

**PROCEEDINGS OF THE
ATLANTIC STATES MARINE FISHERIES COMMISSION
COASTAL SHARKS MANAGEMENT BOARD**

**The Westin Crystal City
Arlington, Virginia
February 4, 2020**

Approved February 3, 2021

Proceedings of the Coastal Sharks Management Board Meeting
February 2020

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ATTENDANCE

Board Members

Dan McKiernan, MA (AA)	Craig Pugh, DE, proxy for Rep. Carson (LA)
Sarah Ferrara, MA, proxy for Rep. Peake (LA)	Mike Luisi, MD, proxy for B. Anderson (AA)
Jason McNamee, RI (AA)	Phil Langley, MD, proxy for Del. Stein (LA)
Matt Gates, CT, proxy for J. Davis (AA)	Lewis Gillingham, VA, proxy for S. Bowman (AA)
Bill Hyatt, CT (GA)	Chris Batsavage, NC, proxy for S. Murphey (AA)
Jim Gilmore, NY (AA)	Mel Bell, SC, proxy for R. Boyles (AA)
Joe Cimino, NJ (AA)	Doug Haymans, GA (AA)
Russ Allen, NJ, proxy for T. Fote (GA)	Spud Woodward, GA (GA)
Stewart Michels, DE, proxy for D. Saveikis (AA)	Jim Estes, FL, proxy for J. McCawley (AA)
Roy Miller, DE (GA)	Guy DuBeck, NMFS

(AA = Administrative Appointee; GA = Governor Appointee; LA = Legislative Appointee)

Ex-Officio Members

Staff

Robert Beal
Toni Kerns
Tina Berger

Kirby Rootes-Murdy
Maya Drzewicki

Guests

Carl Lobue, TNC
Alejandra Goyenechea, Defenders of Wildlife
Michelle Turton, US FWS

Nichola Meserve, MA DMF
Lowell Whitney, USFWS
Laura Noguchi, CITES

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The Coastal Sharks Management Board of the Atlantic States Marine Fisheries Commission convened in the Jefferson Ballroom of the Westin Crystal City Hotel, Arlington, Virginia; Tuesday, February 4, 2020, and was called to order at 3:15 o'clock p.m. by Chair Chris Batsavage.

CALL TO ORDER

CHAIR CHRIS BATSAVAGE: Okay we'll go ahead and get started. Welcome everyone to the Coastal Sharks Management Board. My name is Chris Batsavage; I'm the Administrative Proxy for North Carolina. I'll be serving as Chair. Along with me is staff lead for ASMFC on coastal sharks, Kirby Rootes-Murdy.

APPROVAL OF AGENDA

CHAIR BATSAVAGE: We'll start by approval of the agenda. Are there any changes to the agenda? Seeing none, we'll approve that by consent.

APPROVAL OF PROCEEDINGS

CHAIR BATSAVAGE: Next is approval of the proceedings from the October 2019 Board meeting. Are there any changes or modification to those proceedings? Seeing none, then those are approved. Next is public comment on any items that are not on the agenda today for coastal sharks. Nobody signed up in advance, are there any members of the public who would wish to provide any comment?

**UPDATE ON THE IMPLEMENTATION OF CITES
APPENDIX II PROVISIONS FOR ATLANTIC
SHORT FIN MAKO SHARKS**

CHAIR BATSAVAGE: Seeing none, then we'll move on to the next item, which is an update on the implementation of CITES Appendix II Provisions for Atlantic Short Fin Mako Sharks, and with us today from the U.S. Fish and Wildlife Service we have Michelle Turton and Laura Noguchi to go over that for us. With that I'll hand it over to them.

MS. MICHELLE TURTON: Hello, I'm Michelle Turton with U.S. Fish and Wildlife Service. I'm a permits biologist with International Affairs.

MS. LAURA NOGUCHI: Laura Noguchi, I work in the Scientific Management Authority for CITES, also in International Affairs.

MS. TURTON: Today I'll be talking about the implementation of CITES for the Atlantic shortfin mako shark. The Convention of International Trade in Endangered Species of Wild Fauna and Flora, I'll just say CITES is an agreement between 182 member countries, also referred to as parties and the EU.

The U.S. has been a party member since CITES went into effect in 1975. It establishes a legal framework, together with common procedural mechanisms, for regulating international trade and listed species. The purpose of CITES is to ensure that international trade in wild fauna and flora is legal and sustainable. How does CITES exactly work? It's by regulating the export, the import, and interjectory from the sea of live and dead animal, plants, and their parts. It's for only listed species, so it doesn't cover every species in the world. It's mainly targeted in international trade. It is regulated based on a system of permitting and certifications that can only be issued if certain criteria's are met, and must be presented when leaving or entering a country or a member party.

For CITES there are three appendixes, Addition of a Species to Appendix I or Appendix II requires two-thirds majority vote of all the parties. Addition of a Species to Appendix III is an un-unilateral decision by listing country. A little bit more detail about the three appendices. Appendix I is roughly around 1,000 species.

These are species that are threatened with extinction. There is no commercial trade allowed. It requires both an import permit and an export permit. Appendix II is the largest

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group. There are over 30,000 species listed. The majority of that is plant species. These species are vulnerable to overexploitation, but they are not currently at risk for extinction.

There is commercial and noncommercial trade allowed in these listed species. Permits and certificates are required for export, but they are not always required for import. It depends on national law that a party may set up, such as the European Union typically requires an import for an Appendix II.

Then there are Appendix III specimens. There are roughly around 300 species listed. The purpose is to address legal origin, and not necessarily sustainability. These species are protected by at least one country that has requested assistance in helping to regulate those species. In order for a permit to be issued there are two findings that are required, there is a Legal Acquisition, and that finding is done by the Division of Management Authority.

That specimen to be exported has to be legally acquired. The other finding that is necessary for CITES is a non-detrimental finding, sometimes referred to as an NDF. That is done by the Division of Scientific Authority, and the export of the specimen will not impact negatively on the survival of the species in the wild.

CITES enforcement, there are inspections of wildlife for shipments; there is legal action, investigation, law enforcement intelligence working on undercover cases, national and international collaboration. But the main goal is to promote compliance, now to talk specifically about mako sharks.

At the 18th meeting of the Conference of Parties that took place in Switzerland on August 17 through the 28th of 2019, it was proposed by the countries listed on the screen, I'm not going to read off all of those party members, because there are a large number of them. They proposed for mako sharks to be listed as

an Appendix II item, and that includes both the shortfin and the longfin mako sharks.

It was voted by the party members and accepted that proposal to list mako sharks as an Appendix II. That came into effect on November 26, 2019. What are the requirements now that that has come into effect is that for international trade you will need a U.S. CITES Export Permit to export it internationally. In order to acquire that permit you can submit Application 3-200-27. That is a permit for export of wildlife taken from the wild. There is \$100.00 processing fee. If the permit is issued it is valid for six months, and you may or may not need a CITES import certificate. Again that depends on the different party members, and if they have a national law saying that you need an import.

If you were to import mako sharks to the United States you would not need a U.S. CITES permit, but you would require a foreign CITES Export Permit. For domestic trade of mako sharks you do not need a CITES permit. Then if mako sharks are caught on the high seas that is outside of the EEZ Zone for the U.S. you will need this certificate. It's a CITES Introductory to the Sea Certificate.

It will be Application Form 3-200-31. There is \$100.00 processing fee, and this Introductory to Sea Certificate is valid for one year. It should be noted, unlike the (Application 3-200) 27 for an export permit, which would be a single-time use; the Introductory to Sea Certificate will be valid for multiple uses, so you won't need to apply for multiple ones within that year. When can mako shark listing as an Appendix II be revisited?

That would be at a Conference of Party. The next one will be in Costa Rica in 2022. That is when there can be changes to up-list or delist species. A member party must propose it, and it requires the support of two-thirds of the parties present and voting. That is my presentation. If you have additional questions

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feel free to give our telephone number a call, and also our e-mail address is also listed up there, which this can be shared with your constituents as well.

CHAIR BATSAVAGE: Thank you for the presentation, are there questions for Michelle? I guess you covered everything that you needed to so it's good. If no further questions, thank you for the presentation and I guess we'll see what happens when this comes back up maybe in 2022, so thanks again. Next on the agenda is an update from the November, 2019 ICCAT Meeting, and Kirby is going to give a quick update on that.

MR. KIRBY ROOTES-MURDY: Hi, I have a very brief one-slide presentation. Basically with shortfin mako, at the 2019 ICCAT Meeting it is important to note that the U.S. advanced the measure to generally prohibit retention, while allowing limited landings under a total allowable catch if member nations reduced their mortality of shortfin mako by 80 percent.

That is the needed mortality reduction. The U.S. had already achieved this reduction through Amendment 11. During that meeting there was a report out from the Standing Committee on Research and Science that updated projections regarding basically two life generations, as opposed to one mean generation time that was included in the benchmark assessment.

Based on those updated projections, the member countries decided not to make any additional changes at this point to those measures. NOAA Fisheries is looking into what regulations other countries have implemented, and the plan as of right now is there will be no changes to the shortfin mako measures that NOAA has implemented.

The next step would be the 2020 ICCAT Meeting, at which point the discussion around whether to make any further change would come up at that point, so that would be

November of this year. That is it in a nutshell. If you have any questions let me know. We also have Guy DuBeck, he was another kind federal partner who stuck around for this delayed meeting, and he's here and can answer some questions that I may not be able to regarding shortfin makos, so thank you.

CHAIR BATSAVAGE: Questions for Kirby or for Guy regarding the ICCAT update. I've got a question from a member of the public, if you can come on up please to one of the public microphones and state your name and any affiliation.

MS. ALEJANDRA GOYENECHEA: My name is Alejandra Goyenechea, Senior International Council for Defenders of Wildlife. I just wanted to mention that I was present at the Annual Meeting, so if you have any questions or need more information at what happened at the November meeting, I was there so feel free to contact me. Thank you.

ADJOURNMENT

CHAIR BATSAVAGE: Thank you. Are there any questions from the Board? Okay, is there any other business from the Board? If there are no objections then we are adjourned.

(Whereupon the meeting adjourned at 3:30 o'clock p.m. on February 4, 2020)