

**Coastal Sharks Advisory Panel Meeting**  
**September 26, 2007**  
**Annapolis, Maryland**

**Present:** Russell Hudson (Chair); Chris Vonderweidt (ASMFC, Staff); Ernest Bowden (Com. VA); Marty Buzas (Com. NJ); Tim Fitzgerald (Env.); LeAnn Southward Hogan (NMFS, HMS, Observer);  
*Sonja Fordham provided written comment prior to the meeting because she could not attend.*

The Coastal Sharks Advisory Panel (AP) met on September 26, 2007 to discuss the Draft Interstate Fishery Management Plan for Coastal Sharks. The Specific goal of the meeting was to find out whether the Draft FMP contains options that could satisfy the AP when the Board takes final action.

There were 4 AP members at this meeting and one member provided written comment the day before and did not attend because of a professional engagement. Consensus on the alternatives contained in this plan was rarely achieved.

**RECREATIONAL CONSENSUS MEASURES**

**4.2.3 Issue 2: Recreational Minimum size limits**

The AP agreed that different size limits in state and federal waters would confuse recreational fishermen, many of whom know very little about shark regulations. 4.5' fork length mirrors federal specifications.

*Option A. Sharks caught in the recreational fishery must have a fork length of at least 4.5 feet. No size limit for bonnethead or Atlantic sharpnose or smooth dogfish.*

**4.2.4 Issue 3: Authorized Recreational Gear**

The AP agrees that this is mostly a catch and release fishery so requiring circle hooks and limiting gear to rod & reel is appropriate.

*Option B. Handline, and rod & reel are the only allowable gear in the recreational fishery. In addition, circle hooks are required for all recreational anglers directing on sharks except for anglers who are trolling or actively retrieving lures.*

**4.2.6 Issue 5: Recreational Shore-Angler Possession Limits**

The AP agrees that the proposed recreational limits are confusing and should simply allow each recreational shore angler to retain 1 non-prohibited shark.

*Option C. Each recreational shore-angler may harvest a maximum of one non-prohibited shark per calendar day.*

#### **4.2.7 Issue 6: Recreational Vessel-Fishing Possession Limits**

The AP thinks that the proposed recreational limits are confusing and should simply allow each recreational vessel to retain 1 non-prohibited shark.

*Option C. A maximum of one non-prohibited shark is allowed per vessel per calendar day.*

### **Commercial Consensus Measures**

#### **4.3.1 Regions**

The AP would like to see NMFS keep three regions for shark management to ensure that the quota is shared geographically. The preferred alternative for Amendment II is one region.

#### **4.3.3.4: Possession Limits**

Option B. Possession limits set annually by species group.

#### **4.3.4.5 Issue 5: Authorized Commercial Gear**

The AP recommends restricting the length of large mesh gillnets to 1200 ft. maximum. They also recommend prohibiting longlines in state waters for shark fishermen.

### **Other Comments:**

#### **4.3.4.7 Shark Identification & 4.3.4.8 Finning Prohibition**

There are very strong opinions concerning the requirement to keep the fins attached through landing. The AP was split.

*For (require that fins remain attached):*

Keeping the fins on will improve effectiveness and enforceability of finning prohibitions. It also facilitates accurate identification. It is not unreasonable to ask fishermen to keep part of the fin attached. Fishermen may still gut the fish and pack the carcass in ice. Meat is unlikely to spoil within 3-mile state zone.

*Against (allow at least a 95% to 5% carcass to fin ratio):*

Requiring fins to remain on will cause shark meat to spoil because fishermen cannot pack the carcass in ice properly if the fins are on. Keeping fins on also requires fishermen to have to handle the same shark for a second time of processing as you are unloading the catch. The shark market is built on a quarter century of using a method to dress the carcass that allows fishermen to remove the fins. There is no market for rotten meat if the carcass overheats during the offloading process. It is dangerous to keep the tail on thresher sharks when they are flopping around the boat. Keeping fins attached will cost the fishermen more time because they will have to remove the fins at the dock and this could cause the carcass to become overheated leading to spoilage of shark meat.

September 26, 2007

Chris Vonderweidt  
Fisheries Management Plan Coordinator  
Atlantic States Marine Fisheries Commission  
1444 Eye Street, NW, Sixth Floor  
Washington, D.C. 20005



Dear Mr. Vonderweidt:

Ocean Conservancy appreciates this opportunity to provide comment on the developing Atlantic States Marine Fisheries Commission (ASMFC) Interstate Fishery Management Plan (FMP) for Atlantic Coastal Sharks. We remain hopeful that this long-awaited plan will enhance the effectiveness of federal measures and thereby improve the chances for rebuilding imperiled Atlantic shark populations and preventing the overfishing of others. I regret that I am unable to participate in this week's meeting of the Advisory Panel due to a prior professional commitment. I trust that you will be able to consider the following comments on the most recent draft of FMP management measures.

Ocean Conservancy continues to strongly support the following objectives for the FMP:

- to prevent or end overfishing of Atlantic sharks;
- to rebuild overfished populations and control all components of fishing mortality, both directed and incidental, so as to ensure long-term sustainability;
- to minimize bycatch of Atlantic sharks;
- to provide the data necessary for assessing stocks and managing fisheries;
- to improve coordination of fisheries management efforts relevant to sharks ; and
- to promote the protection of coastal shark habitat.

We maintain that state shark fishing regulations should be at least as stringent as those for federal waters.

As we have stated before, relatively new assessments for sandbar and dusky sharks which estimate rebuilding frames for these populations at 70 and 400 years, respectively, have led us to call for the immediate closure of the Atlantic directed shark fishery in both federal and state waters of the Atlantic Ocean. We believe such action is clearly warranted in order to avoid irreparable harm and begin these lengthy recovery periods.

## **4.1 GENERAL MANAGEMENT PROVISIONS**

### ***4.1.1 SPECIES GROUPINGS***

We strongly agree that state fishermen should not be able to target, land or possess sharks of any species on the NMFS prohibited species list. If the ASMFC grants itself flexibility to add to the prohibited species grouping, such species should include oceanic whitetip sharks, two species of hammerheads (scalloped and great) and all three species of thresher sharks, pursuant to their recent listing (or proposed listing) on the IUCN (World Conservation Union) Red List of Threatened Species.

### ***4.1.2 ISSUE 1 SMOOTH DOGFISH***

Ocean Conservancy has long promoted the management of emerging fisheries for smooth dogfish, *Mustelus canis*, the only targeted Atlantic shark that remains unregulated (to our knowledge). We support immediate, precautionary ASMFC limits on this species while stock assessment is underway.

We do not agree that possession limits alone will be sufficient to prevent overfishing. We feel strongly that the FMP should allow for a quota that should be set at a precautionary level until and assessment dictates otherwise. Whereas smooth dogfish are relatively fast growing sharks, pressure on this species is bound to rise with the decline of fisheries for large coastal sharks and spiny dogfish. Smooth dogfish may represent the only hope for a well-managed shark fishery off the east coast in the foreseeable future. Lessons from past shark management failures should be applied before the smooth dogfish population is also depleted.

## **4.2. RECREATIONAL FISHERIES MANAGEMENT MEASURES**

Clearly, recreational fishermen should not target shark species on the prohibited list.

We support matching state recreational measures (including limits on species, possession, minimize size, etc) to those for federal waters and giving the ASMFC the flexibility to make state water recreational shark regulations more restrictive than federal rules.

## **4.3 COMMERCIAL FISHERIES MANAGEMENT MEASURES**

We support the ASMFC mirroring federal decisions in terms of shark fishing seasons and regions.

### **4.3.3.1 Issue 2: Quota Specification Schedule**

We support most of the Coastal Shark Technical Committee's recommendation for Option E: the ASMFC will not actively set quotas, but will close the fishery for any group or species when NMFS closes the fishery in response to quotas being taken or associated projections. State water fisheries will not reopen before NMFS reopens the EEZ fishery. Failure to ensure such a system is likely to lead to excessive mortality.

As stated above, we believe a quota (not simply possession limits) will be necessary to control smooth dogfish fisheries.

#### **4.3.3.2 Payback of Quota Overages**

We strongly support the proposal to deduct quota overages from the corresponding species group for the same season and region in the subsequent fishing year or years until the complete overage has been repaid.

#### **4.3.3.3 Quota Rollovers**

We strongly support the proposal to disallow rollover of quota underages until populations are demonstrated to be rebuilt and to then limit such rollovers to 5% of the annual coastwide quota.

### ***4.3.4 GENERAL COMMERCIAL FISHING REQUIREMENTS***

#### **4.3.4.1 Issue 1: Permit Requirement**

We agree with the Technical Committee in their support of Option B: Commercial shark vessels must be assigned a federal shark permit or an individual on the vessel must have a state commercial fishing license to take sharks in state waters.

#### **4.3.4.2 Issue 2: Possession Limits**

We can support the Technical Committee's advice to set possession limits by species groups, but do not believe that such a process should necessarily occur annually. We believe the ASMFC should have the ability to set possession limits for the next several years, given the unlikelihood that the status or advice for such slow-growing species will change dramatically from one year to the next. Still, managers should retain the flexibility to amend limits more frequently should new scientific evidence dictate need for change.

#### **4.3.4.3 Issue 3: Commercial Size limits**

We agree with the Technical Committee's recommendation of Option D, as long as state measures remain as or more stringent than those for federal waters: The Board has the ability to set commercial size limits at the individual species and/or species group level using some of all of the following criteria: region and/or sex and/or season.

#### **4.3.4.5 Issue 5: Bycatch Reduction Measures**

We support the Technical Committee's recommendations for reducing bycatch in gillnet and bottom longline fisheries, but feel strongly that efforts to reduce bycatch should apply to more than just directed, commercial shark fishermen.

#### **4.3.4.6 Issue 6: Shark Identification**

We agree that proper species-specific identification of sharks is essential for robust population assessments and effective conservation measures. We strongly support requirements to keep sharks in tact in order to facilitate accurate identification and urge the ASMFC to initiate additional measures, such as training programs, to further improve species-specific data collection.

We find it hard to imagine how shark fins could be removed from bodies entirely by accident and cannot endorse related exceptions to the fins-attached rule.

#### **4.3.4.7 Issue 7: Finning Prohibition**

Ocean Conservancy is a leader in global efforts to end shark finning. We whole-heartily endorse proposals to improve the effectiveness and enforceability of shark finning bans by requiring that sharks be landed with their fins attached. Such measures are based on sound advice from scientists and enforcement officials and enjoy overwhelming support from conservationists worldwide. This change will not only close loopholes in the U.S. finning prohibition, but will also enable the U.S. to lead the world toward improved international standards. A global fins-attached policy has the potential to significantly curb shark mortality around the world at a time when finning bans are too often the only restriction on shark fishing.

#### **4.3.5 ISSUE 8: SEASONAL CLOSURES**

We agree with the Spiny Dogfish and Coastal Shark Management Board that protection of shark nursing and pupping grounds is a major concern that should be addressed by the ASMFC Shark FMP.

We take no issue with the two species tiers developed by the Technical Committee for prioritization purposes and we look forward to learning about the Committee's progress this week with respect to development of nursery and pupping ground closure options. We are hopeful that the Committee will err on the side of action (rather than need for further study) and produce concrete, precautionary proposals for habitat protection, particularly for tier one species.

#### **4.3.6 RECOMMENDATION TO THE SECRETARY RE: SEASONAL CLOSURES OFF NC**

We eagerly await the opportunity to comment on the language from Louis Daniels that is set to be inserted under this subheading. We trust that this addition will be reviewed by the Technical Committee.

#### **4.3.7 LOGBOOK REQUIREMENTS**

##### **4.3.7.1 Issue 1: Logbook Schedule**

We support logbook requirements aimed at improving the data collected from state shark fisheries and look forward to the recommendations of the Technical Committee in this regard.

##### **4.3.7.2 Issue 2: Logbook Requirements**

We look forward to recommendations from the Technical Committee regarding logbook requirements. As referenced above, there is an urgent need to improve the database in terms of species-specific shark information. Given that many of these species need multiple decades (or centuries) to recover, we believe requirements for improved data collection are appropriate. States that are not capable of collecting the information necessary for proper assessment and management should be assisted and/or should consider disallowing shark fishing until their systems are sufficiently improved.

#### **4.3.8 DEALER REQUIREMENTS**

##### **4.3.8.1 Issue 1: Permits**

We support the Technical Committee's recommendation for Option A: Federal dealer permits are required for buying and selling sharks.

#### **4.3.8.2 Issue 2: Reporting Schedule**

Lax reporting by shark dealers has been associated with massive federal quota overages. We are hopeful that NMFS will soon tighten the dealer reporting system for federal fisheries. We believe that shark dealers should be required to report no less frequently than weekly.

#### **4.3.8.3 Issue 3: Reporting Requirements**

We support the Technical Committee's advice: Dealers are to report the quantity of shark purchased (in pounds) separated into total weight of each individual shark species. Dealers whose reported weights are found to be less than 95% correct will be subject to fines and/or loss of license.

#### **4.4 ALTERNATIVE STATE MANAGEMENT REGIMES and 4.5 ADAPTIVE MANAGEMENT**

We believe any changes to the shark management program measures should be approved by the Technical Committee as consistent with the goals and objectives of the FMP.

#### **CONCLUSION**

We remain hopeful that this FMP will enhance the recovery and conservation of these vulnerable species. We look forward to working with all interested parties to this end.

Thank you for considering our views.

Sincerely,



Sonja Fordham  
Director, Shark Conservation Program