



Atlantic States Marine Fisheries Commission

1050 N. Highland Street • Suite 200A-N • Arlington, VA 22201
703.842.0740 • 703.842.0741 (fax) • www.asmfc.org

Coastal Sharks Technical Committee Call Summary

April 8, 2019

Technical Committee Members: Bryan Frazier (TC Chair, SC), Donna McDonnell (GA), Angel Willey (TC Vice Chair, MD), Chris Scott (NY), Brent Winner (FL), Karyl Brewster-Geisz (NOAA HMS), Jack Musick (VA), Lee Paramore (NC), Conor McManus (RI), Julie Neer (SEDAR)

ASMFC Staff: Kirby Rootes-Murdy, Caitlin Starks, Kristen Anstead

Presentation on Atlantic shortfin mako shark Amendment 11 and new regulations

Karyl Brewster-Geisz presented the new regulations under Amendment 11. The final rule for Amendment 11 was implemented on March 3. Amendment 11 responds to the 2017 benchmark stock assessment which showed shortfin mako stocks are overfished and experiencing overfishing occurring. The US landings accounts for 9% of global catch of mako sharks. Based on the stock assessment results, catch and harvest reductions are needed (72-79%) to prevent further population declines, and a total catch of 0 lbs per year is needed to rebuild the stock by 2040. At the International Commission for the Conservation of Atlantic Tunas (ICCAT) meeting later this year there will be a review of current measures taken by member countries and then determine next steps, as needed.

The shortfin mako regulations as outlined in the Amendment 11 final rule are similar to those implemented in the emergency rule from March 2018, with some modifications. For commercial fisheries, pelagic longline, bottom longline, and gillnet fisheries, may now land shortfin mako as long as the shark is dead at haul-back. For recreational fisheries, the minimum size limits will be different for male and female sharks. The male minimum size is 71 inches (straight-line fork length (FL)), and the female minimum size 83 inches (FL). These size limit requirements were changed from the emergency rule to account for different size at maturity among sexes. Circle hooks are required across the fishery on lines intended to catch sharks. Some administrative actions are not expanding current reporting systems, and establishing the foundation for international rebuilding plan. NOAA HMS has requested that ASMFC modify regulations in state waters to match the commercial and recreational federal waters measures for shortfin mako.

To evaluate the new regulations and provide advice to the Board considering adopting complementary management, the Board Chair tasked the TC with the following:

Review the recent management measures implemented for Atlantic shortfin mako sharks through Amendment 11, and provide the Board a report on the potential conservation benefits of adopting complementary management measures in state waters for state permit holders.

In considering the task put forward by the Board Chair, Bryan Frazier (TC Chair) asked the TC members to provide information and available data (fishery independent or dependent) on shortfin mako shark within their respective states. On the call, the TC members offered the following information (by state):

Florida – Since 2008, shortfin mako sharks harvested by recreational anglers in state waters occurred only in the year 2013, based upon MRIP survey data. Similarly, commercial landings of shortfin mako sharks in Florida state waters are not common (only 4,000 lbs landed since 1991). Commercial fishing is subject to the same gear and catch regulations as recreational fishing (1 per person or 2 per vessel per day, whichever is less). No fishery-independent data is available for mako sharks.

Georgia – Does not observe shortfin mako in state waters.

Virginia – Shortfin mako are not found within 3 miles of shore. One possible reason for this is VA has a long shallow shelf. The TC member expressed concern that if the states do not match the federal regulations, some anglers could claim they captured the sharks within 3 miles to avoid complying with federal regulations.

North Carolina – There is no fishery independent data demonstrating the presence of shortfin mako sharks in state waters. For commercial fisheries, there are 72 fish house samples of shortfin mako, but location data does not allow for distinguishing between federal and state waters. There are some dealer reported inshore landings (.04%) but the TC member indicated they are not fully confident in the location data provided for this small portion of the harvest.

Maryland – No data (fishery independent or dependent) demonstrating the presence of shortfin mako shark in state waters.

Delaware – No TC member present, but it was noted that it is probably a similar situation to MD.

New Jersey – There is some data from NJ from SAFIS commercial landings database, but these landings occurred in both state and federal waters. The data shows there are almost 12,000 lbs landed in 2016 and 2017, but it is not differentiated between state and federal waters. An additional data request for statistical areas of where the landings occurred would be needed. Regarding recreational data, there is no MRIP records for the past 10 years of shortfin makos being caught in NJ state waters.

New York – There are VTRs from party/charter boats from 2010 - 2018 that show 2,676 lbs of shortfin mako were harvested in state waters based on the geographic area codes. The weight range is 75-225 lbs per shark (avg. 149 lbs.). MRIP data show harvest and release of shortfin mako in state waters throughout the time series, albeit with high error values. It is clear that shortfin mako are in NY state waters and are targeted there, but not in significant numbers.

Rhode Island –Shortfin mako are not commonly observed in the fishery independent surveys. Commercial landings for RI are low and likely caught in federal waters, with the annual maximum landings at 3,000 lbs over the last 3-5 years, but they are usually an order of magnitude lower. Most often the fishing activity occurs outside of state waters.

Based on the presented state information, the TC noted there is not enough data for shortfin mako sharks in state waters to demonstrate that implementing the proposed regulations would have a significant change in harvest and catch; as noted only NY appears to have recreational data demonstrating fishing is occurring in state waters.

In considering the conservation benefits of implementing complementary measures in state waters, given the commercial fisheries encountering shortfin makos generally occur in federal waters, the TC did not provide comment on whether allowing retention of dead sharks at haul-back would be beneficial. For considering complementary recreational measures, the TC was largely in agreement that adopting the same recreational size limits by sex would be best for consistency and likely enforcement. As indicated from the available data, it does not seem possible to quantify the conservation benefits of implementing the regulatory change in state waters.

The other component of the recreational measures is the requirement of circle hooks. Currently, the states are at varying stages of considering or implementing circle hook requirements for shark fishing: New York and Florida have both implemented circle hooks for shark fishing; MD is going through a regulatory process for implementing a circle hook requirement for all sharks; NC, SC, and GA do not require circle hooks. One TC member mentioned there is a study wrapping up of post release mortality on blacktip sharks using circle hooks. The results show that fish hooked anywhere besides the jaw had a 50% mortality rate. If they were hooked in the jaw, the mortality rate was less than 4%. The TC member noted it may be likely that J hooks would produce higher mortality rates. While there may be conservation benefits from the implementation of circle hooks, there is some concern that it may present some challenges for law enforcement, even if it's a requirement for only shark fishing; Karyl (NOAA/NMS) noted that when complimentary measures were requested for dusky sharks, several states were against a circle hook requirement because of enforcement issues.

Summary

The TC recommends implementing complimentary size limits in state waters. The primary reasons cited was the consistency with federal regulations would be less confusing for the angling community and may ensure that smaller shortfin makos caught in federal waters are not 'claimed' to be caught in state waters. Additionally, by adopting the new regulations it may help raise awareness of the current status of shortfin makos.

Regarding implementing a new circle hook requirement, nearly all TC members were in agreement with recommending this measure for shark fishing in state waters, with the exception of Georgia. The Georgia TC member opposes the circle hook requirement because of

the challenges in proving the intent of individuals fishing for sharks, and that based on the data presented, shortfin mako sharks are not in much of state waters along the Atlantic coast.