

# **Atlantic States Marine Fisheries Commission**

## **Coastal Sharks Technical Committee**

*March 30, 2010*

### **Conference Call Summary**

**Present :** Chris Vonderweidt (ASMFC Staff) Greg Skomal (Chair, MA DMF), Eric Schneider (RI DFW), Angel Willey (MD DNR), Carolyn Belcher (GA DNR), Russ Babb (NJ DFW), Julie Neer (SEDAR), Clark Gray (NC DMF), Jack Musick (VIMS), Enric Cortés (NMFS SEFSC), Karyl Brewster-Geisz (HMS), and Bryan Frasier (SC DNR), Brent Winner (FL FWC), Scott Newlin (DE DFW).

The Coastal Sharks Technical Committee (TC) convened via phone conference to review the *State of Florida's Request for Conservation Equivalency for Section 4.2.4 Recreational Minimum Size Limits of Fisheries Management Report No. 46 of the Atlantic States Marine Fisheries Commission Interstate Fishery Management Plan for Atlantic Coastal Sharks, as it Applies to Blacktip Sharks* (proposal). The TC agrees that prohibiting the use of gillnets and longlines in Florida state waters results in a reduction of juvenile (< 54") blacktip shark mortality that is likely enough to make up for the conservation value lost from a recreational blacktip size limit exemption. This TC is uncomfortable with parts of the proposal and has highlighted a number of caveats that accompany the recommendation to exempt Florida from the recreational minimum size limit for blacktip sharks. These are discussed in detail below.

### **Recreational Blacktip Harvest in Florida State Waters**

Based on MRFSS data, recreational landings of blacktip sharks from Florida state waters have fluctuated between 4,000 and 106,000 pounds since 2000. The TC agrees that MRFSS data are highly variable and often unreliable, but based on a TC analysis of the data believe that these landings fluctuate around 15,000 pounds a year, if the outlier data points are removed. In terms of MRFSS numbers, this harvest corresponds to roughly 1,700 blacktips each year. Given the average size of blacktips taken in Florida water (26 inches total length; page 1 of proposal), implementing a 54" fork length minimum size limit would likely eliminate this harvest. Therefore, the conservation lost by exempting Florida from the 54" fork length recreational size limit for blacktip sharks is approximately 15,000 pounds or 1,700 juvenile blacktips.

## **Atlantic Blacktip Stock Status**

SEDAR 11 (2006) deemed the status of Atlantic blacktip sharks to be “uncertain, and no reliable estimates of abundance, biomass or exploitation rate were advanced.” As such, the status of this stock is unknown and the review panel concluded “There is no scientific basis for advising a change in catch levels at this time.” The TC agrees that in the absence of any justification to reduce fishing mortality on blacktip sharks on the east coast and given a healthy population in the Gulf of Mexico (SEDAR 11), allowing harvest of 1,700 blacktip sharks is unlikely to significantly impact the stock.

If the Board follows the recommendations of the TC and grants Florida conservation equivalency, the TC recommends that further review be triggered if annual recreational blacktip harvest in FL waters increases significantly or if new assessment information becomes available. A significant increase in recreational landings would merit reconsideration of the exemption as it may undermine the conservation value of the FMP given the unknown status of the stock. Such an increase may be symptomatic of other problems such as recreational fishermen shifting effort to Florida state waters, fishermen targeting blacktips as a result of new restrictions in other fisheries (snapper/grouper), regulatory loopholes opening, anglers misidentifying other species as blacktip, etc.

## **Gillnet and Longline Prohibition**

The commercial gillnet and longline prohibition is likely the most equivalent regulation to the blacktip recreational size exemption, although this is difficult to quantify. Gillnets incidentally catch significant numbers of blacktip sharks and removing this gear from Florida nursery grounds has likely eliminated bycatch mortality on juvenile blacktip sharks<sup>1</sup>. The proposal does not quantify the reduction in blacktip bycatch mortality associated with the Florida prohibition. However, the TC believes that this reduction is likely equal to or greater than the average recreational harvest of 1,700 juveniles per year, which would be eliminated by implementing the 54” FL minimum size limit in Florida state waters. In other words, an equal or greater amount of conservation may be achieved for Atlantic blacktip sharks.

## **Recreational Possession Limit for Commercial Fishermen**

The Florida regulation that restricts commercial fishermen to recreational possession limits in state waters is unlikely to provide a significant conservation benefit because the commercial fishery is quota managed with a 33 fish possession limit. Commercial fishermen are prohibited from landing species in the large coastal sharks (LCS) complex, including blacktips, once the quota is harvested (169.7 mt in 2010), independent from where these sharks were caught (state or

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<sup>1</sup> Comment from FL TC member.

federal waters). Nearly 75% of total annual Atlantic blacktip harvest (page 3 of proposal) is from federal waters off the coast of Florida despite the state waters commercial possession restrictions. State restrictions that shift commercial harvest to federal waters are unlikely to change (or reduce) the overall fishing mortality on the stock.

In addition, the 33 fish possession limit makes juvenile blacktip sharks, which are abundant in Florida state waters, less attractive to commercial fishermen than the larger more valuable adults found in federal waters.

### **Maximum Size Limits**

The TC disagrees with the statement in the Florida proposal that “[managers] should implement maximum size limits for large coastal species of sharks to protect the breeding adults, and not have a minimum size limit to protect the juveniles that have high levels of natural mortality.” There is little to no scientific support for the notion that maximum size limits are an effective conservation tool in shark species. Studies on sharks have shown that the first sexually mature stages have the most reproductive value to the stock and minimum size limits work well to protect these stages. Reproductive value typically reaches a peak a few years after the onset of sexual maturity and generally decreases thereafter in most species of sharks. Hence, protecting only the largest and oldest females while exploiting young sharks could result in a dramatic population decline.

### **Minimum Size Limit**

The TC found it necessary to rectify the statements made in the FL proposal regarding the current minimum size limit of 54 inches fork length, which corresponds to roughly 66 inches **total length** in the blacktip shark (Castro, 1996). Given estimated lengths of maturity in the blacktip of 54-56 inches and 60-61 inches **total length** for males and females, respectively, the current size limit is sufficient to protect blacktip sharks until they are mature. The proposal inaccurately stated that the current minimize size “is not set for maturity levels of the blacktip shark” and “would have little benefit to the blacktip population in FL waters.”

## **Goals/Objectives of the FMP**

The TC noted that an exemption to harvest juvenile sharks is contrary to the following objectives specified in Section 2.3 of the FMP:

2. Protect essential habitat areas such as nurseries and pupping grounds to protect sharks during particularly vulnerable stages in their live cycle.
3. Coordinate management activities between state and federal waters to promote complementary regulations throughout the species range.

## **FL Regulations in the Gulf of Mexico**

While the TC applauds the State of Florida for implementing FMP requirements in the Gulf of Mexico, the conservation benefits do not apply to the Atlantic blacktip stock managed by the ASMFC. Genetic studies have found evidence of distinct blacktip shark stocks in the Gulf of Mexico and Atlantic. The Florida proposal would allow additional harvest of blacktip sharks above those established in the FMP, so an equivalent measure should be specific to the same species and stock.

## **Species Identification**

The TC noted that identification of juvenile sharks is difficult and recreational anglers are not always skilled at identification. It may also be difficult for law enforcement to differentiate juvenile blacktip sharks and other species, particularly spinner sharks.

## **Conclusion**

The TC recommends that the Board grant Florida conservation equivalency because the conservation value of their commercial gillnet and longline prohibition likely exceeds the conservation loss (15,000 pounds of young-of-the-year blacktip sharks) from their recreational harvest.

The TC would like to remind the Board that the recreational minimum size limit provision of the FMP is the only measure specifically designed to protect juvenile sharks on state waters nursery grounds<sup>2</sup>. The Florida proposal and situation is unique and the TC believes that exempting other states from this regulation could undermine the conservation value of the plan unless adequate conservation equivalency can be firmly established.

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<sup>2</sup> Section 4.2.1 *Recreational Seasonal Closure* and 4.3.2 *Commercial Seasonal Closure* are designed to protect pregnant female sandbar sharks but also protect juveniles in those areas during the closure.