



**NOAA
FISHERIES**

Future of the Atlantic Shark Fishery: Amendment 6 Predraft

**Presented to the
Atlantic HMS Advisory Panel
April 4, 2014**

Outline

- Background
- Potential Management Options
 - Permit stacking
 - Sub-regional quotas
 - Sandbar shark quota
- Discussion

Background

- Future of the Shark Fishery ANPR – 9/20/10
 - Quota Structure—species complexes/quotas, regions, retention limits
 - Permit Structure—permit stacking, “use it or lose it”, matching permit capacity to quota
 - Catch Shares—support and opposition
 - Conducted 5 scoping workshops to get feedback on ANPR
- Notice of Intent to Amend the 2006 Consolidated HMS FMP – 9/16/11
 - NMFS announced intent to consider measures to increase flexibility in shark management, including, potentially, catch share programs
 - Requested public comment and extended comment period to March 31, 2012
 - Announced availability of white paper describing design elements of catch share programs
 - Established Control Date of 9/16/2011 for eligibility to participate in Atlantic shark catch share program
 - Announced and conducted 5 catch share scoping workshops in addition to inviting shark fishermen to the HMS AP Meeting

Background (cont.)

- NMFS received comments in support of and opposing catch shares
- Those opposing catch shares raised concerns that –
 - NMFS didn't have the science required to implement a catch share program
 - NMFS needs to consider regional differences in designing a catch share program
 - Catch shares will shift effort in the shark fishery
 - Catch shares will take quota and profits away from fishermen
- Those in support of catch shares stated that –
 - Catch shares can save fuel, maximize prices, and decrease dead discards
 - Catch shares can make fishermen more efficient because there's no trip limit
 - Catch shares are more predictable for managers

Background (cont.)

- Since the 2011 NOI, there have been changes in the shark fishery including –
 - Publication of the final rule for Amendment 5a
 - Established several new commercial shark management groups and quotas
 - Implemented additional regional quota linkages between management groups
 - Changes to State shark management
 - 11 states and territories have enacted legislation to ban the possession, sale, trade and distribution of shark fins
 - Shark Conservation Act of 2010
 - Requires sharks to be landed with fins naturally attached to the carcass; proposed rule published May 2, 2013
 - NMFS is working on developing proposed measures to implement smooth dogfish-specific provisions included in the Act

Background (cont.)

- The ANPR and NOI comments and the recent shark fishery changes have led NMFS to re-consider whether catch shares are the best management tool for the Atlantic shark fisheries at this time.
- NMFS believes short-term management measures may be a better fit for current problems facing this fishery and economically benefit the Atlantic shark fishery.
- NMFS' goal is to implement management measures that have the flexibility to adapt to the changing needs of, and maximize the sustainable yield of the Atlantic shark fisheries, while staying within current shark quotas.

Potential Management Options

- The Predraft includes potential management options that explore changes to current regional quota structures and permit structures that could be implemented in the short term.
- NMFS specifically solicits opinions and advice on the potential range of options presented here and whether there are additional options that should be addressed and considered in the rulemaking process.

Permit Stacking

Objective and Rationale

- NMFS has received comments stating that increased trip limits would provide more efficiency and improve market conditions.
- If NMFS were to implement permit stacking, fishermen with multiple limited access permits could use them concurrently on one vessel which would result in aggregated and thus higher, trip limits.
- Permit stacking could provide additional opportunities and more efficient use of resources for fishermen with access to more than one permit.
- However, permit stacking could also result in quotas being harvested more quickly due to higher trip limits.

Permit Stacking Eligibility

Potential Options

- **Option 1:** All directed shark permit holders can stack permits

Region	Total Directed Permit Holders	Triple Pack Directed Permit Holders	Active Directed Permit Holders*
Atlantic Region	136 (130 have different owners)	78	68
Gulf of Mexico Region	83 (73 have different owners)	27	22
Total	219	105	90

(*) = Active directed permit holders are defined as those that landed one shark based on 2013 HMS electronic dealer reports

Permit Stacking Eligibility (cont.)

- **Option 2:** All directed and incidental shark permit holders can stack permits

Region	Total Incidental Permit Holders	Triple Pack Incidental Permit Holders	Active Incidental Permit Holders*
Atlantic Region	155	74	6
Gulf of Mexico Region	98	52	3
Total	253	126	9

(*) = Active incidental permit holders are defined as those that landed one shark based on 2013 eDealer reports

Permit Stacking Eligibility (cont.)

- **Option 3:** Only active directed permit holders could stack permits
 - This option would limit permit stacking to those that have a directed shark permit and have landed at least one shark per year.

Region	Total Directed Permit Holders	Triple Pack Directed Permit Holders	Active Directed Permit Holders*
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(*) = Active directed permit holders are defined as those that landed one shark based on 2013 HMS electronic dealer reports

Other Permit Stacking Options

➤ Trip limit options for stacked permits

➤ **Option 1:** Each stacked permit is equal to one trip limit
(e.g. 3 permits = 3 trip limits)

➤ **Option 2:** Each stacked permit is equal to half of a trip limit
(e.g. 3 permits = 2 trip limits)

➤ **Option 3:** Each stacked permit is equal to less than half a trip limit
(e.g. 3 permits < 2 trip limits)

➤ Number of permits stacked on each vessel

➤ **Option 1:** Maximum of 2 permits stacked per vessel

➤ **Option 2:** Maximum of 3 permits stacked per vessel

Sub-regional Quotas

Objective and Rationale

- Commenters throughout the regions often request different season opening dates for the different shark management groups due to sub-regional differences in the shark fisheries. For example:
 - FL would like to fish early in the year while NC would like to fish in the summer and fall once the mid-Atlantic shark closed area is open.
 - LA would like to fish before Lent while FL would like to fish in January.
- Sub-regional quotas could better account for these regional differences by allowing for different season opening dates.
- Potential concerns:
 - The potential for unequal distribution of sub-regional quotas if historical landings are used.
 - Finding the appropriate place for the split between the sub-regional quotas.
 - The amount of flexibility for moving quota throughout the region if quotas are consistently reached in one part of the region but not the other.

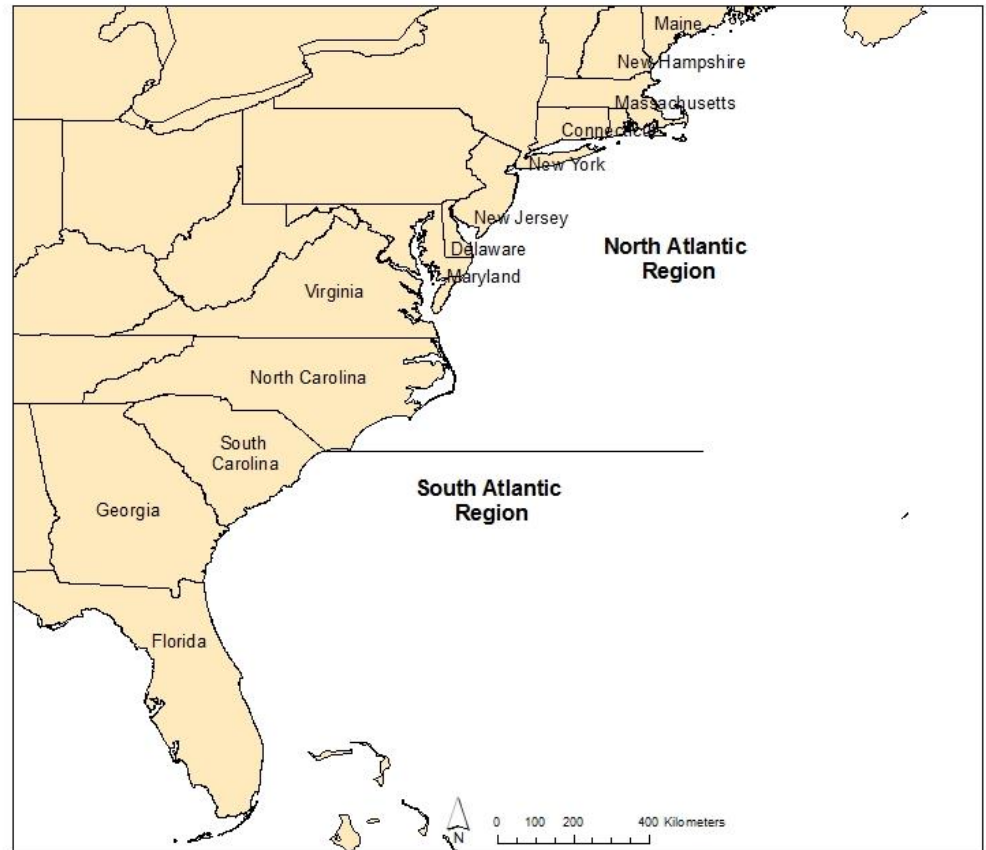
Potential Sub-regional Quotas

- NMFS is considering different sub-regional quotas in each region for different shark management groups:
 - In the Atlantic region –
 - Aggregated large coastal sharks (LCS) and hammerhead sharks
 - Non-blacknose small coastal sharks (SCS) and blacknose sharks
 - In the Gulf of Mexico –
 - Aggregated LCS, hammerhead sharks and blacktip sharks
 - In the Caribbean –
 - Creation of a separate region for management of LCS, SCS and pelagic sharks



Sub-regional Quotas for Atlantic Region

- **LCS:** Create sub-regional quotas for Atlantic aggregated LCS and hammerhead shark management groups based on landings from 2008 to 2013
- **SCS:** Create sub-regional quotas for Atlantic non-blacknose SCS and blacknose shark management groups based on landings from 2010 to 2013



Sub-regional Quotas for Atlantic LCS

Management Group	Region	Total Landings (lb dw)	Percentage of Quota	Potential Sub-Regional Quotas	
				lb dw	mt dw
Aggregated LCS	North Atlantic (NC north)	503,685	24	89,556	40.6
	South Atlantic (SC south)	1,591,640	76	282,996	128.4
Hammerhead Shark	North Atlantic (NC north)	100,218	44	26,523	12.0
	South Atlantic (SC south)	125,494	56	33,213	15.1

Sub-regional Quotas for Atlantic SCS

Management Group	Region	Total Landings (lb dw)	Percentage of Quota	Potential Sub-Regional Quotas	
				lb dw	mt dw
Non-Blacknose SCS	North Atlantic (NC north)	297,125	30.3	176,594	80.1
	South Atlantic (SC south)	682,667	69.7	405,739	184.0
Blacknose Shark	North Atlantic (NC north)	2,866	2.8	1,074	0.5
	South Atlantic (SC south)	100,236	97.2	37,564	17.0

Sub-regional Quotas for Gulf of Mexico LCS

- **LCS:** Create sub-regional quotas for the Gulf of Mexico aggregated LCS, hammerhead and blacktip shark management groups

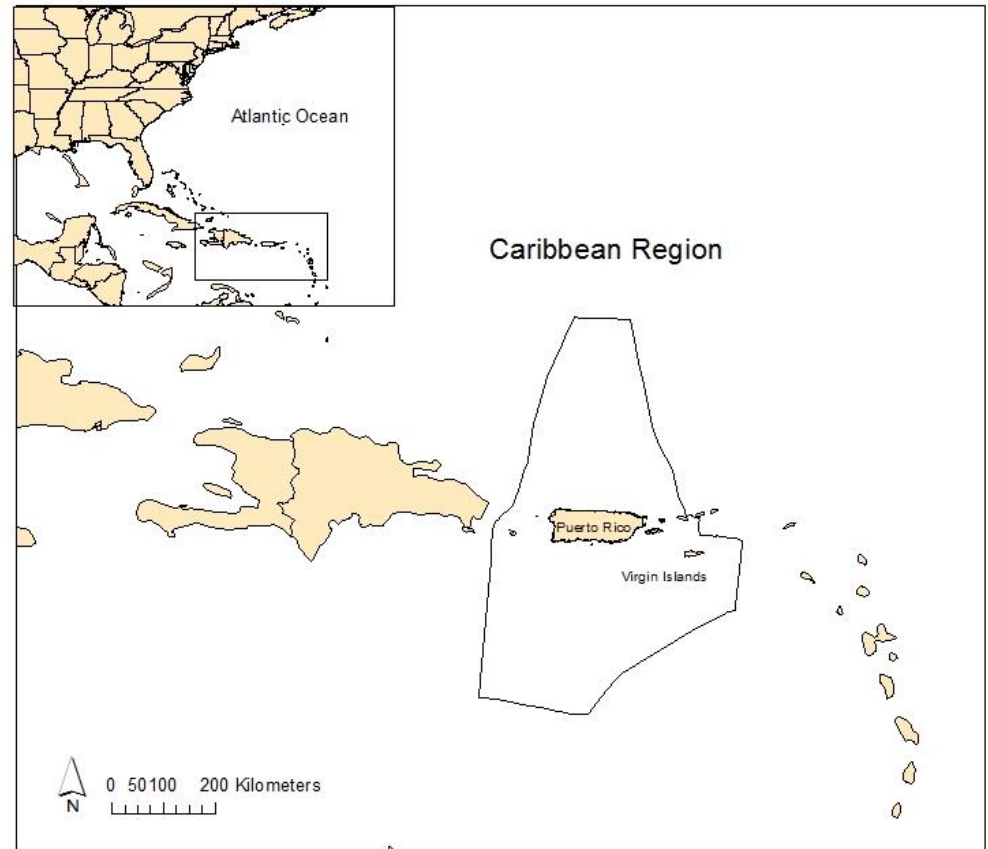


Sub-regional Quotas for Gulf of Mexico LCS

Management Group	Region	Total Landings (lb dw)	Percentage of Shark Quota	Potential Sub-Regional Quotas	
				lb dw	mt dw
Blacktip Shark	Eastern Gulf (AL & FL)	682,308	22	130,122	59.0
	Western Gulf (MS, LA, & TX)	2,488,116	78	474,504	215.2
Aggregated LCS	Eastern Gulf (AL & FL)	1,131,907	49	164,113	74.4
	Western Gulf (MS, LA, & TX)	1,170,539	51	169,715	77.0
Hammerhead Shark	Eastern Gulf (AL & FL)	166,712	95	53,195	24.1
	Western Gulf (MS, LA, & TX)	7,921	5	2,527	1.1

Sub-regional Quotas for the Caribbean

- Create a new, separate region in the Caribbean for management of LCS, SCS and pelagic sharks



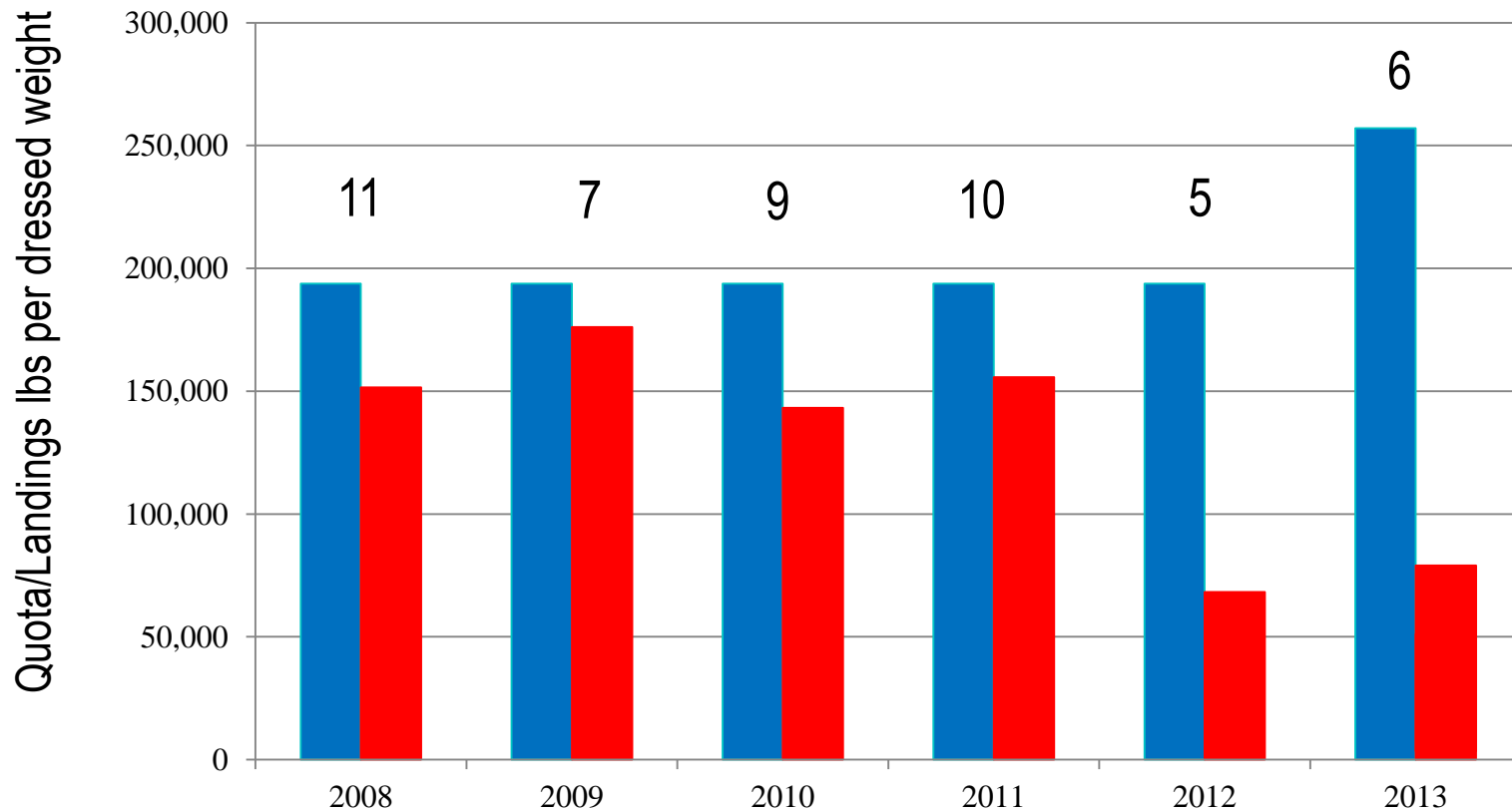
Atlantic Shark Research Fishery

- Amendment 2 to the 2006 Consolidated HMS FMP (July 24, 2008) established a shark research fishery with mandatory observer coverage.
- Federal commercial shark fishermen apply and are selected on annual basis.
- Benefits of Shark Research Fishery:
 - Maintain time series of catch data for sandbar sharks
 - Obtain life history information used in sandbar and dusky sharks (and other species) stock assessments
 - Has collected data on habitat preferences that might help reduce fishery interactions through bycatch mitigation.
 - Evaluating the utility of the mid-Atlantic closed area on the recovery of dusky sharks
 - Collecting hook timer and PSAT information to determine at vessel and post release mortality of dusky sharks.

Atlantic Shark Research Fishery Landings

Numbers reflect the number of research vessels per year

■ Sandbar Quota ■ Sandbar Landings



*Landings to date

Commercial Sandbar Fishery Quota

Objective and Rationale

- The limited number of boats that can be managed through the shark research fishery have consistently been unable to catch the sandbar shark quota
- Because the quota is not being fully utilized, NMFS has received comments from commercial fishermen and Atlantic HMS AP members to consider allowing commercial fishermen to land sandbar sharks outside the Atlantic shark research fishery
- The status of the sandbar shark stock has improved, going from “overfished with overfishing occurring,” to “overfished,” according to the results of the 2011 stock assessment
- In addition, the available annual sandbar quota has effectively increased as of 2013 now that all of the past underharvest has been accounted for (going from 87.9 mt to 116.6 mt).

Commercial Sandbar Fishery Quota

Objective and Rationale

- Thus, NMFS is considering implementing a new commercial sandbar fishery quota that would allow commercial fishermen to incidentally land a limited number of sandbar sharks outside of the Atlantic shark research fishery
- If landings were allowed: NMFS could collect additional information on abundance and distribution of sandbar sharks for stock assessments.
 - Fishermen could have additional fishing opportunities to land commercially valuable species
 - However, there could be an incentive to target an overfished species

Commercial Sandbar Fishery Quota Eligibility

Potential Options

- **Option 1:** Only directed shark permit holders allocated a commercial sandbar shark quota could catch sandbar sharks outside the research fishery

Year	Sandbar Research Quota (lb dw)	Sandbar Research Landings (lb dw)	Percentage of Sandbar Research quota landed	Unused sandbar research quota (lb dw)	# Directed shark permit holders (219)	# Directed and Incidental shark permit holders (472)	# Active Directed shark permit holders (90)
					Equal sandbar allocation (lb dw) per permit holder (#sandbar sharks per permit holder per year)		
2008	193,784	151,497	78	42,287	193 (4)	90 (2)	470 (9)
2009	193,784	176,091	91	17,693	81 (2)	37 (1)	197 (4)
2010	193,784	143,227	74	50,557	231 (5)	107 (2)	562 (11)
2011	193,784	155,714	80	38,070	174 (3)	81 (2)	423 (8)
2012	193,784	68,212	35	125,572	573 (11)	266 (5)	1395 (28)
2013	257,056	73,244	28	183,812	839 (17)	389 (8)	2042 (41)
Average			64	76,332	349 (7)	162 (3)	848 (17)

Commercial Sandbar Fishery Quota Eligibility

Potential Options

- **Option 2:** All directed and incidental shark permit holders allocated a commercial sandbar shark quota could catch sandbar sharks outside the research fishery

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Next Steps for Amendment 6

- 1) Consider Advisory Panel input on Predraft measures
- 2) Develop Draft FMP Amendment and proposed rule
- 3) If ready, present Draft FMP Amendment to the Advisory Panel at the 2014 fall meeting
- 4) Proposed rule hearings in fall 2014
- 5) Final Amendment and rule available 2015
- 6) Depending on measures, NMFS may consider delaying implementation until the start of the fishing season

Additional Questions or Comments?

Please share them with us!

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