

# Atlantic States Marine Fisheries Commission

## Coastal Sharks Technical Committee

*June 5, 2009*

### Conference Call Summary

**Present:** C. Vonderweidt (ASMFC), Greg Skomal (MA DMF, Chair), Jack Musick (VIMS), Clark Gray (NC DMF), Bryan Frazier (SC DNR), Wilson Laney (USFWS), Brent Winner (FL FWC), Karyl Brewster Geisz (HMS), Russ Babb (NJ DFW), Angel Willey (MD DNR), Scott Newlin (DE DFW)

The Coastal Sharks Technical Committee (TC) convened via phone conference on June 5, 2009 to review Draft Addendum I to the Interstate Fisheries Management Plan (Addendum I) for Atlantic Coastal Sharks and a New Hampshire *de minimis* proposal. The TC reached consensus on all issues as follows.

#### **Addendum I Issue 1: Smooth Dogfish Finning and Identification**

The TC is unanimously opposed to allowing commercial fishermen to remove *all* fins from smooth dogfish, but they realize the fisherman's need to quickly gut and bleed smooth dogfish and propose an alternative option to the two contained in Addendum I. Specifically, ***the TC recommends implementing a hybrid option that allows commercial fishermen to remove only the head, pelvic, and pectoral fins to allow commercial fishermen to efficiently gut and bleed the carcass.*** The two dorsals and the tail fins would be required to remain attached to the carcass enabling law enforcement to distinguish smooth dogfish from other sharks (e.g., sandbar sharks).

The TC agrees that a smooth dogfish log (devoid of head, all fins, and tail) is extremely difficult to differentiate from the log of other shark species and, specifically, that of the sandbar shark. In addition, these two species overlap spatially and temporally along the east coast from Massachusetts south. Allowing commercial fishermen to remove all the fins may compromise proper identification, thereby creating a situation where fishermen can land juvenile sandbar sharks (and other species) as smooth dogfish to sell the highly valuable fins. It would be difficult for law enforcement officers to distinguish between a smooth dogfish and other sharks if it is missing the two dorsal fins and the tail fin, especially in such a high volume fishery.

The Coastal Sharks FMP contains several measures, but was designed in large part, to rebuild depleted sandbar stocks. To achieve this rebuilding, commercial fishermen are prohibited from landing sandbar sharks without a research or display permit and are prohibited from landing any non-sandbar large coastal shark (LCS) from May 15 – July 15 to avoid bycatch of pregnant female sandbar sharks that are in coastal (state waters) nursing and pupping grounds. Opening a loophole that compromises the proper identification of landed sharks is likely to undermine the conservation value of the plan and jeopardize sandbar rebuilding.

The TC also recognizes that the commercial smooth dogfish fishery is different from other shark fisheries because the fishery is high volume and requires a fresh product. Fishermen must

quickly gut and bleed the carcass prior to refrigeration by making a single cut down the front, which removes the head as well as pectoral and pelvic fins. Requiring that the pelvic and pectoral fins remain attached may prolong the amount of time between catching the shark and putting the carcass into refrigeration. The TC agrees that removing the tail or dorsal fins is unnecessary to efficiently gut and bleed a smooth dogfish.

In order to allow commercial fishermen to gut and bleed smooth dogfish quickly and efficiently, without creating loopholes that allow fishermen to illegally land sandbar sharks, the TC recommends requiring that commercial fishermen may remove the pectoral and pelvic fins, but the two dorsal fins and the tail fin must remain attached naturally to the carcass through landing.

The TC also wanted to remind the Board that a version of the Shark Conservation Act of 2009, which amends the Magnusson-Stevens Act to prohibit removal of a fin (including the tail) at sea and having fins aboard a fishing vessel unless they are naturally attached to the carcass, was passed in the House of Representatives and is awaiting action in the Senate. If approved in the Senate, this act would require that smooth dogfish fins remain attached in federal waters creating disjointed smooth dogfish regulations between state and federal waters.

#### **Addendum I Issue 2 & 3: Smooth Dogfish Recreational Shore-Angler Possession Limits & Vessel-Fishing Possession Limits**

The TC agrees that rescinding smooth dogfish recreational possession limits is unlikely to cause a strong negative impact on smooth dogfish stocks. The recreational fishery has accounted for less than 10% of total fishing mortality over the last 10 years and recreational fishermen seldom target smooth dogfish.

The TC agrees that a smooth dogfish assessment is of utmost importance and would ask the Board to consider financing one soon. An assessment is necessary to make sound recommendations for recreational possession limits and other measures designed to prevent overfishing.

#### **Addendum I Issue 4: Bycatch Reduction Measures**

TC is opposed to removing this provision and prefers Option A, status quo. Option A is consistent with federal regulations which is a goal of the FMP and offers protection for at-risk, threatened, and endangered species that are incidentally caught in gillnets.

#### ***De minimis***

The TC reviewed *de minimis* guidelines of the FMP and the New Hampshire proposal dated May 8, 2009 and recommend that the Board grant NH *de minimis* status as long as they implement all measures contained in this letter. New Hampshire does not harvest many sharks and implementing the measures in the letter is likely to provide sufficient regulation to ensure that the goals and/or objectives of the FMP are met.