Atlantic States Marine Fisheries Commission

Coastal Sharks Management Board

February 4, 2020
3:15 – 4:00 p.m.
Arlington, Virginia

Draft Agenda

The times listed are approximate; the order in which these items will be taken is subject to change; other items may be added as necessary.

1.	Welcome/Call to Order *(C. Batsavage)*	3:15 p.m.
2.	Board Consent • Approval of Agenda • Approval of Proceedings from October 2019	3:15 p.m.
3.	Public Comment	3:20 p.m.
4.	Update on Implementation of CITES Appendix II Provisions for Atlantic Shortfin Mako (*USFWS Staff*)	3:30 p.m.
5.	Update from November 2019 ICCAT Meeting on Atlantic Shortfin Mako (*K. Rootes-Murdy*)	3:45 p.m.
6.	Other Business/Adjourn	4:00 p.m.

The meeting will be held at the Westin Crystal City; 1800 S. Eads Street, Arlington, Virginia 22202; 703.486.1111

MEETING OVERVIEW

Coastal Sharks Management Board Meeting
February 4, 2020
3:15 – 4:00 p.m.
Arlington, Virginia

Chair: Chris Batsavage (NC) Assumed Chairmanship: 5/2019	Vice Chair: Mel Bell (SC)	Law Enforcement Committee Representative: Greg Garner
Coastal Shark Technical Committee Chair: Bryan Frazier (SC)	Coastal Shark Advisory Panel Chair: Vacant	Previous Board Meeting: October 2019
Voting Members: MA, RI, CT, NY, NJ, DE, MD, VA, NC, SC, GA, FL, NMFS, USFWS (14 votes)		

2. Board Consent

- Approval of Agenda
- Approval of Proceedings from October 2019

3. Public Comment – At the beginning of the meeting public comment will be taken on items not on the Agenda. Individuals that wish to speak at this time must sign in at the beginning of the meeting. For agenda items that have already gone out for public hearing and/or have had a public comment period that has closed, the Board Chair may determine that additional public comment will not provide additional information. In this circumstance the Chair will not allow additional public comment on an issue. For agenda items that the public has not had a chance to provide input, the Board Chair may allow limited opportunity for comment. The Board Chair has the discretion to limit the number of speakers and/or the length of each comment.

4. Update on Implementation of CITES Appendix II Provisions for Atlantic Shortfin Mako (3:30-3:45 p.m.)

Background

- CITES is a global treaty that aims to ensure international trade of plants and animals do not threaten their survival in the wild. Species protected under CITES are listed in one of three appendices.
- In 2019 Atlantic Shortfin Mako Sharks was listed under CITES Appendix II, which includes species that, although not currently threatened with extinction, may become so without trade controls. The Appendix II listing will require new permits for exporting shortfin mako sharks.

Presentations

- Implementation of CITES Appendix II Provisions for Atlantic Shortfin Mako by USFWS Staff

5. Update from November 2019 ICCAT Meeting (3:45-4:00 p.m.)

Background

- The 2017 ICCAT assessment on Atlantic Shortfin Mako Sharks indicated the resource to be overfished and experiencing overfishing. In response to the results, ICCAT member countries including the US were required to implement measures to protect shortfin mako sharks.
- At the November ICCAT meeting, the Standing Committee on Research and Statistics presented updated projections for shortfin mako sharks and the effects of current measures implemented in response to the 2017 assessment.

Presentations

- Update from November 2019 ICCAT Meeting by K. Rootes-Murdy

6. Other Business/Adjourn

Coastal Sharks

Activity level: Low

Committee Overlap Score: low (some overlap with South Atlantic Board species)

Committee Task List
• TC – August 1st: Annual compliance reports due

TC Members: Bryan Frazier (SC, TC Chair), Donna McDowell (GA), Brent Winner (FL), Greg Skomal (MA), Chris Scott (NY), Lee Paramore (NC), Conor McManus (RI), Greg Hinks (NJ), Jack Musick (VIMS), Angel Willey (MD, Vice Chair), Matt Gates (CT), Karyl Brewster-Geisz (NOAA), Michael Frisk (NY), Enric Cortes (NOAA), Scott Newlin (DE), Julie Neer (SAFMC), Kirby Rootes-Murdy (ASMFC)

DRAFT PROCEEDINGS OF THE

ATLANTIC STATES MARINE FISHERIES COMMISSION

COASTAL SHARKS MANAGEMENT BOARD

Wentworth by the Sea
New Castle, New Hampshire
October 30, 2019

These minutes are draft and subject to approval by Coastal Sharks Management Board.
The Board will review the minutes during its next meeting.

Draft Proceedings of the Coastal Sharks Management Board Meeting
October 2019

TABLE OF CONTENTS

Call to Order, Chairman Chris Batsavage 1

Approval of Agenda 1

Approval of Proceedings from April 2019 1

Public Comment 1

Consider Postponed Motion from April 2019 Board Meeting 1
- Advisory Panel Report 2
- Law Enforcement Committee Report 2

Set Specifications for 2020 7

Consider Approval of 2019 FMP Review and State Compliance 8
- Status Update on State Implementation of North Atlantic Shortfin Mako Recreational Measures 8

Elect Vice-Chair 10

Adjournment 10

INDEX OF MOTIONS

1. **Approval of agenda** by consent (Page 1).

2. **Approval of Proceedings of April 2019** by consent (Page 1).

3. **Consider Postponed Motion from April 2019 Meeting** (Page 1).
   Move to require, for state waters, the use of circle hooks on lines intended to catch sharks.

4. **Motion to Substitute**
   Move to substitute to require the use, in state waters, of non-offset, corrodible, non-stainless steel circle hooks when fishing for sharks recreationally, except when fishing with flies or artificial lures, implemented no later than July 1, 2020 (Page 3). Motion by Lewis Gillingham; second by Jason McNamee. Motion carried (Page 7).

   Main Motion as Substituted
   Move to require the use, in state waters, of non-offset, corrodible, non-stainless steel circle hooks when fishing for sharks recreationally, except when fishing with flies or artificial lures, implemented no later than July 1, 2010. Motion carried (Page 7).

5. **Move to approve the 2020 coastal sharks specifications via an email vote after NOAA Fisheries publishes the final rule for the 2020 Atlantic Shark Commercial Fishing season** (Page 8). Motion by Roy Miller; second by Jim Estes. Motion carried (Page 8).

6. **Move to accept the 2019 FMP Review for Coastal Sharks, state compliance reports, *de minimis* status for Massachusetts specific to the possession limit and fishery closure requirements for the Aggregate Large Coastal and Hammerhead species groups** (Page 10). Motion by Emerson Hasbrouck; second by Malcolm Rhodes. Motion carried (Page 10).

7. **Motion to nominate Mel Bell (SC) as Vice-Chair to the Coastal Sharks Board** (Page 10). Motion by Malcolm Rhodes; second by Doug Haymans. Motion carried (Page 10).

8. **Motion to adjourn** by consent (Page 10).

Draft Proceedings of the Coastal Sharks Management Board Meeting
October 2019

ATTENDANCE

Board Members

Dan McKiernan, MA, proxy for D. Pierce (AA)
Raymond Kane, MA (GA)
Rep. Sarah Peake, MA (LA)
Jason McNamee, RI (AA)
Eric Reid, RI, proxy for Sen. Sosnowski (LA)
Justin Davis, CT (AA)
Bill Hyatt, CT (GA)
Sen. Craig Miner, CT (LA)
Jim Gilmore, NY (AA)
Emerson Hasbrouck, NY (GA)
John McMurray, NY, proxy for Sen. Kaminsky (LA)
Heather Corbett, NJ, proxy for J. Cimino (AA)
Tom Fote, NJ (GA)
Adam Nowalsky, NJ, proxy for Sen. Andrzejczak (LA)
Stewart Michels, DE, proxy for D. Saveikis (AA)
Roy Miller, DE (GA)
Mike Luisi, MD, proxy for B. Anderson (AA)
Russell Dize, MD (GA)
Phil Langley, MD, proxy for Del. Stein (LA)
Lewis Gillingham, VA, proxy for S. Bowman (AA)
Bryan Plumlee, VA (GA)
Chris Batsavage, NC, proxy for S. Murphey (AA)
Jerry Mannen, NC (GA)
Mike Blanton, NC, proxy for Sen. Steinburg (LA)
Mel Bell, SC, proxy for R. Boyles (AA)
Malcolm Rhodes, SC (GA)
Sen. Ronnie Cromer, SC (LA)
Doug Haymans, GA (AA)
Spud Woodward, GA (GA)
Jim Estes, FL, proxy for J. McCawley (AA)
Rep. Thad Altman, FL (LA)
Karyl Brewster-Geisz, NMFS

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

Ex-Officio Members

Doug Messeck, Law Enforcement Representative

Staff

Robert Beal
Toni Kerns
Kirby Rootes-Murdy
Dustin Colson Leaning
Maya Drzewicki
Tina Berger

Guests

Bill Anderson, MD DNR
Michael Bailey, USFWS
Delores Boghdan, Hamilton, MA
Kalil Boghdan, Hamilton, MA
Robert T. Brown, MWA
John Clark, DE DFW
Paul Diggins, SBCBA
Zak Greenberg, PEW Trusts
Aaron Kornbluth, PEW Trusts
Arnold Leo, E. Hampton, NY
Carl Lobue, TNC
Charles Lynch, NOAA
Glenn Normandeau, NH F&G
Derek Orner, NOAA
Dale Pike, CCA
Nick Popoff, USFWS
Michael Toole, Stratham, NH
Jack Travelstead, CCA
Mike Waine, ASA
Jenni Wallace, NOAA

The Coastal Sharks Management Board of the Atlantic States Marine Fisheries Commission convened in the Wentworth Ballroom of the Wentworth by the Sea Hotel, New Castle, New Hampshire; Wednesday, October 30, 2019, and was called to order at 1:15 o'clock p.m. by Chairman Chris Batsavage.

CALL TO ORDER

CHAIRMAN CHRIS BATSAVAGE: Good afternoon my name is Chris Batsavage; I'm the Administrative Proxy for North Carolina, I'll be serving as Chair.

APPROVAL OF AGENDA

CHAIRMAN BATSAVAGE: Start with the approval of the agenda. Is there any objections to the agenda as written, or does anyone have any modifications? Okay seeing none that is approved.

APPROVAL OF PROCEEDINGS

CHAIRMAN BATSAVAGE: Next is the approval of proceedings from the April, 2019 Board meeting. Does anyone have any changes or modifications to the proceedings? Those are also approved.

PUBLIC COMMENT

CHAIRMAN BATSAVAGE: Next is public comment for any items. For public comment, is there anyone in the audience that would wish to speak about anything for coastal sharks not on the agenda?

CONSIDER POSTPONED MOTION FROM APRIL 2019 BOARD MEETING

CHAIRMAN BATSAVAGE: There isn't, so next is the fourth item is Consider the Postponed Motion from the April 2019 Board meeting. With that I'll pass it over to Kirby for his presentation.

MR. KIRBY ROOTES-MURDY: I have a quick presentation I'll go through, and then turn it over to Doug Messeck to provide the Law Enforcement Committee's report out on this task. As an outline I'll give you all an overview, go through some background information quickly, briefly summarize the AP report, as I said turn it over to Doug, take any questions you guys have, and then it is for this Board to consider the postponed motion.

The Board will consider today the following postponed motion from May, 2019 for recreational shark fishing, which is move to require for state waters the use of circle hooks on lines intended to catch sharks. The Board had requested the Law Enforcement Committee and Advisory Panel to provide feedback to help inform consideration of this action.

For background, NOAA's Highly Migratory Species Division approved Amendment 11 this year, and what it does is implements new commercial and recreational measures for HMS permit holders to address overfishing, and rebuild the overfished North Atlantic shortfin mako shark stock. Those recreational measures include; a new minimum size limit for shortfin makos of 71 inches fork length for males, and 83 inches fork length for females.

Additionally, it requires the use of circle hooks for HMS recreational permit holders, those with a shark endorsement in all areas now. NOAA Fisheries had put forward to this Board a request to implement complementary measures in state waters for consistency. In terms of this circle hook requirement. It has been in place for HMS permit holders since 2017, as part of Amendment 5B. Specifically it outlines the use of non-offset non-stainless steel circle hooks, except when fishing with flies or artificial lures. It was also area specific, so it covered most of the Atlantic coast south of 41°43'north latitude, so near Chatham, Massachusetts. The aim was to reduce discard mortality with this measure. Research has demonstrated that circle hooks reduce gut

hooking, and increase post-release survival for shortfin makos.

Now, Amendment 11 extends this requirement further north than that area, so it's all areas along the Atlantic coast where individuals with these permits are fishing for sharks.

ADVISORY PANEL REPORT

MR. ROOTES-MURDY: Now, the Commission had an Advisory Panel meeting on this topic earlier this month. There were four AP members in attendance, and we included that summary from that call in the briefing materials.

Just to go over it quickly, given we are short on time today, all AP members indicated, who were on this call, support for requiring circle hooks for the recreational shark fishery. Reasons cited was that a number of states have already moved to implement these measures, and they didn't perceive there to be an enforcement issue, rather that there may be challenges if the same measure is not adopted for all states and state waters, given this is now a requirement for federal permit holders with a shark endorsement.

Their recommendation was to use circle hooks for the recreational fishery with two stipulations. The first is that given the motion that was postponed from the May meeting, their recommendation was to have that language be adjusted to mirror the federal regulatory language on circle hook requirements, including an exemption for fishing with flies or artificial lures.

Just for background for this Board, the regulatory text from Amendment 11 reads as the following. A person onboard a vessel that has been issued or is required to be issued a permit with a shark endorsement under this part, and who is participating in an HMS registered tournament that bestows points, prizes, or awards for Atlantic sharks, must deploy only non-offset corrodible circle hooks when fishing for retaining, possessing, or landing sharks, except when fishing with flies, or artificial lures.

That is the language in the Amendment. There is a compliance guide that NOAA provides on their website to help anglers who are looking for more simple versions of these regulations. That language states; All HMS permit holders are required to use non-offset, non-stainless steel circle hooks when fishing for sharks recreationally, except when fishing with flies or artificial lures in federal waters.

LAW ENFORCEMENT COMMITTEE REPORT

MR. ROOTES-MURDY: That is the Advisory Panel report. I'll turn it to Doug Messeck, and he can provide the LEC report.

CHAIRMAN BATSAVAGE: Doug.

MR. DOUG MESSECK: Good afternoon! Earlier in September we had a conference call, and then we discussed it at length again. We did send out a memorandum that I believe everyone has had a chance to look over. What I want to read from is an excerpt that the Law Enforcement Committee therefore reiterates the position that despite the recognized potential value of a circle hook requirement to reduce release mortality in the recreational fishery. Strict enforcement of a rule that depends on proving targeting or intent to catch sharks with prohibited gear would be very difficult. Therefore, if the Board were to implement such requirement, the LEC emphasized the importance of using intensive education and outreach to garner support for circle hook regulation. It was the consensus amongst the Board that there be one definition of a circle hook that could be applied across all states as much as possible, and into the federal waters. Also in absence of a strict definition that defined targeting, it was going to be a very hard regulation to enforce, as to what a person was fishing for.

We did look at some examples that Florida used, Florida for their shore-based angler has certain gear requirements and accessories that goes to prove the intent that you are shark fishing. But absent of any of that it's a very hard regulation to enforce. We believe that as a compliance measure, because of the recognized benefits of the circle hook, compliance would be high throughout the user group, and that we would continue to support intensive outreach and education if this regulation was to move forward.

CHAIRMAN BATSAVAGE: Any questions for Kirby or Doug, yes, Doug Haymans?

MR. DOUG HAYMANS: Kirby, would you back up two slides maybe. The HMS requirement for circle hooks is only for tournaments? Is that the way I read it, because it says and who is participating in an HMS registered tournament.

MR. ROOTES-MURDY: I'm going to defer to Karyl Brewster-Geisz who is here. She can provide a little more context on this language in Amendment 11.

CHAIRMAN BATSAVAGE: Karyl.

MS. KARYL BREWSTER-GEISZ: It does not apply only to tournaments; this is just one paragraph that Kirby grabbed. We have other paragraphs that apply to everybody outside of tournaments.

CHAIRMAN BATSAVAGE: Thanks, Karyl. Are there any other questions for Kirby or Doug, yes, Mike Luisi?

MR. MICHAEL LUISI: Maybe to Karyl if that's okay.

CHAIRMAN BATSAVAGE: Yes.

MR. LUISI: Karyl, when you were going through this rulemaking, was there any consideration for a minimum size for the circle hooks? Did you guys ever explore, you know establishing some size limitation that you couldn't use hooks smaller than that when fishing for sharks?

MS. BREWSTER-GEISZ: No, we didn't look at the sizes for sharks, because sharks come in all sizes.

MR. LUISI: I'm sorry, I meant for the hook itself. Okay, thanks.

CHAIRMAN BATSAVAGE: Okay any further questions? Okay seeing none Kirby, I guess if we can get the postponed motion up on the screen. At this point we'll be looking to take action on this motion or entertain a substitute motion, so I'll open it up to the Board for either discussion or a substitute motion. Tom Fote.

MR. THOMAS P. FOTE: Do we need a maker and a seconder, because there are no names up there.

MR. ROOTES-MURDY: Tom, my understanding is that, given the Board voted to postpone this motion, it's now a motion of this body.

MR. FOTE: Okay.

CHAIRMAN BATSAVAGE: Lewis Gillingham.

MR. LEWIS GILLINGHAM: I think as Law Enforcement indicated, it would be helpful if the language was identical to what's in federal waters, which means **that I would suggest that we apply an exemption for artificial lures, which includes flies.**

CHAIRMAN BATSAVAGE: Okay, would you like to make that substitute motion?

MR. GILLINGHAM: Yes, I'll make it at this time.

CHAIRMAN BATSAVAGE: We'll see if we can get that up on the screen, substitute motion to provide an exemption for the use of artificial

lures and flies from the circle hook requirement.

MR. ROOTES-MURDY: Lewis, in an effort to try to help this Board, given there was consideration from both the LEC and the AP about specificity with this language, we've included kind of a draft substitute motion that has more specificity of the circle hook requirement, or the specifications of what a circle hook is. My question to you is do you want to have that included in your substitute motion, or would you prefer to just have it specific to an exemption of artificial lures and flies?

MR. GILLINGHAM: I would like to hear some input from Karyl first. Is it defined in federal waters? I know the corrodible part is there. Again, what I'm looking for is something that is seamless between federal waters and state waters, as requested by Law Enforcement, or suggested.

CHAIRMAN BATSAVAGE: Karyl.

MS. BREWSTER-GEISZ: We do have the non-offset, non-stainless steel in our federal regulations.

MR. GILLINGHAM: I would like to include that in the substitute motion then.

CHAIRMAN BATSAVAGE: If you want to include that language, if you don't mind reading, and I guess inserting that language in on what's on the screen might be the easiest way to do it.

MR. GILLINGHAM: Non-offset corrodible hooks.

CHAIRMAN BATSAVAGE: Lewis, does that read how you would like it?

MR. GILLINGHAM: I'm serving as a go between really. Karyl, I don't think you include, do you use the term non-stainless steel, or corrodible?

CHAIRMAN BATSAVAGE: Karyl.

MS. BREWSTER-GEISZ: We use both. We actually define what corrodible is to mean non-stainless steel.

MR. GILLINGHAM: Okay, yes. They apparently use both. I again was looking for a seamless definition, between state and federal.

CHAIRMAN BATSAVAGE: Would you mind just reading the motion up on the screen into the record, please, and then I'll see if I can get a second?

MR. GILLINGHAM: Sure. Move to substitute to require the use of non-offset corrodible; non-stainless steel circle hooks when fishing for sharks recreationally, except when fishing with flies or artificial lures in state waters.

CHAIRMAN BATSAVAGE: Okay, substitute motion by Lewis Gillingham, can I get a second? Jay McNamee. Is there any discussion on the substitute motion? Roy Miller.

MR. ROY W. MILLER: I'm thinking about what Doug Messeck said. I'm really not that troubled about difficulties in enforcing this, because honestly I think compliance, particularly over a period of time will be pretty good with this. The tackle shops will come onboard, tackle shops will be pushing circle hooks for anyone wanting to do shark fishing. Even if they can't make every single case, I think it is still a step in the right direction, and I think the greater good will overcome the difficulties in enforcement.

CHAIRMAN BATSAVAGE: Any other discussion on this, yes Doug Haymans?

MR. HAYMANS: I may have missed it in Lewis's discussion a moment ago, but why the non-stainless? It's not in the regulation; I may have missed that discussion.

MR. BATSAVAGE: I may pass it over to Karyl, but I think she said the language, I guess both were found in the regulations. But I'll hand it over to Karyl to answer that one.

MS. BREWSTER-GEISZ: Yes we define corrodible in our regulations to mean non-stainless steel

MR. HAYMANS: It's defined separately from the circle hook regulation, because the F and whatever, handline K just talk about non-offset corrodible circle hooks, it doesn't say non-stainless.

MS. BREWSTER-GEISZ: Correct. In our definition section we define what corrodible means, and I'm looking so I can read it directly for you. Corrodible hooks means a fishing hook composed of any material other than stainless steel.

CHAIRMAN BATSAVAGE: Okay further discussion, yes, Karyl?

MS. BREWSTER-GEISZ: Did the Board want to consider a definition of what circle hooks should be?

CHAIRMAN BATSAVAGE: Do we want to do that or I guess ASMFC has a definition of circle hooks. Does the Board think that that definition is sufficient for this action? Tom Fote.

MR. FOTE: I don't think we do have a definition of circle hooks. I know Maryland has a definition that we're going to try and use in striped bass. I don't know if we have a definition of circle hooks for the Commission.

CHAIRMAN BATSAVAGE: Bob Beal.

EXECUTIVE DIRECTOR ROBERT E. BEAL: Tom, I believe the Commission does have a definition. I don't have it in front of me right now. It was part of the Law Enforcement exploration of circle hooks a while ago, and I think they came up with a general definition that they felt would be more or less enforceable by all the states. We can try to find that. It's in one of our documents; I just have to dig it out.

CHAIRMAN BATSAVAGE: Mike Luisi.

MR. LUISI: To Bob's point. Yes Tom, I remember specifically that we used the language directly from ASMFC when we crafted our mandate for circle hook use in the Bay.

CHAIRMAN BATSAVAGE: Further discussion or questions? Kirby I just have one, just to make sure I'm clear and the Board is clear. This motion would also include the required use of circle hooks for smooth dogfish? I guess to Karyl, with the federal regulations are smooth dogfish included with sharks for the use of circle hooks?

MS. BREWSTER-GEISZ: Yes.

CHAIRMAN BATSAVAGE: Kirby.

MR. ROOTES-MURDY: To mirror what Karyl said, yes. This would apply to that as well.

CHAIRMAN BATSAVAGE: Okay so we're consistent, just so the Board is clear that includes basically all the coastal sharks in the FMP. Lewis.

MR. GILLINGHAM: Actually Mr. Chairman, this is a question for Karyl if I might.

CHAIRMAN BATSAVAGE: Yes sure.

MR. GILLINGHAM: Karyl, does that mean for spiny dogfish that we would not be required to use circle hooks?

CHAIRMAN BATSAVAGE: Karyl.

MS. BREWSTER-GEISZ: HMS doesn't manage spiny dogfish, so yes it doesn't apply there.

CHAIRMAN BATSAVAGE: Okay any further questions or comments? I guess I'll start with is there any objection to the substitute motion, or do people need time to caucus before we do that? Then we need a 30 second caucus, we'll go do that. Is everyone ready? Actually, Dan has a comment.

MR. DANIEL McKIERNAN: It's more of a question. The final expression in the memo, in state waters, should that be move up earlier in the motion so that it's clear that it's not just exempting flies and artificial lures in state waters? Should we say move to require the use in state waters? Would that be clearer?

CHAIRMAN BATSAVAGE: Yes.

MR. McKIERNAN: Can I make that as a friendly amendment?

CHAIRMAN BATSAVAGE: Let's actually look for some, I saw Doug's hand.

MR. HAYMANS: Another question once you finish with that.

CHAIRMAN BATSAVAGE: All right so Lewis, are you okay with that modification, and Jay. Doug Haymans.

MR. HAYMANS: What's the implementation date for this if it passes?

MR. ROOTES-MURDY: This is a substitute motion right, to the previous motion. If you went with this motion you can specify the implementation date. That might be the cleanest way to deal with this so that it's clear across if this is substituted and it passes, then it would be just final action on that substitute motion. Again, if this Board would like to make that clear in this substitute motion that might be best.

CHAIRMAN BATSAVAGE: Any thoughts on, I guess including an implementation date in this substitute motion? Lewis.

MR. GILLINGHAM: Now in fact I was going to, once this was approved then I was going to bring up that issue. I think it's an excellent idea, but again it comes down to, and they had this discussion yesterday, when can the states all do it? We do have some of the legislatures that meet; we're coming up on that. I would like to give people enough time to get it done, realizing it doesn't become an issue until the state waters warm to at least 65 or 70 degrees. If it was put off until spring, if that would give all the states a chance to implement it.

CHAIRMAN BATSAVAGE: Would that work for the other states, or do any states have concerns just relative to their administrative process for changes like this? Looking for any states who would have a problem with implementing this by next spring. A date in the spring would be good.

MR. GILLINGHAM: May 1st.

CHAIRMAN BATSAVAGE: Does anyone object to adding the date of May 1st? Doug.

MR. HAYMANS: How about July 1. I'm in the middle of rulemaking right now, having to go up to 83 inches, so I'm going to have to stop the rulemaking process and basically start it over again. I generally don't do that during the middle of a legislative session. I was planning to have it finished by December, but I'll just put the brakes on until we get to April, and then restart it and be done by July. July would work better for us, assuming this is going to pass.

MR. GILLINGHAM: I would be fine with that date, realizing that a lot of states will get it done sooner if they haven't already. At least it gives everyone something to shoot for.

CHAIRMAN BATSAVAGE: Implemented no later than July 1, any comments on that? Tom Fote.

MR. FOTE: Since we have an August meeting, why don't we just do it by the August meeting? This way it will be, and compliance reports will be given in the August meeting.

CHAIRMAN BATSAVAGE: Kirby.

MR. ROOTES-MURDY: In follow up, in preparation of the August meeting, we tend to try to pull together that information ahead of time, so having a report out by August would be best, so if there is implementation date before that meeting, we can best report out on the status of it to this Board.

CHAIRMAN BATSAVAGE: Okay any other comments on the substitute motion? **Okay it's changed a little bit; I'll go ahead and read it into the record; move to substitute to require the use in state waters of non-offset, corrodible, non-stainless steel circle hooks when fishing for sharks recreationally, except when fishing with flies or artificial lures, implemented no later than July 1, 2020.** I think everyone had time to caucus earlier. Do you need a caucus again based on this modified language?

Okay, if not is there any objection to the substitute motion? Seeing none it becomes the main motion. This will be final action, so we'll need to do a roll call vote, unless there is no objection. Is there any objection to the main motion? We'll get it up on the screen. **Okay the main motion is up on the screen, the same language as the substitute motion I just read into the record, so is there any objection to the main motion? Seeing none, it's approved.**

SET SPECIFICATIONS FOR 2020

CHAIRMAN BATSAVAGE: The next item is to set the 2020 specifications. I'll hand that over to Kirby for his presentation.

MR. ROOTES-MURDY: I will go through this very quickly, as this is an item for this Board to consider now, but ultimately if we proceed as we've done in recent years, it would be a vote taken following this Board meeting. As background, the Proposed Rule for the 2020 coastal shark's specifications from NOAA HMS Division was published on September 19. It puts forward status quo quotas for 2020 that are the same as what has been in place the last three years.

It proposes to open all shark management groups fishing for those groups on January 1, 2020, and it also put forward status quo retention limits starting at 25 large coastal sharks, other than sandbar sharks, per vessel per trip and adjust as needed, as was done over the past few years. Up on the screen is what these quotas would look like.

We sent out to the Board for your consideration last month, when it was published, each of these different values. Aggregated large coastal sharks, the proposed quota would be 372,000 metric tons, hammerheads 59,763 pounds, non-blacknose small coastal sharks 582,333 pounds, blacknose sharks 37,921 pounds, and smoothhound sharks 3,973,902 pounds.

For the no regional quotas, we have non-sandbar large coastal sharks; we have sandbar sharks, blue sharks, porbeagle sharks, and pelagic sharks other than porbeagle or blue. If the Board wishes to proceed as it had in previous years, once the final rule is published later this fall, the Board can approve those specifications by e-mail vote. That is for your consideration today. If so, we would need a motion to do so. I'll take any questions, thanks.

CHAIRMAN BATSAVAGE: Any questions for Kirby, Karyl?

MS. BREWSTER-GEISZ: It's not a question so much as whether or not you wanted to hear an

update on where we were and what comments we received.

CHAIRMAN BATSAVAGE: Yes that would be helpful, thanks.

MS. BREWSTER-GEISZ: Okay so Kirby explained what we proposed, but we also included in that questions for the public about the percentage at which we then adjust downward, and we also had specific questions about the retention limit. The reason for that is that the quota has not been taken in recent years.

This year, for those of you who pay attention, we actually have the retention limit all the way up at 55, which is the highest we can go, and we are still let's just say way, way, way below quotas for all the large coastals. We received a lot of comments. A lot of people wanted to go up higher in the starting retention limit.

A lot of people asked for a 36-start retention limit, going back to where we were in 2012, as opposed to the 25 that we've used in recent years. There was also a lot of comment with people saying, instead of 20, range somewhere between 30 and 40 percent, in terms of when we make the adjustment downward. We are considering all those comments, and we hope to have the Final Rule out by the end of November.

CHAIRMAN BATSAVAGE: Any questions for Karyl, just based on that information she provided? Okay, yes as Kirby mentioned, we've got to wait for the Final Rule to be published before taking action. We did that by e-mail vote after this meeting. **What I'm looking for is a motion to approve the coastal sharks specs by an e-mail vote after NOAA Fisheries publishes their Final Rule, so if someone would like to make that motion. Yes, motion by Roy.**

MR. MILLER: Yes, I would make that motion. Do we have wording for that to put up?

CHAIRAMN BATSAVAGE: Yes, we're getting that up on the screen. Motion by Roy Miller, do I have a second? Jim Estes**. Okay, the motion is move to approve the 2020 coastal shark's specifications via e-mail vote after NOAA Fisheries publishes the final rule for the 2020 Atlantic Shark commercial fishing season. Is there any discussion on the motion, any objection to the motion, okay the motion passes.**

CONSIDER APPROVAL OF 2019 FMP REVIEW AND STATE COMPLIANCE

CHAIRMAN BATSAVAGE: Next is to consider approval of the 2019 FMP Review and State Compliance Reports, Kirby.

MR. ROOTES-MURDY: We have not in the past been able to pool together this FMP review report for this Board's consideration by this meeting, given the timing of when we get commercial landings, normally. That normally is published later on in the year by NOAA Fisheries in early part of the winter, so January/February normally.

We've often had to delay, but we worked I think very well this year, between ACCSP and NOAAs HMS branch to try to pull that information together beforehand. I've got a brief presentation to go through, and then it will be for you to consider action on this.

STATUS UPDATE ON STATE IMPLEMENTATION OF NORTH ATLANTIC SHORTFIN MAKO RECREATIONAL MEASURES

MR. ROOTES-MURDY: I'll walk through the status of the FMP.

Just a couple of the stocks that have had recent changes in our understanding of their population, and then commercial and recreational landings, and then there was a compliance component that we were going to provide this Board an update on. As you all are aware, the Coastal Sharks Management Board

operates under a complementary FMP to NOAA HMSs coastal sharks management.

The Commission approved that FMP in 2008, and basically we're managing it through Addendas I through V. Addenda V was approved last year and it provides the Board more flexibility in adjusting measures through Board action, rather than through addendum, in order to create more consistency with state and federal management when there are changes in federal waters.

In 2019 the Board also approved new shortfin mako recreational size limits, and I will get into that later on, in terms of the status of states implementing those changes. There are multiple coastal shark species under this FMP, and it's important to understand that not all of them have been assessed.

But, some of the recent assessments that this Board has been considering action on over the years that, I think, it's just important to reiterate again. Shortfin mako in 2017 was found through an ICCAT Assessment to be overfished and experiencing overfishing. Sandbar shark also assessed in 2017 through SEDAR 54, is overfished but not experiencing overfishing, and dusky sharks that assessment completed in 2016 through SEDAR 21, found that the resource is overfished and experiencing overfishing. In terms of a summary of commercial landings, commercial landings of Atlantic large coastal shark species in 2018 were approximately 434,000 pounds dress weight, which is a 14 percent increase from 2017 landings. Commercial landings of small coastal shark species in 2018 were approximately 407,000 pounds, which is a 37 percent increase from 2017.

This graph here shows you these different management groups stacked on top of each other, to get a sense on how collectively they've faired as a trend over time. In terms of recreational numbers, approximately 114,212 sharks were harvested during the 2018 recreational fishing season, which is a decrease from 2017 landings of approximately 38 percent. The non-blacknose and small coastal shark group and pelagic group both comprise about 35 percent of the overall recreational harvest.

In terms of compliance and *de minimis* status, all states have implemented the required measures for 2018. Addendum V did not adjust any of the specific management measures, so the states were still in compliance with measures that have been established previously. Massachusetts requests continuation of their *de minimis* status.

In terms of an update on the shortfin mako recreational measures, as I noted in my previous presentation, NOAA implemented different size limits for shortfin makos for recreational federal permit holders, 71 inches fork length for males and 83 inches fork length for females. The Board approved complementary measures to this for state waters, with an implementation date of January 1, 2020.

In terms of an update of where we're at on that. Nearly all states have either begun the process of implementing these regulations, or have done so already. The one state I have not heard back from, we can see if they have any comments on the record today, is Connecticut regarding this change in regulations.

If there are any other updates that states want to provide on this regulatory change, it would be greatly appreciated. Again, there is Board action to be considered today, which is accepting the 2019 FMP Review for coastal sharks, state compliance and *de minimis* status for Massachusetts. I think given this management board, there is a name attached to it.

I would be remiss not to mention that there is a certain type of shark that has been captivating baseball fans in our nation's capital recently, it's known as baby shark, and it has become synonymous with the Washington Nationals. Its season has been on the brink of closure multiple times this year, and hopefully will end tonight with the Nationals winning the World Series. With that I'll take any questions, and go Nats! (Applause)

CHAIRMAN BATSAVAGE: Questions for Kirby on his report, or any updates from states on implementing the recreational mako shark measures for next year. Justin Davis.

DR. JUSTIN DAVIS: I guess Kirby we should talk maybe after the meeting. I think maybe there has been a communication disconnect, because I thought we had provided affirmation or communication that we were in compliance with those regulations, so if we can talk after the meeting.

CHAIRMAN BATSAVAGE: Doug.

MR. HAYMANS: Like I said earlier on the circle hooks, I may back up for a minute, because I don't want to do a rule for circle hook only, when I've got the exact same rule making its way through. I may not hit the January date; it may be the July date to have it all in place.

CHAIRMAN BATSAVAGE: Is the Board okay with that delay, it is unforeseen? They were in the process of rulemaking, but there are definitely challenges of having to do it twice. There are efficiencies of just going through rulemaking once, so is there any concern by the Board regarding Georgia?

Okay seeing none, I think we can accommodate that Doug, thank you. We will need a motion to approve the FMP Review and the *de minimis* request, looking for a motion. Okay, motion by Emerson Hasbrouck. Emerson if you don't mind reading the motion up on the screen.

MR. EMERSON C. HASBROUCK: Move to accept the 2019 FMP Review for coastal sharks, State Compliance Reports, *de minimis* status for Massachusetts, specific to the possession limits and fishery closure requirements for the aggregate large coastal and hammerhead species groups.

CHAIRMAN BATSAVAGE: Okay do I have a second, Malcolm Rhodes? Is there any objection to the motion? Okay it passes unanimously.

ELECT VICE-CHAIR

CHAIRMAN BATSAVAGE: The next item is to elect a Vice-Chair, looking for a motion on that Malcolm Rhodes.

DR. MALCOLM RHODES: I would like to nominate Mel Bell as Vice-Chairman of the Coastal Sharks Management Board.

CHAIRMAN BATSAVAGE: **Can I get a second? Doug Haymans. Are there any objections to the motion? Congratulations, Mel!**

ADJOURNMENT

CHAIRMAN BATSAVAGE: Is there any other business to come before the Coastal Sharks Management Board? Okay if not then we are adjourned, thanks everyone.

(Whereupon the meeting adjourned at 2:00 o'clock p.m. on October 30, 2019)