Compliance Schedule

If approved, states must implement Addendum II according to the following schedule to be in compliance with the Coastal Sharks FMP:

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

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

XXXXXX: States implement regulations.

present information and opinions to EPA concerning our proposal. Interested parties may also submit written comments, as discussed in the proposal. Written statements and supporting information submitted during the comment period will be considered with the same weight as any oral comments and supporting information presented at the public hearings. We will not respond to comments during the public hearings. When we publish our final action, we will provide written responses to all oral and written comments received on our proposal.

At the public hearings, the hearing officer may limit the time available for each commenter to address the proposal to five minutes or less if the hearing officer determines it to be appropriate. The limitation is to ensure that everyone who wants to make comments has the opportunity to do so. We will not be providing equipment for commenters to show overhead slides or make computerized slide presentations. Any person may provide written or oral comments and data pertaining to our proposal at the public hearings. Verbatim transcripts, in English, of the hearings and written statements will be included in the rulemaking docket.

List of Subjects in 40 CFR Part 52

Environmental protection, Air pollution control, Incorporation by reference, Intergovernmental relations, Ozone, Particulate matter, Reporting and recordkeeping requirements, Volatile organic compounds.

Dated: April 12, 2013.

Howard M. Cantor,

Acting Regional Administrator, Region 8.

[FR Doc. 2013-09949 Filed 4-25-13; 8:45 am]

BILLING CODE 6560-50-P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Parts 223 and 224

[Docket No. 130213133-3133-01]

RIN 0648-XC508

Endangered and Threatened Wildlife; 90-Day Finding on Petitions To List the Great Hammerhead Shark as Threatened or Endangered Under the Endangered Species Act

AGENCY: National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

ACTION: 90-day petition finding, request for information, and initiation of status review.

SUMMARY: We, NMFS, announce a 90-day finding on two petitions to list the great hammerhead shark (*Sphyrna mokarran*) range-wide or, in the alternative, the Northwest Atlantic distinct population segment (DPS) or any other identified DPSs as threatened or endangered under the Endangered Species Act (ESA), and to designate critical habitat. We find that the petitions and information in our files present substantial scientific or commercial information indicating that the petitioned action may be warranted. We will conduct a status review of the species to determine if the petitioned action is warranted. To ensure that the status review is comprehensive, we are soliciting scientific and commercial information pertaining to this species from any interested party.

DATES: Information and comments on the subject action must be received by June 25, 2013.

ADDRESSES: You may submit comments, information, or data on this document, identified by the code NOAA-NMFS-2013-0046, by any of the following methods:

- **Electronic Submissions:** Submit all electronic comments via the Federal eRulemaking Portal. Go to www.regulations.gov/#/docketDetail;D=NOAA-NMFS-2013-0046, click the "Comment Now!" icon, complete the required fields, and enter or attach your comments.

- **Mail:** Submit written comments to Office of Protected Resources, NMFS, 1315 East-West Highway, Silver Spring, MD 20910.

- **Fax:** 301-713-4060, Attn: Maggie Miller.

Instructions: Comments sent by any other method, to any other address or individual, or received after the end of the comment period, may not be considered by NMFS. All comments received are a part of the public record and will generally be posted for public viewing on www.regulations.gov without change. All personal identifying information (e.g., name, address, etc.), confidential business information, or otherwise sensitive information submitted voluntarily by the sender will be publicly accessible. NMFS will accept anonymous comments (enter "N/A" in the required fields if you wish to remain anonymous). Attachments to electronic comments will be accepted in Microsoft Word, Excel, or Adobe PDF file formats only.

FOR FURTHER INFORMATION CONTACT: Maggie Miller, NMFS, Office of Protected Resources, (301) 427-8403.

SUPPLEMENTARY INFORMATION:

Background

On December 21, 2012, we received a petition from WildEarth Guardians (WEG) to list the great hammerhead shark (*Sphyrna mokarran*) as threatened or endangered under the ESA throughout its entire range, or, as an alternative, to list any identified DPSs as threatened or endangered. The petitioners also requested that critical habitat be designated for the great hammerhead under the ESA. On March 19, 2013, we received a petition from Natural Resources Defense Council (NRDC) to list the northwest Atlantic DPS of great hammerhead shark as threatened, or, as an alternative, to list the great hammerhead shark range-wide as threatened, and to designate critical habitat. The joint U.S. Fish and Wildlife Service (USFWS)/NMFS *Endangered Species Act Petition Management Guidance* (1996) states that if we receive two petitions for the same species, the requests only differ in the requested status of the species, and a 90-day finding has not yet been made on the earlier petition, then the later petition will be combined with the earlier petition and a combined 90-day finding will be prepared. Since the initial petition requested listing of the species as threatened or endangered and the second petition only requested a threatened listing, and a finding has not been made on the initial petition, we have combined the WEG and NRDC petitions and this 90-day finding will address both. Copies of the petitions are available upon request (see **ADDRESSES**, above).

ESA Statutory, Regulatory, and Policy Provisions and Evaluation Framework

Section 4(b)(3)(A) of the ESA of 1973, as amended (16 U.S.C. 1531 *et seq.*), requires, to the maximum extent practicable, that within 90 days of receipt of a petition to list a species as threatened or endangered, the Secretary of Commerce make a finding on whether that petition presents substantial scientific or commercial information indicating that the petitioned action may be warranted, and to promptly publish such finding in the **Federal Register** (16 U.S.C. 1533(b)(3)(A)). When it is found that substantial scientific or commercial information in a petition indicates that the petitioned action may be warranted (a "positive 90-day finding"), we are required to promptly commence a review of the status of the species concerned during which we will

conduct a comprehensive review of the best available scientific and commercial information. In such cases, we conclude the review with a finding as to whether, in fact, the petitioned action is warranted within 12 months of receipt of the petition. Because the finding at the 12-month stage is based on a more thorough review of the available information, as compared to the narrow scope of review at the 90-day stage, a finding that the “petition presents substantial scientific or commercial information that the action may be warranted” at this point does not predetermine the outcome of the status review.

Under the ESA, a listing determination may address a species, which is defined to also include subspecies and, for any vertebrate species, any DPS that interbreeds when mature (16 U.S.C. 1532(16)). A joint NMFS–USFWS (jointly, “the Services”) policy (DPS Policy) clarifies the agencies’ interpretation of the phrase “distinct population segment” for the purposes of listing, delisting, and reclassifying a species under the ESA (61 FR 4722; February 7, 1996). A species, subspecies, or DPS is “endangered” if it is in danger of extinction throughout all or a significant portion of its range, and “threatened” if it is likely to become endangered within the foreseeable future throughout all or a significant portion of its range (ESA sections 3(6) and 3(20), respectively, 16 U.S.C. 1532(6) and (20)). Pursuant to the ESA and our implementing regulations, we determine whether species are threatened or endangered based on any one or a combination of the following five section 4(a)(1) factors: (1) The present or threatened destruction, modification, or curtailment of habitat or range; (2) overutilization for commercial, recreational, scientific, or educational purposes; (3) disease or predation; (4) inadequacy of existing regulatory mechanisms; and (5) any other natural or manmade factors affecting the species’ existence (16 U.S.C. 1533(a)(1), 50 CFR 424.11(c)).

ESA-implementing regulations issued jointly by the Services (50 CFR 424.14(b)) define “substantial information” in the context of reviewing a petition to list, delist, or reclassify a species as the amount of information that would lead a reasonable person to believe that the measure proposed in the petition may be warranted. In evaluating whether substantial information is contained in a petition, the Secretary must consider whether the petition: (1) Clearly indicates the administrative measure recommended and gives the scientific and any common name of the

species involved; (2) contains detailed narrative justification for the recommended measure, describing, based on available information, past and present numbers and distribution of the species involved and any threats faced by the species; (3) provides information regarding the status of the species over all or a significant portion of its range; and (4) is accompanied by the appropriate supporting documentation in the form of bibliographic references, reprints of pertinent publications, copies of reports or letters from authorities, and maps (50 CFR 424.14(b)(2)).

Judicial decisions have clarified the appropriate scope and limitations of the Services’ review of petitions at the 90-day finding stage, in making a determination that a petition presents substantial information indicating the petitioned action “may be” warranted. As a general matter, these decisions hold that a petition need not establish a “strong likelihood” or a “high probability” that a species is either threatened or endangered to support a positive 90-day finding.

We evaluate the petitioners’ request based upon the information in the petition including its references and the information readily available in our files. We do not conduct additional research, and we do not solicit information from parties outside the agency to help us in evaluating the petition. We will accept the petitioners’ sources and characterizations of the information presented if they appear to be based on accepted scientific principles, unless we have specific information in our files that indicates the petition’s information is incorrect, unreliable, obsolete, or otherwise irrelevant to the requested action. Information that is susceptible to more than one interpretation or that is contradicted by other available information will not be dismissed at the 90-day finding stage, so long as it is reliable and a reasonable person would conclude it supports the petitioners’ assertions. In other words, conclusive information indicating that the species may meet the ESA’s requirements for listing is not required to make a positive 90-day finding. We will not conclude that a lack of specific information alone negates a positive 90-day finding if a reasonable person would conclude that the unknown information itself suggests an extinction risk of concern for the species at issue.

To make a 90-day finding on a petition to list a species, we evaluate whether the petition presents substantial scientific or commercial information indicating that the subject

species may be either threatened or endangered, as defined by the ESA. First, we evaluate whether the information presented in the petition, along with the information readily available in our files, indicates that the petitioned entity constitutes a “species” eligible for listing under the ESA. Next, we evaluate whether the information indicates that the species faces an extinction risk that is cause for concern; this may be indicated in information expressly discussing the species’ status and trends, or in information describing impacts and threats to the species. We evaluate any information on specific demographic factors pertinent to evaluating extinction risk for the species (e.g., population abundance and trends, productivity, spatial structure, age structure, sex ratio, diversity, current and historical range, habitat integrity or fragmentation), and the potential contribution of identified demographic risks to extinction risk for the species. We then evaluate the potential links between these demographic risks and the causative impacts and threats identified in section 4(a)(1).

Information presented on impacts or threats should be specific to the species and should reasonably suggest that one or more of these factors may be operative threats that act or have acted on the species to the point that it may warrant protection under the ESA. Broad statements about generalized threats to the species, or identification of factors that could negatively impact a species, do not constitute substantial information indicating that listing may be warranted. We look for information indicating that not only is the particular species exposed to a factor, but that the species may be responding in a negative fashion; then we assess the potential significance of that negative response.

Many petitions identify risk classifications made by non-governmental organizations, such as the International Union on the Conservation of Nature (IUCN), the American Fisheries Society, or NatureServe, as evidence of extinction risk for a species. Risk classifications by other organizations or made under other Federal or state statutes may be informative, but such classification alone may not provide the rationale for a positive 90-day finding under the ESA. For example, as explained by NatureServe, their assessments of a species’ conservation status do “not constitute a recommendation by NatureServe for listing under the U.S. Endangered Species Act” because NatureServe assessments “have different criteria, evidence requirements, purposes and taxonomic

coverage than government lists of endangered and threatened species, and therefore these two types of lists should not be expected to coincide" (<http://www.natureserve.org/prodServices/statusAssessment.jsp>). Thus, when a petition cites such classifications, we will evaluate the source of information that the classification is based upon in light of the standards on extinction risk and impacts or threats discussed above.

Distribution and Life History of the Great Hammerhead Shark

The great hammerhead shark is a circumtropical species that lives in coastal-pelagic and semi-oceanic waters from latitudes of 40° N to 35° S (Compagno, 1984; Denham *et al.*, 2007). It occurs over continental shelves as well as adjacent deep waters, and may also be found in coral reefs and lagoons (Compagno, 1984; Denham *et al.*, 2007; Bester, n.d.). Great hammerhead sharks are highly mobile and seasonally migratory (Compagno, 1984; Denham *et al.*, 2007; Hammerschlag *et al.*, 2011; Bester, n.d.). In the western Atlantic Ocean, the great hammerhead range extends from Massachusetts (although the species is rare north of North Carolina), in the United States, to Uruguay, including the Gulf of Mexico and Caribbean Sea. In the eastern Atlantic, it can be found from Morocco to Senegal, including in the Mediterranean Sea. The great hammerhead shark can also be found throughout the Indian Ocean and the Red Sea and in the Indo-Pacific region from Ryukyu Island south to New Caledonia and east to French Polynesia (Bester, n.d.). Distribution in the eastern Pacific Ocean extends from southern Baja California, including the Gulf of California, to Peru (Compagno, 1984).

The general life history pattern of the great hammerhead shark is that of a long lived (oldest observed maximum age = 44 years; Piercy *et al.*, 2010), large, and relatively slow growing species. The great hammerhead shark has a laterally expanded head that resembles a hammer, hence the common name "hammerhead," and belongs to the Sphyrnidae family. The great hammerhead shark is the largest of the hammerheads, characterized by a nearly straight anterior margin of the head and median indentation in the center in adults, strongly serrated teeth, strongly falcate first dorsal and pelvic fins, and a high second dorsal fin with a concave rear margin (Compagno, 1984; Bester, n.d.). The body of the great hammerhead is fusiform, with the dorsal side colored dark brown to light grey or olive that shades to white on the ventral side (Compagno, 1984; Bester, n.d.). Fins of

adult great hammerheads are uniform in color, while the tip of the second dorsal fin of juveniles may appear dusky (Bester, n.d.).

The oldest aged great hammerhead sharks had lengths of 398 cm total length (TL) (female—44 years) and 379 cm TL (male—42 years) (Piercy *et al.*, 2010), but they can reach lengths of over 610 cm TL (Compagno, 1984). However, individuals greater than 400 cm TL are rare (Compagno, 1984; Stevens and Lyle 1989), which Piercy *et al.* (2010) suggest may be attributed to growth overfishing. Estimates for size at maturity range from 234 to 269 cm TL for males and 210 to 300 cm TL for females (Compagno, 1984; Stevens and Lyle 1989). Male great hammerhead sharks have also been shown to grow faster than females (with a growth coefficient, *k*, of 0.16/year for males and 0.11/year for females) but reach a smaller asymptotic size (335 cm TL for males versus 389 cm TL for females) (Piercy *et al.*, 2010).

The great hammerhead shark is viviparous (i.e., give birth to live young), with a gestation period of 10–11 months, and likely breeds every other year (Stevens and Lyle, 1989). Litter sizes range from 6 to 42 live pups (Compagno, 1984; Stevens and Lyle, 1989). Length at birth estimates for great hammerheads range from 50–70 cm TL (Compagno, 1984; Stevens and Lyle, 1989).

The great hammerhead shark is a high trophic level predator (Cortés, 1999) and opportunistic feeder, with a diet that includes a wide variety of teleosts, cephalopods, and crustaceans, with a preference for stingrays (Compagno, 1984; Denham *et al.*, 2007).

Analysis of Petition and Information Readily Available in NMFS Files

We evaluated the information provided in the petition and readily available in our files to determine if the petitions presented substantial scientific or commercial information indicating that the petitioned actions may be warranted. The petitions contain information on the species, including the taxonomy, species description, geographic distribution, and habitat, with some information on population status and trends in certain locations, and factors contributing to the species' decline. The petitions state that commercial fishing, both targeted and bycatch, is the primary threat to the great hammerhead shark. The petitioners also assert that current habitat destruction, deposition of pollutants, lack of adequate regulatory mechanisms nationally and worldwide, global climate warming, as well the species' biological constraints, increase

the susceptibility of the great hammerhead shark to extinction.

According to the WEG petition, all five causal factors in section 4(a)(1) of the ESA are adversely affecting the continued existence of the great hammerhead shark: (A) The present or threatened destruction, modification, or curtailment of its habitat or range; (B) overutilization for commercial, recreational, scientific, or educational purposes; (C) disease or predation; (D) inadequacy of existing regulatory mechanisms; and (E) other natural or manmade factors affecting its continued existence. The focus of the NRDC petition is mainly on the northwest Atlantic population and it identified the threats of: (B) overutilization for commercial, recreational, scientific, or educational purposes; (D) inadequacy of existing regulatory mechanisms; and (E) other natural or manmade factors affecting its continued existence. In the following sections, we use the information presented in the petition and in our files to determine whether the petitioned action may be warranted. If requested to list a global population and, alternatively, a DPS, we first determine if the petition presents substantial information that the petitioned action is warranted for the global population. If it does, then we make a positive finding on the petition and will revisit the question of DPSs during a status review, if necessary. If the petition does not present substantial information that the global population may warrant listing, and it has requested that we list any populations of the species as threatened or endangered, then we consider whether the petition provides substantial information that the requested population(s) may qualify as DPSs under the discreteness and significance criteria of our joint DPS Policy, and if listing any of those DPSs may be warranted. We summarize our analysis and conclusions regarding the information presented by the petitioners and in our files on the specific ESA section 4(a)(1) factors that we find may be affecting the species' risk of global extinction below.

Overutilization for Commercial, Recreational, Scientific, or Educational Purposes

Information from the petitions and in our files suggests that the primary threat to the great hammerhead shark is from fisheries. Great hammerhead sharks are both targeted and taken as bycatch in many global fisheries (e.g., bottom and pelagic longlines, coastal gillnet fisheries, artisanal fisheries). Because of their large fins with high fin needle

content (a gelatinous product used to make shark fin soup), hammerheads fetch a high commercial value in the Asian shark fin trade (Abercrombie *et al.*, 2005). However, the WEG petition overstates the contribution of great hammerheads in the Hong Kong fin trade market by presenting information on the trade of scalloped, smooth, and great hammerhead fins together. According to a genetic study that examined the concordance between assigned Hong Kong market categories and the corresponding fins, the great hammerhead market category “Gu pian” had an 88 percent concordance rate, indicating that traders are able to accurately identify and separate great hammerhead fins from the other hammerhead species (Abercrombie *et al.*, 2005; Clarke *et al.*, 2006a). As such, here we provide the information on a finer scale level (down to the species level) to evaluate the extent that the fin trade may contribute to the overutilization of the great hammerhead shark. According to Clarke *et al.* (2006a), *S. mokarran* is estimated to comprise approximately 1.5 percent of the total fins traded annually in the Hong Kong fin market. As mentioned above, great hammerhead fins are primarily traded under the “Gu pian” market category, where the market value for the average, wholesale, unprocessed fin is around \$135/kg, the most for any of the hammerhead fins (Abercrombie *et al.*, 2005). Extrapolating the fin data to numbers of sharks, Clarke *et al.* (2006b) estimates that around 375,000 (95 percent confidence interval = 130,000–1.1 million) individuals of this species (equivalent to a biomass of around 21,000 metric tons, (mt)) are traded annually in the Hong Kong fin market. Given their high price in the Hong Kong market, there is concern that many great hammerheads caught as incidental catch may be kept for the fin trade as opposed to released alive.

In the United States, great hammerhead sharks are mainly caught as bycatch in commercial longline and net fisheries and by recreational fishers using rod and reel. A recent stock assessment by Jiao *et al.* (2011) used a Bayesian hierarchical approach to assess the data-poor hammerhead species and found that the northwestern Atlantic and Gulf of Mexico great hammerhead population likely became overfished in the mid-1980s and experienced overfishing periodically from 1983 to 1997. However, after 2001, the models showed that the risk of overfishing was very low and that this population is probably still overfished but no longer experiencing overfishing (Jiao *et al.*,

2011), likely a result of the implementation of stronger fishery management regulations since the early 1990s. Under the Magnuson-Stevens Fishery Conservation and Management Act (MSA), the term “overfishing” is defined as occurring when a stock experiences “a level of fishing mortality that jeopardizes the capacity of a stock or stock complex to produce MSY [maximum sustainable yield] on a continuing basis” (50 CFR 600.310). An “overfished” stock is defined as a stock whose biomass has declined below a level that jeopardizes the capacity of the stock to produce MSY on a continuing basis (50 CFR 600.310). However, it is important to note that these MSA classifications are based on different criteria (i.e., achieving MSY) than threatened or endangered statuses under the ESA. As such, “overfished” and “overfishing” classifications do not necessarily indicate that a species may warrant listing because they do not evaluate a species’ extinction risk. However, they are relevant considerations for us to consider when we evaluate potential threats to the species from overutilization for commercial or recreational purposes.

In Central America and the Caribbean, there are very little data on great hammerhead catches. The WEG petition references Denham *et al.* (2007) which states that hammerheads were heavily fished by longlines off the coast of Belize in the 1980s and early 1990s, leading to an observed decline in the abundance and size of hammerheads and prompting a halt in the Belize-based shark fishery. Fishing pressure on hammerheads still continues as a result of Guatemalan fishermen entering Belizean waters (Denham *et al.*, 2007). However, catch records from the Cuban directed shark fishery show a small increase in the mean size of great hammerheads since 1992, suggesting partial recovery of the species in this region (Denham *et al.* 2007).

The WEG petition also references a study (Ferretti *et al.*, 2008) that indicated that the population of smooth, scalloped, and great hammerheads in the Mediterranean Sea has experienced a greater than 99 percent decline in abundance and biomass; however, the authors of this study note that only *Sphyrna zygaena* (smooth hammerhead) was assessed because the other hammerhead species occurred only sporadically in historical records. As such, this is not an appropriate index of the abundance of the other hammerhead species in the Mediterranean Sea and does not indicate overutilization of the great hammerhead shark in this region.

In the Eastern Atlantic, off West Africa, the WEG petition states that the “great hammerhead population is believed to have fallen 80 percent as a result of unmanaged and unmonitored fisheries,” but we could not verify the original source of this statistic. Data from the European pelagic freezer-trawler fishery that operates off Mauritania shows hammerhead species, including *S. mokarran*, constitute a significant component of the fishery’s bycatch. Between 2001 and 2005, 42 percent of the retained pelagic megafauna bycatch from over 1,400 freezer-trawl sets consisted of hammerhead species, with around 75 percent of the hammerhead catch juveniles of 0.50–1.40 m in length (Zeeberg *et al.*, 2006). According to Denham *et al.* (2007), the sub-regional plan of action for sharks of West Africa identified *S. mokarran* as particularly threatened in the region, with a noticeable decline in the population and collapse of landings. Citing unpublished data and anecdotal evidence, Denham *et al.* (2007) suggests that *S. mokarran* is “almost extirpated” from waters off Mauritania to Angola after previously being abundant in these areas in the early 1980s. The growth of fisheries targeting sharks in this region for the lucrative fin trade has likely contributed to the great hammerhead decline. By the 1980s, many fishers were specializing in catching sharks (Denham *et al.*, 2007), with some artisanal fisheries in West Africa specifically specializing in catching sphyrid species (CITES, 2010).

In the Indian Ocean, pelagic sharks, including the great hammerhead, are targeted in various fisheries, including semi-industrial, artisanal, and recreational fisheries. Countries that fish for sharks include: Egypt, India, Iran, Oman, Saudi Arabia, Sudan, United Arab Emirates, and Yemen, where the probable or actual status of shark populations is unknown, and Maldives, Kenya, Mauritius, Seychelles, South Africa, and United Republic of Tanzania, where the actual status of shark population is presumed to be fully to overexploited (de Young, 2006). Analysis of fishery-independent data from the KwaZulu-Natal beach protection program off South Africa revealed declines in the catch rates of *S. mokarran* since the late 1970s. Specifically, from 1978–2003, annual catch per unit effort (CPUE; in number of sharks per km net year) of *S. mokarran* declined by 79 percent, from 0.44 to 0.09 (Dudley and Simpfendorfer, 2006). The results were statistically significant, with the slope of the linear

regression = -0.014 , and the majority of the catch (greater than 64 percent) being immature great hammerhead sharks (Dudley and Simpfendorfer, 2006).

In Australian waters, sharks are caught by commercial, recreational and traditional fishers as targeted catch, retained catch, and bycatch. Almost all sharks landed in Australia are used for domestic consumption. According to Bensley *et al.* (2010), the annual commercial Australian shark catch from 1996 to 2006 ranged from about 8,600 mt to 11,500 mt; however, the reporting of catch weights varied due to the state of processing (e.g., whole weight, processed weight, landed weight, etc.). Data from protective shark meshing programs off beaches in New South Wales (NSW) and Queensland suggest declines in hammerhead populations off the east coast of Australia. Over a 35-year period, the number of hammerheads caught per year in NSW beach nets decreased by more than 90 percent, from over 300 individuals in 1973 to less than 30 in 2008, although the majority of the hammerhead catch was likely *S. zygaena* (Williamson, 2011). Similarly, data from the Queensland shark control program indicate declines of around 79 percent in hammerhead shark abundance between 1986 and 2010 (although it was estimated that *S. lewini* made up the majority of this catch) (Queensland Department of Employment, Economic Development and Innovation (QLD DEEDI), 2011). *S. mokarran* abundance in the nets fluctuated over the years, but remained below 20 individuals per year, until 2008/2009 when a peak of 33 individuals was caught in the net (QLD DEEDI, 2011). Abundance has since declined by around 48 percent to 17 individuals in 2011/2012 (QLD DEEDI, 2011). In Australia's northwest marine region, Heupel and McAuley (2007) analyzed CPUE data from the northern shark fisheries for the period of 1996–2005 and reported hammerhead abundance declines of 58–76 percent.

Given the value and contribution of great hammerhead fins in the international fin trade and the evidence of historical and current fishing pressure and subsequent population declines, we conclude that the information in the petitions and in our files suggests that global fisheries are impacting great hammerhead shark populations to a degree that raises concerns of a risk of extinction.

Inadequacy of Existing Regulatory Mechanisms

The petitions assert that the existing international and domestic management measures of several nations have failed

to adequately protect the great hammerhead or stop ongoing population declines and present information on some of the current national and international shark regulations. Although the WEG petition mentions the International Convention for the Conservation of Atlantic Tunas (ICCAT) Recommendation 10–08, prohibiting the retention, transshipment, landing, storing, or offering for sale any part or carcass of hammerhead sharks of the family Sphyrnidae (except for bonnethead shark), the petition states that “these are merely recommendations and do not do enough to bind the relevant actors.” On the contrary, the “relevant actors,” of which we assume the petitioner is referring to ICCAT Contracting Parties, are bound to implement management measures consistent with achieving ICCAT recommendations under Article VIII of the ICCAT Convention. On August 29, 2011, we finalized the implementation of Recommendation 10–08 through passage of a final rule that prohibits the retention, possession, transshipment, landing, storing, selling or purchasing of oceanic whitetip sharks or scalloped, smooth, or great hammerheads by U.S. commercial highly migratory species (HMS) pelagic longline fishery and recreational fisheries for tunas, swordfish, and billfish in the Atlantic Ocean, including the Caribbean Sea and Gulf of Mexico (76 FR 53652; August 29, 2011). However, the exemption available to developing coastal States in this ICCAT recommendation, which allows them to retain hammerhead sharks for local consumption as long as no hammerhead parts enter international trade, is troubling. As this exception provides a lesser degree of protection for hammerhead sharks in some developing coastal States, it may be a cause for concern for great hammerhead populations in the Atlantic Ocean.

In addition, the petitions note that there is limited international management of the great hammerhead shark, which is generally allowed to be harvested outside of U.S. waters and ICCAT fisheries. The other regional fishery management organizations (RFMOs) do not have any species-specific regulations for great hammerhead sharks, but have addressed the controversial practice of shark finning (which involves harvesting sharks, severing their fins and returning their remaining carcasses to the sea) by adopting shark finning bans to reduce the number of sharks killed solely for their fins. However, as the WEG petition points out, these finning bans are

enforced by monitoring the fin-to-carcass weight ratio, with this ratio set at 5 percent (i.e., onboard fins cannot weigh more than 5 percent of the weight of sharks onboard, up to the first point of landing). In a study that looked at species-specific shark-fin-to-body-mass ratios, the great hammerhead shark had an average wet-fin-to-round-mass ratio of 1.96 percent (Biery and Pauly, 2012), much lower than the designated 5 percent. These results suggest that fishers of great hammerhead sharks would be able to land more fins than bodies and still pass inspection, essentially allowing them to continue the wasteful practice of shark finning at sea in these RFMO convention areas.

Domestic laws and regulations for other nations may also be lacking in certain areas of the great hammerhead range. For example, in Central America and the Caribbean, Kyne *et al.* (2012) notes that due in large part to the number of autonomous countries found in this region, the management of shark species remains largely disjointed, with some countries lacking basic fisheries regulations, and weak enforcement of those they do have. Off West Africa, weak fisheries management has led to many of their fish stocks being declared fully exploited or overexploited (FAO, 2012). Environmental Justice Foundation (EJF) (2012) notes that even countries with stricter fishing regulations in this region lack the resources to provide effective or, for that matter, any enforcement, with some countries lacking basic monitoring systems. In addition, reports of illegal, unregulated, and unreported fishing are prevalent in the waters off West Africa and account for around 37 percent of the region's catch, the highest regional estimate of illegal fishing worldwide (Agnew *et al.*, 2009; EJF, 2012). Illegal fishing is also common in the western central Pacific and eastern Indian Ocean (Agnew *et al.*, 2009), with many reports of vessels being caught with illegal shark carcasses and fins onboard (Paul, 2009). As the NRDC petition notes, “as recently as 2011, illegal fishing and finning of hammerhead sharks was documented in the Galapagos Marine Reserve,” suggesting that illegal shark fishing may still be an impediment to conservation despite increasing international efforts to protect sharks. Without stricter fishery regulations or enforcement, there is concern that captures of great hammerhead sharks, both legal and illegal, may be kept, especially considering the high price that great hammerhead fins fetch in the international fin trade market. The information in the petitions and in our

files suggests that while there is increasing support for national and international shark conservation and regulation, the existing regulatory mechanisms in some portions of the *S. mokarran* range may be inadequate to address threats to the global great hammerhead population.

Other Natural or Manmade Factors

The WEG petition contends that “biological vulnerability” in the form of long gestation periods, late maturity, and large size makes great hammerheads especially susceptible to overutilization. The species has low productivity (intrinsic rate of population increase per year = 0.070; Cortés *et al.*, 2012), which makes it generally vulnerable to depletion and slow to recover from overexploitation. In addition, both petitions mention the great hammerhead sharks’ high capture mortality rate on bottom longline (BLL) gear. This high at-vessel mortality makes the shark vulnerable to fishing pressure, with any capture of this species, regardless of whether the fishing is targeted or incidental, contributing to its fishing mortality. In the northwest Atlantic, at-vessel fishing mortality on BLL gear (averaged for all age groups) was estimated to be 93.8 percent for great hammerhead sharks (Morgan and Burgess, 2007). However, in an ecological risk assessment of 20 shark stocks, Cortés *et al.* (2012) found that the great hammerhead ranked 14th in terms of its susceptibility to pelagic longline fisheries in the Atlantic Ocean. This information suggests that the species’ biological vulnerability (low productivity and high at-vessel mortality) may be a threat in certain fisheries, possibly contributing to an increased risk of extinction, but may not be a cause for concern in other fisheries.

Conclusion

We conclude that the information in the petition and in our files suggests that fisheries, inadequate existing regulatory mechanisms, and other natural factors may be impacting great hammerhead shark populations to a degree that raises concerns of a risk of extinction, with evidence of population depletions throughout the entire range of the great hammerhead shark. We find that the WEG petition’s discussion of the present and threatened destruction, modification, and curtailment of the great hammerhead’s habitat and range due to growing human populations and both petitions’ discussions of climate change threats to habitats do not constitute substantial information indicating that listing may be warranted. The petitioners fail to show if the great

hammerhead shark is responding in a negative fashion to those specific threats. For example, neither petition provides evidence, nor is there information in our files, to indicate that hypoxic occurrences and dead zones, a result of growing human populations, urban pollution, and climate warming, negatively impact shark populations. In fact, shark abundance can be very high in dead zones (Driggers and Hoffmayer, personal communication, 2013). In addition, both petitions assert that the loss of coral reef habitat due to climate change puts great hammerheads at risk of extinction; however, great hammerhead sharks are highly migratory species and are not limited to reef habitats. Additionally, another interpretation of the information could be that as ocean temperatures warm, more adequate habitat for great hammerheads would become available as they are a tropical species. The WEG petition also does not provide substantial information indicating that listing may be warranted due to the presence of mercury, PCBs, and arsenic in the great hammerhead shark’s environment. The WEG petition references studies that examined the concentrations of these metals and organic compounds in different shark species, but it does not provide information, nor is there information in the references or in our files, on the effects of these substances and concentrations on great hammerhead sharks. In fact, the petition quotes a reference, stating that “scientists found that ‘[a]ll life-history stages [of the great white shark] may be vulnerable to high body burdens of anthropogenic toxins; how these may impact the population is not known.’” In addition, one of the petition’s references, Storelli *et al.* (2003), states “[i]t is hypothesized [sic] that the large size of elasmobranch liver provides a greater ability to eliminate organic toxicants than in other fishes.” The reference also mentions that in marine mammals selenium has a detoxifying effect against mercury intoxication when the molar ratio between the two metals is close to one, and observed similar ratios in shark liver “indicating that this particular mechanism may also be valid for sharks” (Storelli *et al.*, 2003). We conclude that given the information in the petition, references, and in our files, the petition fails to show that the great hammerhead may be responding in a negative fashion to these proposed threats.

Summary of ESA Section 4(a)(1) Factors

We conclude that the petitions present substantial scientific or

commercial information indicating that the petitioned action may be warranted due to a combination of the following three ESA section 4(a)(1) factors that may be causing or contributing to an increased risk of extinction for the great hammerhead shark: Overutilization for commercial, recreational, scientific, or educational purposes, inadequate existing regulatory mechanisms, and other natural factors. However, we conclude that the WEG petition does not present substantial scientific or commercial information indicating that the petitioned action may be warranted based on the remaining two ESA section 4(a)(1) factors: The present or threatened destruction, modification, or curtailment of its habitat or range; or disease or predation.

Petition Finding

After reviewing the information contained in the petitions, as well as information readily available in our files, and based on the above analysis, we conclude that the petitions present substantial scientific information indicating that the petitioned action of listing the great hammerhead shark range-wide as threatened or endangered may be warranted. Therefore, in accordance with section 4(b)(3)(B) of the ESA and NMFS’ implementing regulations (50 CFR 424.14(b)(2)), we will commence a status review of the species. During our status review, we will first determine whether the species is in danger of extinction (endangered) or likely to become so (threatened) throughout all or a significant portion of its range. If it is not, then we will consider whether any populations meet the DPS policy criteria, and if so, whether any of these are threatened or endangered throughout all or a significant portion of their ranges. We now initiate this review, and thus, the great hammerhead shark is considered to be a candidate species (69 FR 19975; April 15, 2004). Within 12 months of the receipt of the petition (December 21, 2013), we will make a finding as to whether listing the species (or any identified DPSs) as endangered or threatened is warranted as required by section 4(b)(3)(B) of the ESA. If listing the species (or any identified DPSs) is found to be warranted, we will publish a proposed rule and solicit public comments before developing and publishing a final rule.

Information Solicited

To ensure that the status review is based on the best available scientific and commercial data, we are soliciting information on whether the great hammerhead shark is endangered or

threatened. Specifically, we are soliciting information in the following areas: (1) Historical and current distribution and abundance of this species throughout its range; (2) historical and current population trends; (3) life history in marine environments, including identified nursery grounds; (4) historical and current data on great hammerhead shark bycatch and retention in industrial, commercial, artisanal, and recreational fisheries worldwide; (5) historical and current data on great hammerhead shark discards in global fisheries; (6) data on the trade of great hammerhead shark products, including fins, jaws, meat, and teeth; (7) any current or planned activities that may adversely impact the species; (8) ongoing or planned efforts to protect and restore the species and their habitats; (9) population structure information, such as genetics data; and (10) management, regulatory, and enforcement information. We request that all information be accompanied by: (1) Supporting documentation such as maps, bibliographic references, or reprints of pertinent publications; and (2) the submitter's name, address, and any association, institution, or business that the person represents.

References Cited

A complete list of references is available upon request from NMFS Protected Resources Headquarters Office (see **ADDRESSES**).

Authority

The authority for this action is the Endangered Species Act of 1973, as amended (16 U.S.C. 1531 *et seq.*).

Dated: April 23, 2013.

Alan D. Risenhoover,

Director, Office of Sustainable Fisheries, performing the functions and duties of the Deputy Assistant Administrator for Regulatory Programs, National Marine Fisheries Service.

[FR Doc. 2013-09943 Filed 4-25-13; 8:45 am]

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 679

[Docket No. 120926497-3269-01]

RIN 0648-BC62

Fisheries of the Exclusive Economic Zone off Alaska: Fixed-Gear Commercial Halibut and Sablefish Fisheries; Limitations on Use of Quota Share and the Individual Fishing Quota Program

AGENCY: National Marine Fisheries Service (NMFS) National Oceanic and Atmospheric Administration (NOAA), Commerce.

ACTION: Proposed rule; request for comments.

SUMMARY: NMFS proposes to amend the hired master regulations of the Individual Fishing Quota Program (IFQ Program) for the fixed-gear commercial Pacific halibut and sablefish fisheries in the Bering Sea and Aleutian Islands (BSAI) and the Gulf of Alaska (GOA). The IFQ Program allows initial recipients of catcher vessel halibut and sablefish quota share (QS) to hire a vessel master to harvest an annual allocation of individual fishing quota (IFQ) derived from the QS. If this action is approved, an initial QS recipient would not be allowed to use a hired master to harvest IFQ derived from catcher vessel QS that they received by transfer after February 12, 2010, with a limited exception for small amounts of QS. This action is necessary to maintain a predominantly owner-operated fishery. In addition, this action is intended to promote the goals and objectives of the Magnuson-Stevens Fishery Conservation and Management Act, the Northern Pacific Halibut Act of 1982, the Fishery Management Plan for Groundfish of the BSAI, the Fishery Management Plan for Groundfish of the GOA, and other applicable laws.

DATES: Comments must be received no later than 5 p.m., Alaska local time, on May 28, 2013.

ADDRESSES: You may submit comments on this document, identified by FDMS Docket Number NOAA-NMFS-2012-0185, by any of the following methods:

- **Electronic Submission:** Submit all electronic public comments via the Federal e-Rulemaking Portal Web site at www.regulations.gov/

#!docketDetail;D=NOAA-NMFS-2012-0185, click the "Comment Now!" icon, complete the required fields, and enter or attach your comments.

- **Mail:** Submit written comments to Glenn Merrill, Assistant Regional Administrator, Sustainable Fisheries Division, Alaska Region, NMFS, Attn: Ellen Sebastian. P.O. Box 21668, Juneau, AK 99802-1668.

- **Fax:** (907) 586-7557; Attn: Ellen Sebastian.

Instructions: Comments sent by any other method, to any other address or individual, or received after the end of the comment period, may not be considered by NMFS. All comments received are a part of the public record and will generally be posted for public viewing on www.regulations.gov without change. All personal identifying information (e.g., name, address, etc.), confidential business information, or otherwise sensitive information submitted voluntarily by the sender will be publicly accessible. NMFS will accept anonymous comments (enter "N/A" in the required fields if you wish to remain anonymous). Attachments to electronic comments will be accepted in Microsoft Word, Excel, or Adobe PDF file formats only.

An electronic copy of the Regulatory Impact Review/Initial Regulatory Flexibility Analysis (RIR/IRFA) for this proposed regulatory amendment is available from <http://www.regulations.gov> or from the NMFS Alaska Region Web site at <http://alaskafisheries.noaa.gov>.

Written comments regarding the burden-hour estimates or other aspects of the collection-of-information requirements contained in the proposed rule may be submitted to NMFS and by email to OIRA_Submission@omb.eop.gov or fax to (202) 395-7285.

FOR FURTHER INFORMATION CONTACT: Peggy Murphy, (907) 586-7228.

SUPPLEMENTARY INFORMATION:

Background

NMFS proposes to modify the hired master regulations for management of the IFQ Program for the fixed-gear commercial fisheries for Pacific halibut and sablefish in waters off Alaska (IFQ Program). The IFQ Program is a limited access system for managing the fixed-gear halibut (*Hippoglossus stenolepis*) and sablefish (*Anoplopoma fimbria*) fisheries off Alaska. The IFQ Program was recommended by the North Pacific Fishery Management Council (Council) in 1992 and implementing rules were published by NMFS on November 9, 1993 (58 FR 59375). Fishing under the program began on March 15, 1995.

The IFQ Program for the halibut fishery is implemented by Federal regulations at 50 CFR part 300, subpart