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Proposed Rule to Prohibit the Retention of Oceanic Whitetip Sharks in U.S. Atlantic Waters and Hammerhead Sharks in the U.S. Caribbean Sea

Atlantic Highly Migratory Species Management Division
April 25, 2023

Outline



- Purpose and Need
- Background
- Proposed Measures and Alternatives
- Anticipated Timing
- Request for Public Comments



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Purpose and Need for Action

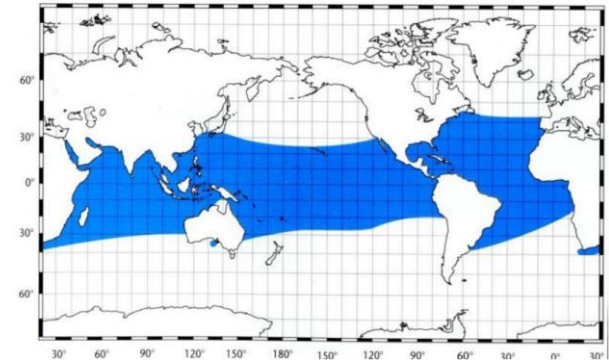
- Reduce mortality of oceanic whitetip sharks and the Central and Southwest Atlantic Distinct Population Segment (DPS) of scalloped hammerhead sharks, which are both listed as threatened under the Endangered Species Act (ESA)
- Be responsive to two 2020 Biological Opinions on Atlantic highly migratory species (HMS) fisheries, which strongly encouraged the inclusion of these federally protected species on the HMS list of prohibited shark species for HMS recreational and/or commercial fisheries



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Background

- **2011:** Implemented ICCAT Recommendations 10-07 and 10-08, which prohibited retaining, transshipping, landing, storing, or selling of oceanic whitetip sharks and hammerhead sharks in the family *Sphyrnidae* (except for bonnethead sharks) caught in association with ICCAT fisheries
- **2011:** Status of scalloped hammerhead sharks = overfished and experiencing overfishing
- **2013:** Rebuilding plan for scalloped hammerhead sharks initiated
- **2014:** Central and Southwest Atlantic DPS of scalloped hammerhead sharks listed as threatened under the ESA
- **2018:** Oceanic whitetip sharks listed as a threatened species under the ESA throughout their range



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Proposed Measures – Oceanic Whitetip Sharks (*Preferred Alternative A2*)



- Add oceanic whitetip sharks to the prohibited shark species group
- Retention, possession, landing, sale, or purchase of oceanic whitetip sharks or parts of oceanic whitetip sharks would be prohibited in all commercial and recreational HMS fisheries
- Remove oceanic whitetip sharks from the list of pelagic indicator species



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Proposed Measures – Hammerhead Sharks

(Preferred Alternative B4)

- Prohibit the commercial and recreational retention of hammerhead sharks in the large coastal sharks (LCS) complex (great, smooth, and scalloped hammerhead sharks) in the U.S. Caribbean region for all commercial and recreational HMS fisheries



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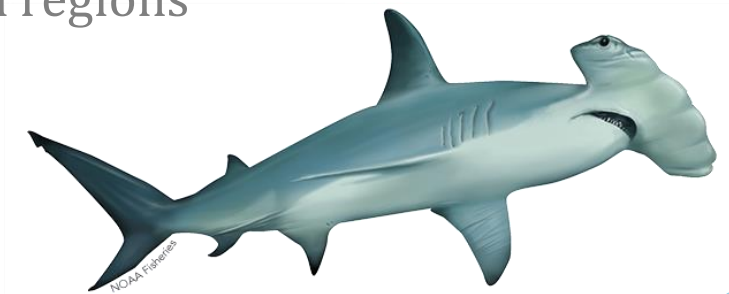
Other Alternatives Analyzed

- Oceanic Whitetip Sharks

- *Alternative A1*: No action

- Hammerhead Sharks

- *Alternative B1*: No action
 - *Alternative B2*: Prohibit the commercial and recreational retention of scalloped hammerhead sharks in the U.S. Caribbean region
 - *Alternative B3*: Prohibit the commercial and recreational retention of scalloped hammerhead sharks in all regions
 - *Alternative B5*: Prohibit the commercial and recreational retention of all LCS hammerhead sharks in all regions



Anticipated Timing

- Proposed rule published March 22, 2023 (88 FR 17171)
- Comment period ends May 22, 2023
- Final rule expected late 2023



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Request for Public Comments

- Comment period closes on **May 22, 2023**
- Submit comments at <https://www.regulations.gov>
 - Search “NOAA-NMFS-2023-0025”
- Action webpage:
<https://www.fisheries.noaa.gov/action/proposed-rule-retention-prohibition-oceanic-whitetip-sharks-us-atlantic-waters-and>
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