

April 30, 2014



Peter Cooper
Highly Migratory Species Management Division
Office of Sustainable Fisheries
National Marine Fisheries Service
National Oceanic & Atmospheric Administration
1315 East-West Highway
Silver Spring, MD 20910

Dear Mr. Cooper:

Shark Advocates International appreciates this opportunity to provide written comments on the range of recreational and commercial fishing management alternatives outlined in the National Marine Fisheries Service (NMFS) Pre-Draft of Amendment 5b to the Consolidated Atlantic Highly Migratory Species (HMS) Fishery Management Plan and aimed at reducing by 58% the fishing mortality of dusky sharks (*Carcharhinus obscurus*). These comments build upon opinions expressed at the recent meeting of the NMFS HMS Advisory Panel (AP).

We remain deeply concerned that, despite the 1999/2000 prohibitions on dusky shark retention, the population continues to suffer excessive fishing mortality. As you well know, long-term overfishing and dusky shark life history characteristics (particularly maturity estimated at more than 17 years and lengthy reproductive cycles) have resulted in a rebuilding period that spans 100 years. We therefore continue to strongly support the promulgation of additional recreational and commercial fishing restrictions aimed at reducing the discard mortality and illegal landing of this exceptionally vulnerable species to thereby comply with obligations to end overfishing and rebuild the depleted population.

With respect to the proposed alternatives, it seems that additional and more targeted outreach and species identification programs are vital and, not surprisingly, the most palatable option for the relevant user groups. It also appears clear that educational initiatives alone will not be sufficient to achieve fishing mortality reduction goals. To that end, we urge development of additional measures and analysis of their expected effect. As discussed in the AP meeting, those analyses (including estimates of specific, numeric benefits for dusky sharks) are necessary before we can form strong preferences.

In the meantime, because of the potential benefit in meeting both recreational and commercial mortality reduction targets, we can support the proposal to request the Atlantic States Marine Fisheries Commission (ASMFC) as well as the individual states of New Jersey, Maryland, Delaware, and Virginia to extend the existing shark fishing closure from July 15 to July 30, as a means to better protect dusky (and sandbar) shark nursery areas around Chesapeake and Delaware Bays.

Additional recreational fishing restrictions

We believe the proposal to prohibit retention by anglers of all ridgeback sharks has promise, and we look forward to further analysis to determine if confusion with tiger sharks (in particular) is a significant factor in illegal dusky shark landings in recreational fisheries. As mentioned at the AP meeting, while we find banning retention of a seriously depleted species already prohibited in pelagic fisheries (the oceanic whitetip shark) warranted and overdue, we believe it is important to clearly explain and justify the prohibition of a species not considered overfished (the tiger shark) while allowing the retention of one for which the population status is unknown (the smoothhound shark).

With regard to the option for increasing (to the dusky shark size at maturity) the minimum size for all sharks taken in recreational fisheries, we are generally supportive, and yet look forward to the analyses requested by other AP members with respect to ensuring size restrictions for anglers are indeed protecting the life stages most vital for recovery.

Additional commercial fishing restrictions

Of the various alternatives proposed for pelagic longline (PLL) fishing, the requirement to release sharks by using a dehooker device or by cutting the gangion < 3 feet from hook (in order to increase the chances of post-release survival) seems particularly strong, given the potentially broad benefits for all unwanted and/or prohibited sharks.

In addition, we continue to strongly support the relatively straightforward closure of hotspots for dusky shark bycatch and appreciate the additional analysis that NMFS has put into developing this type of measure. We also see the merit of allowing access for HMS vessels with PLL gear *under strict conditions*, as a means to offer incentive to avoid dusky sharks through fishing modifications, which could in turn inform future bycatch reduction strategies.

As alternatives or additional commercial measures, we look forward to analyses into the estimated, numeric dusky shark bycatch reduction benefits of limiting permitted shark fishermen with PLL gear to 750 hooks/set and 800 assembled gangions, requiring weak hook use in the HMS PLL fishery, and prohibiting the use of PLL gear in waters less than 100 fathoms deep.

Again and in summary, we strongly support the further evaluation of a host of new Atlantic fishing restrictions aimed at enhancing recovery and guarding against further depletion of the dusky shark population. We look forward to working with the NMFS HMS management unit and other HMS AP members toward the prompt proposal and finalization of sound, effective measures to achieve these goals.

Thank you for considering our views.

Sincerely,



Sonja Fordham
President