



NATIONAL MARINE FISHERIES SERVICE
OFFICE OF SUSTAINABLE FISHERIES

Final Amendment 2 to the Consolidated Highly Migratory Species (HMS) Fishery Management Plan (FMP)

**Highly Migratory Species
Management Division
NMFS/NOAA**

April 2008 Advisory Panel



Presentation Objectives

- The purpose of this presentation is to give you an overview of the final Environmental Impact Statement (FEIS)
- This presentation will give you an overview of:
 - The selected alternative suites in the FEIS**
 - Public comments received on the FEIS**
- Please send comments on the FEIS to the address, FAX number, or e-mail address listed at the end of this presentation.

Key Topics Included in Each Alternative Suite

- Quotas/Species Complexes
- Commercial Retention Limits
- Time/Area Closures
- Reporting Requirements
- Seasons
- Regions
- Recreational Measures

Adjustments Based on Comments Received

Based on public comment, NMFS:

- **conducted additional analyses for the FEIS**
- **changed some of the proposals that were in the DEIS**
- **created a new non-sandbar LCS quota**
- **accounted for the overharvests in 2007**
- **set regional quotas**
- **revised retention limits**

Summary of Comments on Quotas

- **NMFS should use shark dealer reports (and not logbook data) to calculate historical landings of non-sandbar LCS**
- **If the sandbar and non-sandbar LCS fishery closed when either was filled at 80 percent, the research fishery could close down prematurely.**
- **What is NMFS going to do about the large overharvests of 2007?**
- **NMFS should have considered Individual Transfer Quotas (ITQs); NMFS should consider species-specific quotas**
- **The 60 mt ww shark display and research quota should be reduced; dusky sharks should be allowed for display**
- **The proposed non-sandbar LCS quota is too low**
- **Reducing the shark quotas will cause derby-style fishing**
- **The quotas should close at 90-95% since underharvests will not be applied in the next year; the quotas should close at 80% of being filled with a 5 day notice**
- **NMFS should preempt the states**
- **NMFS should reduce, not eliminate, the commercial porbeagle quota in the preferred alternative suite**

Summary of Comments on **Retention Limits**

- **22 non-sandbar LCS per trip is not economically viable**
- **The quota should not be split up among a few boats in the research fishery; the quota should be split among 40-50 boats making 1-2 trips annually**
- **Gillnetters are being unfairly penalized; they catch very few dusky and sandbar sharks; gillnetters should have a separate blacktip quota and associated trip limit**
- **Separate trip limits should be established for incidental permit holders; incidental permit holders should be allowed to retain sharks once the directed fishery is closed**
- **NMFS should have proposed regionally based trip limits**
- **If fisherman have an observer onboard, they should be allowed to keep all dead sharks**
- **Did NMFS consider bycatch when the retention limits were established? National Standard 9, to minimize bycatch, was violated; NMFS discards estimates of sandbars are flawed**

Summary of Comments on **Time/Area Closures** and **Shark Research Fishery**

Time/Area Closures

- **Will Vessel Monitoring Systems (VMS) be required for the SAFMC's MPAs?**
- **The SAFMC's MPAs should have only been considered for alternative suite 5, to shut down the shark fishery**
- **Will the MPAs include a transit exemption for vessels traveling through the MPAs with BLL gear?**

Shark Research Fishery

- **NMFS needs to provide more information on how fishermen would be selected for the shark research fishery; NMFS should select fishermen based on how much revenue they make from sharks, their ability to conduct research, and any past violations**
- **What kind of research does NMFS currently have on sharks and what does NMFS still need?; NMFS should place observers on all commercial shark fishing boats to collect data**
- **How will NMFS ensure that boats selected for the research fishery will be equally distributed geographically?; will NMFS determine when fishermen can fish in the research fishery?**

Summary of Comments Received on Reporting

- Dealers have not reported on a species-specific basis
- Requiring receipt within 10 days of the end of the reporting period is not enough time for dealers to report
- I support stringent restrictions on dealers reports
- Dealers should report within 24 hours; dealers should report every week; what is NMFS's mechanism to make dealers report on time?
- How are dealer reports used in the stock assessments if no one identifies down to species? How can NMFS continue to allow dealers to report sharks as "unclassified"?
- What is the current definition of a shark dealer? Can Federally permitted dealers buy state landed sharks? Do they have to report state landed sharks?

Summary of Comments Received on Seasons and Regions

- **One season and one region is sufficient**
- **NMFS should consider closing April, May, and June to protect pupping even with one season and region**
- **The one fishing season should open July 1 so that catch is not dominated by the southeast; having one region will disadvantage some areas that do not have sharks present early in the season**
- **One region would penalize the Gulf of Mexico region where blacktip sharks are healthy**
- **The Gulf of Mexico should be managed separately; the Caribbean should be managed separately**

Summary of Comments Received on Landing Sharks with Fins Attached

- **The requirement of landing sharks with fins on is sufficient**
- **Sharks cannot be properly dressed and stored with fins on; this will result in wasting the resource**
- **Why keep fins on through landing?**
- **Is NMFS going to re-look at the 5 percent ratio of fins-to-carcass ratio? Will NMFS consider a different ratio? What will I report in my logbook if NMFS does not keep the 5-percent rule?**
- **What is the proper way to dress a shark with the fins still attached? Will NMFS be providing a diagram of how this should be done?**
- **Requiring fins being landed with fins on will change the entire pricing structure for sharks**

Summary of Comments Received on Prohibiting Porbeagle Sharks

- **The prohibition of porbeagle sharks is well-founded; people may be misidentifying porbeagle sharks as mako sharks**
- **The United States takes a very small portion of porbeagles relative to other neighboring countries. NMFS should consider allowing a small U.S. TAC.**
- **What would the rebuilding timeframe for porbeagle sharks be without the 1.6 mt dw annual landings of porbeagle sharks by U. S. fishermen?; Prohibiting U.S. landings of porbeagle sharks will not rebuild the stock**
- **Is there evidence that Canadian porbeagles enter U.S. waters? Is it appropriate to use a Canadian assessment for U.S. management?**
- **Tournaments have no impacts on porbeagles; the Large Pelagic Survey (LPS) and Marine Recreational Fisheries Statistics Survey (MRFSS) were not designed to gather reliable data on porbeagles; NMFS underestimated the impact of prohibiting porbeagles for recreational anglers, especially in New England**

Summary of Comments Received on Recreational Measures

- **There should be no recreational retention**
- **Other species should be allowed including: spinner, blacktip, bull, and silky sharks**
- **NMFS should consider allowing species based on the inter-dorsal ridge**
- **Does NMFS have a plan for educational outreach for recreational fishermen?; why not have identification workshops for recreational fishermen?**
- **Are there any estimates regarding the level of misidentification by recreational fishermen? Identification is also a problem in the commercial sector; recreational anglers can identify sharks**
- **Why would the commercial fishery on depleted stocks remain open but be closed to recreational fishermen? Recreational landings of sandbar sharks were taken into account in the commercial quota, but recreational fishermen would not be allowed to land them under the proposed regulations**
- **Charter/headboat and recreational impacts were not analyzed; National Standard 4, to not discriminate among user groups, was violated**

Summary of Comments Received on Science

- **The findings of the sandbar shark stock assessment are not sufficient due to data issues and based on what fishermen are seeing on the water; the stock assessment did not use all the available data, including fin data; we have not been allowed to fish when the sharks are present**
- **How does NMFS account for Mexican landings?; NMFS should not use stock assessments conducted in Canada**
- **NMFS should take a more precautionary approach rather than rebuilding sandbar sharks within 70 years; NMFS should consider a total ban on sandbar shark landings in all fisheries**
- **Given the long rebuilding timeframes of these species, can NMFS ever truly rebuild these stocks?**

Summary of Comments Received on Economic Impact

- **NMFS only analyzed the impact of the proposed measures on commercial fishermen; NMFS did not analyze the impact on recreational fishermen**
- **All the alternatives suites besides the status quo would cause severe economic consequences**
- **Was a buy out of the commercial shark fishery considered?; the environmentalists should fund a buy out of the commercial shark fishery; has NMFS considered ways to re-train fishermen for other jobs?**
- **If only a few people can land sandbar sharks, who will want to buy them? Will dealers want to even buy shark product?**
- **If NMFS shuts down the shark fishery, then this will put more pressure on imports. Countries that do not have the same conservation benefits as the United States will benefit**
- **Did NMFS consider the economic hardships from these measures in addition to cut backs in other fisheries?**
- **If NMFS does not go with the status quo, NMFS should declare a fisheries disaster**

Alternative Suites

- **Alternative Suite 1:** Maintaining the Existing Atlantic Commercial and Recreational Shark Fisheries (Status Quo)
- **Alternative Suite 2:** Shark Fishery for Directed, HMS Angling, and HMS Charter/Headboat Permit Holders Only
- **Alternative Suite 3:** Shark Fishery for Directed, Incidental, HMS Angling, and HMS Charter/Headboat Permit Holders
- **Alternative Suite 4:** *Establish a Research Fishery for Sandbar Sharks; Shark Fishery for Directed, Incidental, HMS Angling, and HMS Charter/Headboat Permit Holders – Selected Alternative*
- **Alternative Suite 5:** Close Atlantic Shark Fisheries

MEASURE	DRAFT	FINAL
<p>Quotas/ Species Complexes</p>	<p><u><i>Shark Research Fishery</i></u> -<u>Sandbar</u>: 116.6 mt dw quota for sandbar sharks and EFP/display subquota -<u>Non-sandbar</u>: 541.2 mt dw non-sandbar LCS <u><i>Outside Research Fishery</i></u> -<u>Sandbar</u>: Prohibited -<u>Non-sandbar</u>: 514.2 mt dw -Status Quo SCS -Status Quo Pelagic Sharks -<u>Porbeagle</u>: prohibited</p>	<p><u><i>Shark Research Fishery</i></u> - <u>Sandbar</u>: Base quota: 116.6 mt dw - Adjusted quota for 2008-2012 due to overharvests = 87.9 mt dw - <u>Non-sandbar</u>: base quota of 50 mt dw; - Adjusted quota for 2008-2012 due to overharvests = 37.5 mt dw <u><i>Outside Research Fishery</i></u> - <u>Sandbar</u>: Prohibited - <u>Non-sandbar</u>: Base quotas (mt dw): GOM = 439.5; ATL = 188.3 (per SEFSC recommendation) - Adjusted quota for 2008-2012 due to overharvests: GOM = 390.5; ATL = 187.8 - Status Quo SCS - Status Quo Pelagic Sharks - <u>Porbeagle</u>: Reduced TAC of 11.3 mt dw; commercial quota of 1.7 mt dw</p>

Sandbar Research Fishery

■ **Process:**

■ **Yearly**

■ **NMFS will publish a Federal Register notice**

■ **Outlines the shark research objectives for the year**

■ **The research objectives would be developed by a shark board:**

– **Southeast Fisheries Science Center (SEFSC) Panama City Laboratory**

– **Northeast Fisheries Science Center (NEFSC) Narragansett Laboratory**

– **Southeast Regional Office of Protected Resources (SERO\PR)**

– **Highly Migratory Species (HMS) Management Division**

Sandbar Research Fishery

- **Objectives: Based on the research needs identified by the Southeast Data, Assessment and Review (SEDAR) 11:**
- reproductive and age data from sandbar sharks, Gulf of Mexico blacktip sharks and all species of sharks for additional species-specific assessments
- monitoring size distribution of sandbar sharks and other species captured in the fishery
- continuing on-going tagging programs
- maintaining time-series of abundance
- fin-clip sampling of all species for genetic analysis
- application of satellite archival tags to endangered smalltooth sawfish and dusky sharks
- controlled longline experiments to evaluate the effects of any hook changes to prohibited species interactions and fishery yields

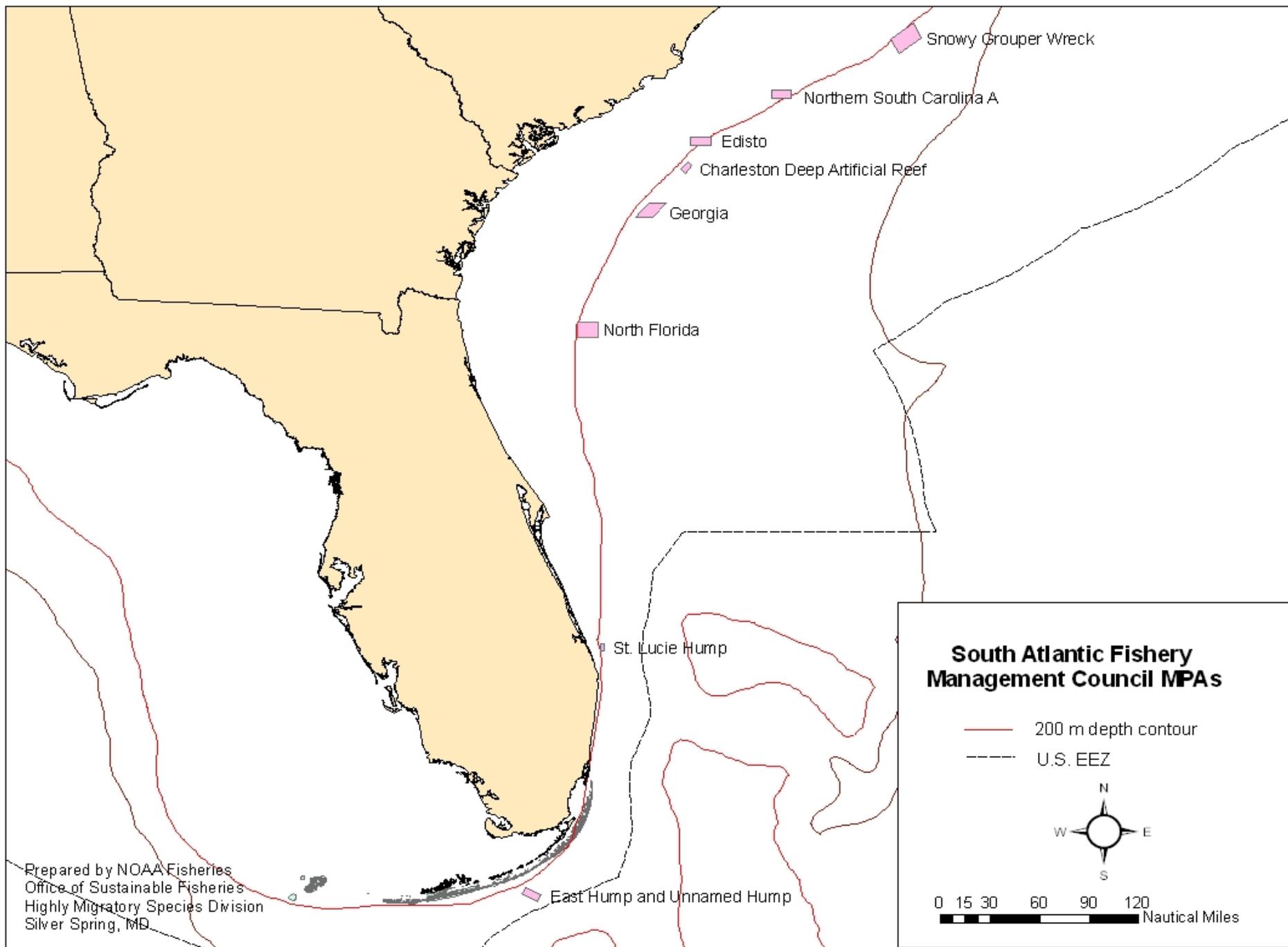
MEASURE	DRAFT	FINAL
Retention Limits	<p>-<u>Sandbar</u>: Sandbar retention by vessels with shark research permit ONLY (retention limits depend upon research objectives)</p> <p>-<u>Non-sandbar</u>: 22 non-sandbar LCS/vessel/trip for directed and incidental permit holders</p> <p>-All sharks landed with fins naturally attached</p>	<p>-<u>Sandbar</u>: Same</p> <p>- <u>Non-sandbar (outside research fishery)</u>: 33 non-sandbar LCS/vessel/trip for directed permit holders and</p> <p>3 non-sandbar LCS/vessel/trip for incidental permit holders (in all regions) through 2012;</p> <p>36 non-sandbar LCS/vessel/trip for directed permit holders and</p> <p>3 non-sandbar LCS/vessel/trip for incidental permit holder in both regions after 2012</p> <p>- All sharks landed with fins naturally attached</p>

MEASURE	DRAFT	FINAL
Regions	Regions- One Region for all sharks	Two regions (GOM and ATL) for non-sandbar LCS One region for SCS , sandbar sharks, and pelagic sharks

MEASURE	DRAFT	FINAL
Reporting	<p>-<u>Research Fishery</u>: 100% observer coverage on research vessels</p> <p>-<u>Observers/Logbooks</u>: Status Quo</p> <p>-<u>Dealer Reporting</u>: Dealer reports <i>received</i> within 10 days of end of reporting period</p> <p>- Unclassified sharks counted against sandbar shark quota</p>	<p>-<u>Research Fishery</u>: 100% observer coverage on research vessels</p> <p>-<u>Observers/Logbooks</u>: Status Quo</p> <p>-<u>Dealer Reporting</u>: Dealer reports <i>received</i> within 10 days of end of reporting period</p> <p>- Unclassified sharks counted against appropriate quota per spp. composition on observed non-research trips and/or dealer reports</p>

MEASURE	DRAFT	FINAL
Seasons	<p><u>-Opening:</u> Jan. 1</p> <p><u>-Closing:</u> Close <i>both</i> non-sandbar LCS and Sandbar sharks when either @ 80% with 5 days notice</p> <p>-Pelagic sharks and SCS each close @ 80% (individually) with five days notice</p>	<p><u>-Opening:</u> Jan. 1</p> <p><u>-Closing:</u> Close individual shark seasons and regions @ 80% with 5 days notice to allow research fishery to continue if non-sandbar quotas outside research fishery are filled</p>

MEASURE	DRAFT	FINAL
Time/Area closures	- Status Quo + SAFMC's closures	- Same



MEASURE	DRAFT	FINAL
<p>Recreational Measures</p>	<ul style="list-style-type: none"> - <u>Size and retention limit:</u> Status Quo - <u>Authorized Species:</u> Nurse, lemon, tiger, smooth hammerhead, scalloped hammerhead, great hammerhead, Atlantic sharpnose, bonnethead, shortfin mako, common thresher, oceanic whitetip, and blue sharks 	<ul style="list-style-type: none"> - <u>Size and retention limit:</u> Status Quo - <u>Authorized Species:</u> Non-ridgeback LCS plus tiger sharks, SCS, and pelagic sharks – (LCS: blacktip, spinner, bull, nurse, lemon, tiger, smooth hammerhead, scalloped hammerhead, and great hammerhead sharks) <u>SCS:</u> Atlantic sharpnose, finetooth, bonnethead, and blacknose sharks <u>Pelagics:</u> porbeagle, common thresher, shortfin mako, oceanic whitetip, and blue sharks)

MEASURE	DRAFT	FINAL
Modification of Stock Assessment Schedule	- Stock assessments for sharks at least every 5 years	- Same

MEASURE	DRAFT	FINAL
Modification of SAFE Report Schedule	- SAFE report published in the fall of every year	- Same

Please Send FEIS Comments to:

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