

XIV. COMMERCIAL SHARK FISHING

REGIONAL MANAGEMENT GROUPS ²³²

Sharks are divided into regional management groups (below) with separate quotas.²³³ Call the HMS Management Division at (301) 427-8503 or visit

<http://www.nmfs.noaa.gov/sfa/hms/species/sharks/Landings/> for the current status of the regional shark quotas.

GULF OF MEXICO REGION
<p>Aggregated Large Coastal Sharks (LCS): Bull, Lemon, Nurse, Silky, Spinner, Tiger, Sandbar Blacktip Sharks Hammerhead Sharks: Great hammerhead, Scalloped hammerhead, Smooth hammerhead Non-Blacknose Small Coastal Sharks (SCS): Atlantic sharpnose, Bonnethead, Finetooth Smoothhound Sharks: smooth dogfish, Florida smoothhound, Gulf smoothhound</p>
ATLANTIC REGION
<p>Aggregated Large Coastal Sharks (LCS): Blacktip, Bull, Lemon, Nurse, Silky, Spinner, Tiger, Sandbar Hammerhead Sharks: Great hammerhead, Scalloped hammerhead, Smooth hammerhead Non-Blacknose Small Coastal Sharks (SCS): Atlantic sharpnose, Bonnethead, Finetooth Blacknose Sharks (authorized south of 34° 00' N. latitude only) Smoothhound Sharks: smooth dogfish</p>
ATLANTIC AND GULF OF MEXICO (COMBINED QUOTA)
<p>Blue Sharks Porbeagle Sharks Pelagic Sharks (other than Porbeagle or Blue): Common thresher, Oceanic whitetip, Shortfin mako</p>

PERMITS

Generally, **directed shark permits** allow fishermen to target non-smoothhound sharks, while **incidental shark permits** allow fishermen who normally fish for other species to land a limited number of non-smoothhound sharks during the course of those operations.²³⁴ See Section V for information about obtaining limited access permits.

As of March 15, 2016, the commercial **Smoothhound Shark permit** will allow fishermen to target and retain smoothhound sharks.²³⁵ This permit is open access and may be held in combination with any other commercial HMS permit except the Commercial Caribbean Small Boat permit.

The **HMS Commercial Caribbean Small Boat permit** is open access, only valid in the U.S. Caribbean Region,²³⁶ and may only be issued to vessels 45 feet or less in overall length.²³⁷

Fishermen who possess a shark limited access permit and use longline or gillnet gear must become certified at a Protected Species Safe Handling, Release, and Identification Workshop prior to obtaining or renewing a commercial shark limited access permit. Certificates expire, and must be renewed, every three years. Both the owner and operator of the vessel permitted for this fishery must have a workshop certificate onboard the vessel.²³⁸ NOAA Fisheries also encourages commercial fishermen to attend an Atlantic Shark Identification Workshop to enhance identification of shark species (Section XIX).

SHARK RESEARCH FISHERY²³⁹

Each year, NOAA Fisheries accepts applications to participate in a shark research fishery. From the applications received, NOAA Fisheries randomly selects a small number of commercial vessels based

upon certain criteria to participate in the shark research fishery. Selected vessels are able to harvest sandbar sharks when a NOAA Fisheries-approved observer is onboard. Possession of sharks is subject to the modified retention limits for this research fishery. Commercial shark fishermen who are interested in participating in the shark research fishery need to submit a completed Shark Research Fishery Permit Application in order to be considered. For copies of the Shark Research Fishery Application during the application period announced each year, please visit <http://www.nmfs.noaa.gov/sfa/hms/> or call the HMS Management Division at (301) 427-8503.

LANDING RESTRICTIONS

All sharks must have their fins, including the tail, naturally attached through offloading with the limited exception of smooth dogfish under certain limited conditions, as outlined below.²⁴⁰ Fins may be cut as long as they remain naturally attached to the carcass with at least a small flap of uncut skin through landing and offloading. The fins and tail may be removed from the carcass once the shark has been landed and offloaded.²⁴¹

Sharks may be eviscerated and have the heads removed at sea, but cannot have the backbone removed, be filleted, or cut into pieces at sea.²⁴² Once landed and offloaded, sharks that have been halved, quartered, filleted, cut up, or reduced in any manner may not be brought back onboard a vessel that has been issued or should have been issued a federal Atlantic commercial shark permit.²⁴³

As of March 15, 2016, smooth dogfish fins may be removed at sea provided the following conditions are met: 1) the vessel holds a Federal commercial smoothhound shark permit, 2) the fisherman/vessel holds a state commercial fishing permit valid for smooth dogfish fishing, 3) smooth dogfish are caught within 50 nm of shore from Maine through the boundary in Florida at 25°20.4' N. lat., proceeding due east, 4) at least 25 % of the retained catch, by weight, is smooth dogfish, 5) weight of smooth dogfish fins on board does not exceed 12 % of the smooth dogfish carcass weight.²⁴⁴

FISHING SEASONS AND CLOSURE DATES

The fishing year for shark fisheries starts on January 1 and continues through December 31 of every year.²⁴⁵ The fishing seasons for specified shark fisheries are contingent on the available quotas and do not open until the date that NOAA Fisheries publishes in the Federal Register. Once NOAA Fisheries estimates that 80 percent of the quota of any unlinked management group (e.g., Gulf of Mexico blacktip or pelagic sharks) has been caught, the fishing season for that species/management group closes no fewer than five days after publication of filing a closure notice in the Federal Register. When landings of either of linked management groups reach, or are expected to reach, 80 percent of the quota, fishing for both management groups will close no fewer than five days after publication of filing a closure notice in the Federal Register. The following management groups are linked:

- Atlantic hammerhead sharks and Atlantic aggregated LCS;
- Eastern Gulf of Mexico hammerhead sharks and eastern Gulf of Mexico aggregated LCS;
- Western Gulf of Mexico hammerhead sharks and western Gulf of Mexico aggregated LCS; and
- Atlantic blacknose and Atlantic non-blacknose SCS south of 34°00' N. latitude.

Additionally, NOAA Fisheries may close the regional or sub-regional Gulf of Mexico blacktip shark management group before landings reach, or are expected to reach, 80 percent of the quota. NOAA Fisheries will send out a notice to the HMS listserv, and post the announcement on the website no fewer than five days ahead of the closure effective date. Regardless of the status of the available quota, all shark fisheries close on December 31 (the end of the fishing year) of every year until the opening date NOAA Fisheries publishes in the Federal Register.²⁴⁶

FISHING REGIONS

The commercial quotas for some shark management groups are split between two regions, the Gulf of Mexico and the Atlantic. The **boundary** between the Gulf of Mexico region and the Atlantic region is defined as a line beginning on the east coast of Florida at the mainland at 25°20.4' N. lat., proceeding due east.²⁴⁷

Gulf of Mexico

Any water and land to the south and west of 25°20.4' N. lat. This includes the U.S. Caribbean. The Gulf of Mexico region is split, along 88° 00' W. long., into western and eastern Gulf of Mexico sub-regions for all blacktip, aggregated LCS, and hammerhead sharks.

Atlantic

Any water and land to the north and east of 25°20.4' N. lat. Blacknose sharks may only be commercially harvested south of 34° 00' N. lat. (approximately at Wilmington, North Carolina).

The commercial quotas for other management groups are not split between regions.²⁴⁸ When a region is closed for a particular species/management group, fishermen in that region cannot possess or sell that species/management group and dealers in that region cannot buy species in that group from federally-permitted fishermen.²⁴⁹

TIME/AREA CLOSURES

For information on existing time and area closures, refer to Sections VI through X of this guide or call the HMS Management Division at (301) 427-8503.

SELLING SHARKS

Atlantic sharks and legally landed shark fins from vessels with a federal shark limited access permit or, as of March 15, 2016, a smoothhound shark open access permit, may be sold **only** to federally-permitted shark dealers and only when the fishery for that species/management group is open.²⁵⁰ Dealers may obtain an Atlantic shark dealer permit by contacting the Southeast Regional Permit Office at (727) 824-5326.

PUBLIC DISPLAY OF SHARKS

Please see the HMS website <http://www.nmfs.noaa.gov/sfa/hms/> for more information on Exempted Fishing, Scientific Research, and Display permits. Dusky sharks are not authorized to be collected for public display.²⁵¹

REPORTING REQUIREMENTS

Logbooks

Selected fishermen with a commercial shark permit must report fishing activities in an approved logbook within 48 hours of completing that day's fishing activities, or before offloading, whichever is sooner. Logbooks must be species-specific and must be postmarked within seven days of offloading. Logbook reports must include weighout slips that have all fin and carcass weights recorded and that show the dealer to whom the fish were transferred, the date they were transferred, and the carcass weight of each fish for which individual weights are normally recorded. For fish that are not individually weighed, a weighout slip must record total weights by species and market category. A weighout slip for sharks prior to, or as part of, a commercial transaction involving shark carcasses or fins must record the weights of carcasses and any detached fins. All fins must be weighed in conjunction with the weighing of the carcasses at the vessel's first point of landing and must adhere to established allowable fin-to-carcass weight ratios. NOAA Fisheries requires the submission of a "No Fishing" reporting form if no trips occurred during the preceding month.²⁵²

NOAA Fisheries may also send a letter requiring that fishermen complete the cost-earnings section of the logbook. Fishermen must then complete and submit that section of the logbook within 30 days of offloading. This section must be completed in addition to the other logbook reporting requirements. The “annual expenditures” report form must be submitted by the date specified on the form. The economic data section must be completed in addition to the other logbook requirements.²⁵³

All dealer reports must be species-specific and specify the total shark fin weight separately from the weight of the shark carcasses.²⁵⁴ Dealer forms include a check box for Atlantic shark dealers to indicate whether fins were naturally attached to the carcass at landing and through offloading.

HMS Commercial Caribbean Small Boat Permit

Fishermen holding an HMS Commercial Caribbean Small Boat permit must abide by their respective territorial reporting requirements and other applicable territorial commercial fishing requirements. No retention of sharks is authorized under this permit at this time.

NOAA Fisheries Observer Program²⁵⁵

Vessels may be required to carry NOAA Fisheries observers. See Section XVIII for observer requirements.

VMS REQUIREMENTS

Vessels with shark permits that use pelagic or bottom longline gear or gillnet gear may be required to install and use VMS (see Section 0).

RETENTION OF SMOOTHHOUND SHARKS CAUGHT INCIDENTALLY IN TRAWL GEAR

As of March 15, 2016, smoothhound sharks incidentally caught in trawl gear may be retained only if the total smoothhound catch on board or offloaded does not exceed 25 percent of the total catch by weight and the vessel has been issued a smoothhound shark permit.