

United States' Shark Conservation and Management

Management Measures

The United States is committed to managing all of its fisheries on a sustainable basis, including shark fisheries. The United States not only manages its domestic fisheries, but also works globally within regional fisheries management organizations and other international bodies for the adoption of conservation and management measures for sharks. The United States has national measures to ensure sustainable shark catches and has mechanisms in place to involve stakeholders in research, education, compliance/enforcement, and management initiatives. The Magnuson-Stevens Fishery Conservation and Management Act (MSA) forms the basis for fisheries management in Federal waters and adjacent high seas and requires the National Marine Fisheries Service (NMFS) and the eight regional fishery management councils to take specified actions. State agencies and interstate fishery management commissions are bound by State regulations and, in the Atlantic region, by the Atlantic Coast Fisheries Cooperative Management Act.

NMFS requires fishermen to submit logbook data and dealers to submit their reports with species-specific data. The majority of landings are reported and the corresponding monitoring of quota is done by species complex. Certain fisheries also have observer requirements.

Shark finning practices for U.S. fishermen have been banned in the United States since the Shark Finning Prohibition Act (SFPA) of 2000. On December 21, 2000, President Clinton signed into law the SFPA out of concern for the status of shark populations and the effects of fishing mortality associated with finning on shark populations. The SFPA prohibits any person under U.S. jurisdiction from: (i) engaging in the finning of sharks, (ii) possessing shark fins aboard a fishing vessel without the corresponding carcass, and (iii) landing shark fins without the corresponding carcass. It also contains a rebuttable presumption that any shark fins landed from a fishing vessel or found on board a fishing vessel were taken, held, or landed in violation of the Act if the total weight of shark fins landed or found on board exceeds 5 percent of the total weight of shark carcasses landed or found on board. This is commonly referred to as the "5 percent rule."

In 2011, President Obama signed the 2010 Shark Conservation Act (SCA). The SCA gives the Secretary of Commerce authority to identify a nation if that nation's vessels catch sharks on the high seas and the nation has not adopted a regulatory program for the conservation of sharks comparable to that of the United States, taking into account different conditions. If a nation is identified but fails to take the necessary corrective actions and does not receive a positive certification for shark catch on the high seas, the United States may prohibit the importation of certain fish and fish products from that nation into the United States. The SCA also strengthens the SFPA by requiring all sharks, with an exception for smooth dogfish, be landed with their fins naturally attached. This practice has been required for almost all shark fisheries in the Atlantic Ocean since 2008. In cases of violation of any such laws, appropriate enforcement and legal actions are taken to sanction the individuals and deter such activities in the future.

National Plan of Action

In 2001, NMFS published a formal United States National Plan of Action-Sharks (NPOA-Sharks). The NPOA outlines the conservation and data management processes needed to sustainably manage shark species in U.S. territorial waters. It also emphasizes the need for the precautionary approach in the management of all elasmobranchs, due to their vulnerability to rapid population decline.

As part of the effort to implement the NPOA, NMFS and other U.S. shark management entities have developed training tools and programs in elasmobranch identification (such as identification posters and color guidebooks). NMFS has also developed information and materials to raise awareness among recreational fishermen, commercial fishermen, fishing associations, and other relevant groups about the need and methods to reduce bycatch mortality and increase survival of released elasmobranchs where bycatch occurs. In addition, NMFS has attempted to raise awareness among the non-fishing public about the ecological benefits from elasmobranch populations, detrimental effects of habitat destruction (e.g., coastal development and coastal pollution), and appropriate conservation measures to avoid, minimize, or mitigate adverse effects on necessary habitats.

Shark Research

Numerous research studies undertaken by NMFS Science Centers and Regions have produced valuable information on shark stock status, survivorship, mobility, migration, habitat utilization, ecology, and age and growth characteristics—all of which will be incorporated into effective shark fishery management decisions.

Useful Links:

Shark Finning Report to Congress:

http://www.nmfs.noaa.gov/sfa/domes_fish/ReportsToCongress/SharkFinningReport11.pdf

National Plan of Action: <http://www.nmfs.noaa.gov/sfa/Final%20NPOA.February.2001.htm>

Atlantic Highly Migratory Species Management Division:

<http://www.nmfs.noaa.gov/sfa/hms/>

Atlantic States Marine Fisheries Commission: <http://asmfc.org/>

Pacific Fishery Management Council: <http://www.pcouncil.org/>

Western Pacific Fishery Management Council: <http://www.wpcouncil.org/>

North Pacific Fishery Management Council: <http://www.alaskafisheries.noaa.gov/npfmc/>