



Atlantic States Marine Fisheries Commission

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MEMORANDUM

September 26, 2013

To: Spiny Dogfish and Coastal Sharks Management Board

From: Toni Kerns, ISFMP Director *TK*

Subject: NOAA Fisheries Announces Closure of Shark Fisheries on September 30, 2013

This memorandum is to inform states that the National Marine Fisheries Service (NMFS) will close the blacknose, non-blacknose small coastal shark, large coastal shark and hammerhead shark fisheries on September 30, 2013. Therefore, in accordance with *Section 4.3.4, Quota Specification*, of the Interstate Fisheries Management Plan for Atlantic Coastal Sharks (FMP), **effective 11:30 p.m. local time September 30, 2013, states are required to prohibit the commercial landing, harvest, and possession of these shark species¹.**

State water commercial fisheries for these shark species will reopen when the NMFS reopens federal waters for commercial fishing. ASMFC will issue notice of the opening dates once they become available in the 2014 shark quotas and seasons final rule.

The commercial smooth dogfish fishery remains open. Additionally, this closure does not affect spiny dogfish which are managed under the Interstate FMP for Spiny Dogfish and not subject to measures in the Coastal Sharks FMP.

Attached is a copy of the NMFS closure notice.

Please feel free to contact me or Marin Hawk if we can be of assistance (703-842-0740; tkerns@asmfc.org, mhawk@asmfc.org).

¹Due to current inconsistencies in the federal plan and the state plan, the species groups are not identical. The shark species which will close on September 30, 2013 are: blacknose, finetooth, bonnethead, Atlantic sharpnose, scalloped hammerhead, great hammerhead, smooth hammerhead, bull, lemon, nurse, silky, spinner, tiger and Atlantic blacktip sharks.



NMFS Announces Closure of the Commercial Aggregated Large Coastal Shark, Hammerhead Shark, Blacknose Shark, and Non-Blacknose Small Coastal Shark Management Groups in the Atlantic Region

September 25, 2013

Commercial shark dealer reports indicate that the landings for the commercial Atlantic aggregated large coastal shark (LCS) and blacknose shark management groups have reached, or are projected to reach, 80 percent of the available quota. Therefore, as required by the regulations at 50 CFR 635.28(b)(2), we are closing the commercial aggregated LCS, hammerhead shark, blacknose shark, and non-blacknose small coastal shark (SCS) management groups as of 11:30 p.m. local time **September 30, 2013**. From the effective date and time of the closure until and if we announce, via a notice in the Federal Register, that additional quota is available and the season is reopened, these management groups will remain closed, even across fishing years.

On July 3, 2013 (78 FR 40318), NMFS announced the final rule for Amendment 5a to the Consolidated Atlantic HMS FMP, which, among other things, established new final adjusted 2013 quotas for aggregated LCS and hammerhead sharks in the Atlantic region. On September 2, 2013, NMFS transferred 68 metric tons (mt) dressed weight (dw) (149,914 lb dw) of non-blacknose SCS quota from the Atlantic region to the Gulf of Mexico region. Based on these two actions, the current adjusted quotas for the species noted above are as follows: the Atlantic aggregated LCS management group quota is 168.9 mt dw (372,552 lb dw), the Atlantic hammerhead shark management group quota is 27.1 metric tons (mt) dressed weight (dw) (59,736 lb dw), the Atlantic blacknose shark management group quota is 18 metric tons (mt) dressed weight (dw) (39,749 lb dw), and the Atlantic non-blacknose SCS management group quota is 193.5 metric tons (mt) dressed weight (dw) (426,570 lb dw). In addition, Amendment 5a linked the Atlantic aggregated LCS and Atlantic hammerhead shark management groups, and linked the blacknose and non-blacknose SCS management groups. This means that when the quota for one linked management group is reached and is closed, the other linked management group closes at the same time.

Dealer reports recently received through September 13, 2013, indicate that 135.2 mt dw or 80 percent of the available Atlantic aggregated LCS quota has been landed, 11.7 mt dw or 43 percent of the available Atlantic hammerhead shark quota has been landed, 13.7 mt dw or 76 percent of the available Atlantic blacknose shark quota has been landed and that 90.6 mt dw or 47 percent of the available Atlantic non-blacknose SCS quota has been landed. Projections indicate that 80 percent of the Atlantic blacknose shark quota will be landed by September 26, 2013. Based on these dealer reports, NMFS estimates that the 80-percent limit specified for a closure notice in the regulations has been reached or exceeded for the Atlantic aggregated LCS and Atlantic blacknose shark management groups

During the closure, retention of aggregated LCS, hammerhead sharks, blacknose sharks, and non-blacknose SCS in the Atlantic region is prohibited for persons fishing aboard vessels issued a commercial shark limited access permit under § 635.4 - unless the vessel is properly permitted to operate as a charter vessel or headboat for HMS and is engaged in a for-hire trip, in which case the recreational retention limits for sharks and “no sale” provisions apply (§ 635.22(a) and (c)), or the vessel possesses a valid shark research permit under § 635.32 and a NMFS-approved observer is onboard. During the closure, a shark dealer issued a permit pursuant to § 635.4 may not purchase or receive aggregated LCS, hammerhead sharks, blacknose sharks, and/or non-blacknose SCS in the Atlantic region, except under specific circumstances as specified in § 635.32 (shark research fishery); § 635.28(b)(5) (sharks were harvested prior to the closure); or sharks were harvested by a state vessel that has fished only in state waters.

This notice is a courtesy to the HMS fishery participants to help keep you informed about the fishery. For further information on this landings update or the closure, contact Karyl Brewster-Geisz or Peter Cooper at 301-427-8503. The information will also be posted on the HMS website at: <http://www.nmfs.noaa.gov/sfa/hms/>.

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