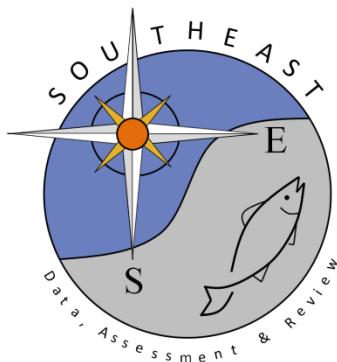


# Highly Migratory Species Sandbar Sharks Management History

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## 1. Summary of the Management of Sandbar Sharks through 2024

This summary describes the management and stock status determinations of the sandbar shark (*Carcharhinus plumbeus*) in U.S. federal waters of the Atlantic Ocean, including the Gulf of America<sup>1</sup> and Caribbean Sea, through 2024. NMFS provides this summary to help the scientists who are conducting the SouthEast Data Assessment, and Review (SEDAR) sandbar shark stock assessment (SEDAR 101). For more information on sandbar shark management, see the referenced fishery management plans, amendments, rulemakings, and Federal Register notices. Management does not always address the needs of a particular species; therefore, much of the management history is not specific to sandbar sharks. The following summary, to the extent possible, focuses only on those management actions that likely affected sandbar sharks. See Table 1 for a summary of the relevant management measures implemented under fishery management plans and amendments.

### 1.1. Management History

#### *Preliminary Fishery Management Plan for Atlantic Billfish and Sharks*

The U.S. Atlantic shark fisheries developed rapidly in the late 1970s due to increased demand for their meat, fins, and cartilage worldwide. At the time, sharks were perceived to be an underutilized fishery resource. Eventually, tuna and swordfish fishing vessels began retaining a greater proportion of their shark incidental catch and some directed fishery effort expanded as well. The high commercial value of shark fins led to the controversial practice of “shark finning,” or removing the valuable fins from sharks and discarding the carcasses at sea.

In January 1978, NMFS published the Preliminary Fishery Management Plan (PMP) for Atlantic Billfish and Sharks (43 FR 3818, January 27, 1978). The PMP for Atlantic Billfish and Sharks was a Secretarial effort (i.e., it was not conducted by the Regional Fishery Management Councils). NMFS designed the management measures contained in the PMP to:

1. Minimize conflict between domestic and foreign users of billfish and shark resources;
2. Encourage development of an international management regime; and
3. Maintain availability of billfishes and sharks to the expanding U.S. fisheries.

The primary shark management measures in the PMP for Atlantic Billfish and Sharks included:

- Mandatory data reporting requirements for foreign vessels.
- A hard cap on shark catch by foreign vessels, which when achieved would prohibit further landings of sharks by foreign vessels.
- Permit requirements for foreign vessels to fish in an established 200-mile Fishery Conservation Zone (FCZ) of the United States (later amended to change the geographical area of coverage to the Exclusive Economic Zone (EEZ)).
- Required radio checks by foreign vessels upon entering and leaving the FCZ.
- Boarding and inspection privileges for U.S. observers.
- A prohibition on the intentional discard of fishing gears by foreign fishing vessels within the FCZ that may pose environmental or navigational hazards.

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<sup>1</sup> Consistent with Executive Order (E.O.) 14172 (Restoring Names that Honor American Greatness), this document uses Gulf of America for all references to the area known as the Gulf of Mexico in the specific regulations at 50 CFR part 635.

In the 1980s, the five Atlantic-based Regional Fishery Management Councils were responsible for the management of Atlantic highly migratory species (HMS), including sharks. As catches accelerated through the 1980s, shark stocks started to show signs of decline. Commercial landings of large coastal and pelagic sharks peaked in 1989. The Councils were concerned about the late maturity and low fecundity of sharks, the increase in fishing mortality, and the possibility that overfishing was occurring. Thus, in 1989, the five Councils asked the Secretary of Commerce (Secretary) to develop a shark fishery management plan (FMP) that included a cap on commercial fishing effort, recreational retention limit (also known as a bag limit), prohibition on shark finning, and a data collection system.

On November 28, 1990, the President of the United States signed into law the Fishery Conservation Amendments of 1990 (Pub. L. 101-627). This law amended the Magnuson Fishery Conservation and Management Act, later renamed the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act), and transferred the authority to manage HMS, including sharks, in the U.S. EEZ of the Atlantic Ocean, Gulf of America and Caribbean Sea, from the Councils to the Secretary. The Secretary then delegated the authority to manage HMS to NMFS.

### ***1993 FMP for Sharks of the Atlantic Ocean***

In 1992, NMFS, in consultation with the Councils and interested parties, completed a stock assessment for large coastal sharks (LCS). The assessment looked at the LCS complex as a whole and included sandbar sharks. Based on the results of the stock assessment, NMFS determined that LCS were overfished. In 1993, NMFS implemented the first FMP for Sharks of the Atlantic Ocean (1993 FMP) (58 FR 21931, April 26, 1993). The 1993 FMP included management measures that:

- Established a fishery management unit consisting of 39 frequently caught species of Atlantic sharks, separated into three groups for assessment and regulatory purposes (LCS, small coastal sharks (SCS), and pelagic sharks). NMFS included sandbar shark in the LCS management group.
- Established calendar year commercial quotas for LCS and pelagic sharks and divided the annual quota into two equal half-year quotas that applied to the following two fishing periods – January 1 through June 30 and July 1 through December 31.
- Established a recreational trip limit of four sharks per vessel per trip for LCS or pelagic shark species groups.
- Required that fishermen release all sharks not taken as part of a commercial or recreational fishery uninjured.
- Established a framework procedure for adjusting commercial quotas, recreational retention limits, species minimum size limits, management units, fishing years, species groups, estimates of maximum sustainable yield (MSY), and permitting and reporting requirements.
- Prohibited shark finning by requiring that the ratio between wet fins/dressed carcass weight not exceed 5 percent.
- Prohibited the sale, by recreational fishermen, of sharks or shark products (meat and fins) caught in the U.S. EEZ.
- Required annual commercial permits for fishermen who harvest and sell shark products.
- Established a permit eligibility requirement for vessel owners or operators (including charter vessel and headboat owners/operators who intend to sell their catch). Vessel owners or operators must show proof that at least 50 percent of their earned income is derived from the sale of fish or fish products, or that their charter vessel and/or headboat operations earned at least \$20,000 from the sale of fish during one of three years preceding the permit request.

- Required trip reports by permitted fishermen and persons conducting shark tournaments, and required fishermen to provide information to NMFS under the Trip Interview Program.
- Required NMFS observers on selected shark fishing vessels to document mortality of marine mammals and endangered species.

Additionally, based on the results of the 1992 LCS stock assessment, in the 1993 FMP, NMFS established a rebuilding plan and an LCS commercial quota of 2,436 metric tons (mt) dressed weight (dw). Under the rebuilding plan, the LCS commercial quota was expected to increase in 1994 and 1995 up to the MSY estimated in the 1992 stock assessment (3,800 mt dw).

In the year following implementation of the 1993 FMP, the commercial shark fishery faced multiple challenges that resulted in short seasons and low ex-vessel prices. For example, one month after implementation of the 1993 FMP, the commercial fishery exceeded the January through June LCS quota and, as a result, the fishery closed and the July through December time period opened with an adjusted quota of 875 mt dw and also closed a month after opening (Table 2). Derby-style fishing, coupled with what some fishery participants observed to be an unusual abundance or availability of sharks, led to the intense and short fishing season for LCS. Although fin prices remained strong throughout the brief season, the oversupply of shark carcasses led to record low meat prices. The LCS season was significantly shorter than what the industry anticipated, and a number of commercial fishermen and dealers indicated that they were adversely affected by the early closure. The intense season also complicated NMFS ability to monitor the LCS quota and close the season with the required advance notice.

To address these problems, NMFS implemented an LCS commercial trip limit of 4,000 lb dw (1.8 mt dw) for permit holders (58 FR 68556, December 28, 1993) and established a control date of February 22, 1994 for entry into the Atlantic shark fishery (59 FR 8457, February 22, 1994). Additionally, NMFS published a final rule (59 FR 52453, October 18, 1994) that implemented measures as authorized by the 1993 FMP, including measures that:

- Clarified operation of vessels with a federal commercial permit.
- Established the fishing year.
- Consolidated the regulations for drift gillnets.
- Required dealers to obtain a permit to purchase sharks.
- Required dealer reports.
- Established recreational retention limits.
- Established quotas for commercial landings.
- Provided for commercial fishery closures once fishermen harvested available quotas.

In 1994, consistent with the rebuilding plan implementing in the 1993 FMP, NMFS increased the LCS commercial quota to 2,570 mt dw. However, a 1994 LCS stock assessment suggested that recovery to 1970s levels could take as long as 30 years, and concluded that “increases in the [Total Allowable Catch (TAC)] for sharks [are] considered risk-prone with respect to promoting stock recovery.” Thus, in May 1995, NMFS capped the LCS commercial quota at the 1994 level (60 FR 21468, May 2, 1995).

In 1996, NMFS conducted another stock assessment to examine the status of LCS. In addition to considering the LCS complex, this assessment also considered sandbar and blacktip (*C. limbatus*) sharks individually. The 1996 stock assessment found no clear evidence that LCS stocks were rebuilding and concluded that “[a]nalyse indicate that recovery is more likely to occur with reductions in effective fishing mortality rate of 50 [percent] or more.” Additionally, in 1996, Congress amended the Magnuson-Stevens Act to modify the definition of overfishing and establish new provisions to halt overfishing and

rebuild overfished stocks, minimize bycatch and bycatch mortality to the extent practicable, and identify and protect essential fish habitat (EFH). In 1997, consistent with the new provisions and results of the 1996 stock assessment, NMFS reduced the LCS commercial quota by 50 percent to 1,285 lb dw and reduced the recreational retention limit for LCS and pelagic sharks to two LCS, SCS (except Atlantic sharpnose shark), and pelagic sharks combined per vessel per trip (62 FR 16648, April 7, 1997).

On May 2, 1997, the Southern Offshore Fishing Association (SOFA) and other commercial fishermen and dealers sued the Secretary on the April 1997 regulations. A year later, in May 1998, NMFS submitted an analysis on the economic effects of the 1997 LCS commercial quotas on commercial fishermen to the court. In the analysis, NMFS concluded that the 1997 LCS quotas may have had a significant economic impact on a substantial number of small entities, but there were no other available alternatives that would both mitigate those economic impacts and ensure the viability of the LCS stocks. Based on these findings, the court allowed NMFS to maintain the 1997 LCS quotas while SOFA et al. and NMFS settled the case in combination with litigation mentioned below regarding the 1999 FMP.

### ***1999 FMP for Atlantic Tunas, Swordfish, and Sharks***

In 1998, NMFS conducted another LCS stock assessment. This stock assessment once again considered sandbar and blacktip sharks individually. The results of the 1998 stock assessment indicated that LCS as a whole were overfished and would not rebuild under 1997 harvest levels. Specific to sandbar sharks, the assessment found that the "...sandbar current stock size was estimated to be between 58 and 70 [percent] of [maximum sustainable yield (MSY)]" and recommended management approaches to reduce fishing mortality on individuals in the large juvenile and subadult life stages. In 1999, NMFS published the 1999 FMP for Atlantic Tunas, Swordfish, and Sharks (1999 FMP) (64 FR 29090, May 28, 1999), which included numerous measures to rebuild or prevent overfishing of sharks in commercial and recreational fisheries. The 1999 FMP amended and replaced the 1993 FMP. Specific to sharks, the 1999 FMP:

- Reduced the LCS commercial quota to 1,285 mt dw.
- Established ridgeback (e.g., sandbar) and non-ridgeback (e.g., hammerhead species; family *Sphyrnidae*) categories of LCS.
- Implemented a commercial minimum size limit of 54 inches fork length (FL) for ridgeback LCS.
- Reduced recreational retention limits for all sharks to one shark per vessel.
- Established a recreational minimum size limit of 54 inches FL for all sharks except Atlantic sharpnose shark.
- Established EFH for 39 species of sharks, including sandbar shark, and established a habitat area of particular concern (HAPC) for sandbar shark nursery and pupping grounds.
- Implemented HMS limited access permits (LAP) in commercial fisheries.
- Established a shark public display quota.
- Established new procedures for counting dead discards, including counting state landings of sharks after federal fishing season closures against federal quotas.
- Established season-specific over- and underharvest adjustment procedures.

In the 1999 FMP, NMFS also committed to implementing an area closed to pelagic longline gear that would effectively protect small swordfish in a future rule, and began to work towards this goal shortly after the publication of the 1999 FMP. While pelagic longline is not a primary gear used to target LCS, fishermen often catch sandbar and dusky sharks on pelagic longline gear when targeting swordfish and tuna. Therefore, regulations affecting the pelagic longline fishery could affect dusky and sandbar catches. Following the lawsuits that claimed, among other things, that NMFS had not done enough to reduce

bycatch in HMS fisheries, NMFS expanded the goals of the rule to reduce all bycatch and bycatch mortality in the HMS pelagic longline fishery, to the extent practicable. NMFS developed following objectives for this effort:

- Maximize the reduction of finfish bycatch;
- Minimize the reduction of the target catch of swordfish and other species;
- Consider impacts on the incidental catch of other species to minimize or reduce incidental catch levels; and
- Optimize survival of bycatch and incidental catch species.

In June 1999, several different entities sued NMFS multiple times regarding the commercial and recreational management measures in the 1999 FMP. Due to the overlap of one of those lawsuits with the 1997 litigation, on June 30, 1999, the court prohibited NMFS from enforcing the 1999 regulations with respect to the shark commercial quotas and fish-counting methods. This prohibition on enforcement applied to the counting of dead discards and state commercial landings after federal fishing season closures, which differed from the commercial quotas and fish counting methods prescribed by the April 1997 regulations. Due to the injunction, NMFS was unable to implement measures that would have: established limited access in commercial fisheries, created ridgeback and non-ridgeback categories of LCS, set a commercial minimum size limit of 54 inches FL for ridgeback LCS (including sandbar sharks), and reduced the LCS commercial quota to 1,285 mt dw.

In August 2000, NMFS published a final rule, and the first regulatory amendment to the 1999 FMP, that focused on addressing bycatch in the pelagic longline fishery (65 FR 47214, August 1, 2000). This action created pelagic longline closed areas to protect swordfish and reduce bycatch, which NMFS committed to in the 1999 FMP. Specifically, the final rule closed three large areas (Desoto Canyon, Florida East Coast, and Charleston Bump) to commercial pelagic longline fishing and prohibited the use of live bait in the Gulf of America. The DeSoto Canyon closure was effective on November 1, 2000 and the Florida East Coast and Charleston Bump closures were effective on March 1, 2001. Because fishermen often catch sharks, including sandbar sharks, on pelagic longline gear, the closure of these three commercially important areas minimized the incidental catch, bycatch, and mortality of non-target species such as sandbar sharks. Before the closures went into effect, the pelagic longline fleet exceeded the Incidental Take Statement (ITS) allowance for sea turtle bycatch that NMFS established during the Endangered Species Act Section 7 Consultation for the 1999 FMP.

On September 25, 2000, the United States District Court for the District of Columbia ruled against the plaintiffs regarding the commercial pelagic shark management measures in the 1999 FMP, stating that the regulations were consistent with the Magnuson-Stevens Act and the Regulatory Flexibility Act.

On November 21, 2000, SOFA et al. and NMFS reached a settlement agreement for the May 1997 and June 1999 lawsuits. On December 7, 2000, the United States District Court for the Middle District of Florida entered an order approving the settlement agreement and lifting the injunction. The settlement agreement required, among other things, an independent (i.e., non-NMFS) review of the 1998 LCS stock assessment. The settlement agreement did not address any regulations affecting recreational shark fisheries, which included a recreational minimum size limit of 54 inches FL for all sharks except Atlantic sharpnose shark. The court listed the injunction on January 1, 2001 (66 FR 55). On March 6, 2001, NMFS published an emergency rule (66 FR 13441) to implement the settlement agreement, and re-establish the LCS and SCS commercial quotas and catch accounting and monitoring procedures at 1997 levels. The emergency rule expired on September 4, 2001.

On September 20, 2001, the United States District Court for the District of Columbia ruled against different plaintiffs regarding the recreational shark retention limits in the 1999 FMP, again stating that the regulations were consistent with the Magnuson-Stevens Act. These recreational shark retention limits established a recreational minimum size limit of 54 inches FL for all sharks, except Atlantic sharpnose shark.

In late 2001, NMFS received the results of the independent peer review of the 1998 LCS stock assessment. The peer review found that the stock assessment was not based on the best available science for LCS. Considering the settlement agreement, the results of the peer review, catch rates, and the best scientific information available at the time (not including the 1998 stock assessment projections), NMFS implemented another emergency rule for the 2002 fishing year (66 FR 67118, December 28, 2001; extended 67 FR 37354, May 29, 2002). The emergency rule suspended certain measures pending completion of new LCS and SCS stock assessments and a peer review of the LCS stock assessment. Specifically, NMFS maintained the 1997 LCS commercial quota (1,285 mt dw), suspended the commercial ridgeback LCS minimum size limit, suspended the counting of dead discards and state landings of sharks against the federal quota after a federal closure, and replaced season-specific quota-accounting methods with subsequent-season quota accounting methods. The emergency rule expired on December 30, 2002.

In May 2002, NMFS announced the availability of a modeling document that evaluated the range of sensitivity trials and alternative model structures, following recommendations outlined in peer reviews of the 1998 LCS stock assessment (67 FR 36858, May 28, 2002). NMFS then held a 2002 LCS stock assessment workshop in June 2002. On October 17, 2002, NMFS announced the availability of the 2002 LCS stock assessment and the workshop meeting report (67 FR 64098). The results of this stock assessment indicated that LCS were still overfished and experiencing overfishing. Additionally, the 2002 LCS stock assessment found that sandbar sharks were overfished, but not experiencing overfishing. NMFS received positive results from the peer review of the 2002 LCS stock assessment in December 2002.

Based on the results of the 2002 LCS stock assessment, NMFS implemented an emergency rule to ensure that the commercial management measures in place for the 2003 fishing year were based on the best available science (67 FR 78990, December 27, 2002; extended 68 FR 31987, May 29, 2003). The emergency rule was an interim measure to maintain the LCS stock status pending an amendment to the 1999 FMP that would re-evaluate the management measures in the context of a rebuilding plan. Consistent with the 1999 FMP, the emergency rule: implemented, for the first and only time, ridgeback and non-ridgeback classifications of LCS (Table 3); suspended the commercial ridgeback shark minimum size limit; and implemented a provision to count dead discards and state landings of sharks against the federal quotas after federal fishing season closures. To calculate the commercial quotas for these groups, NMFS took the average landings for each individual species from 1999 through 2001 and either increased or decreased them by certain percentages, as suggested by scenarios presented in the 2002 LCS stock assessment. The stock assessment scenarios suggested that an increase in blacktip shark catch would not cause overfishing and current sandbar shark catch would not increase overfishing. Considering this information, and the fact that these are the two LCS species that commercial fishermen primarily target, this method resulted in an increase in the overall quota implemented in the emergency rule. During the public comment period on the emergency rule and scoping for Amendment 1 to the 1999 FMP (67 FR 69180, November 15, 2002), NMFS received comments regarding, among other things, the quota levels



under the emergency rule, concern over secondary species and discards, the ability of fishermen to target certain species, and impacts of the different season length for ridgeback and non-ridgeback LCS. NMFS responded to these comments when extending the emergency rule and further considered these comments when examining the alternatives presented in the amendment to the 1999 FMP.

### ***Amendment 1 to the 1999 FMP for Atlantic Tunas, Swordfish, and Sharks***

In 2002, NMFS convened another LCS stock assessment. Based on the results of the 2002 stock assessment, NMFS implemented Amendment 1 to the 1999 FMP (68 FR 74746, December 24, 2003), which included management measures that affected all aspects of shark management. Amendment 1, among other things:

- Re-aggregated the LCS complex (i.e., removed the ridgeback and non-ridgeback categories of LCS).
- Divided LCS and SCS management and commercial quotas between three regions: South Atlantic, North Atlantic, and Gulf of America. The South Atlantic region included all waters east of the Gulf of America region north to the border between North Carolina and Virginia (roughly 36°30' N. lat.), including the waters surrounding the Caribbean. The North Atlantic region included all waters north of the North Carolina and Virginia border at roughly 36°30' N. lat. The Gulf of America region included all waters of the U.S. EEZ west and north of the boundary stipulated at 50 CFR 600.105(c).
- Established MSY as a basis for setting commercial quotas.
- Eliminated the commercial minimum size limit.
- Established regional commercial quotas and trimester commercial fishing seasons.
- Adjusted the recreational retention and minimum size limits.
- Established gear restrictions to reduce bycatch or reduce bycatch mortality.
- Established a time/area closure off the coast of North Carolina to reduce fishing mortality of dusky sharks and juvenile sandbar sharks.
- Updated EFH for sandbar, blacktip, finetooth, dusky, and nurse sharks.
- Changed the administrative process for issuing exempted fishing permits to collect sharks for display purposes.

In July 2004, NMFS took additional steps to reduce sea turtle bycatch after the pelagic longline fleet exceeded the ITS allowance for sea turtle bycatch, and after considering new information on sea turtles and the uncertainty regarding how the area closures would affect sea turtles. Specifically, NMFS implemented a management measure to reduce sea turtle bycatch in the pelagic longline fishery and avoid jeopardy (69 FR 40734, July 6, 2004). The final rule required the use of circle hooks for the entire U.S. pelagic longline fleet. Although NMFS initially adopted this requirement to protect sea turtles, research showed that their use could benefit other bycatch species (e.g., blue marlin).

In November 2004, NMFS published a final rule (69 FR 6954, November 30, 2004) that changed various management measures for LCS. Specifically, the final rule adjusted the LCS commercial quota allocations for each region, modified the seasonal commercial quota split for the North Atlantic region based on historical landing patterns of LCS, established a methodology to change the commercial quota split between regions and/or seasons, and established a methodology to adjust from semi-annual to trimester fishing seasons.

In February 2006, NMFS published a temporary final rule (71 FR 8223, February 16, 2006), effective from February 15, 2006 through March 31, 2006, that prohibited any vessel from fishing with gillnet gear in the Southeast U.S. Restricted Area. The Southeast U.S. Restricted Area is defined as Atlantic Ocean waters between 32°00' N. Lat. (near Savannah, GA) and 27°51' N. Lat. (near Sebastian Inlet, FL), extending from the shore eastward out to 80°00' W. long. This action was taken pursuant to the authority of the Atlantic Large Whale Take Reduction Plan (50 CFR 229.32(g)) and the Endangered Species Act. This action was necessary to protect North Atlantic right whales from further serious injury or mortality from entanglement in gillnet gear in the Southeast U.S. Restricted Area, following a right whale mortality in January 2006.

### ***2006 Consolidated HMS FMP***

In October 2006, NMFS published the Consolidated HMS FMP (71 FR 58058, October 2, 2006). The 2006 Consolidated HMS FMP combined the management measures for all Atlantic HMS (i.e., tunas, swordfish, sharks, and billfish) into one comprehensive FMP, adjusted the regulatory framework measures, maintained the process for updating HMS EFH, and combined and simplified the objectives of the previous FMPs. Specific to sharks, the 2006 Consolidated HMS FMP:

- Established mandatory protected species safe handling, release, and identification workshops and certification for HMS pelagic longline, bottom longline, and shark gillnet vessel owners and operators with mandatory certification renewal every three years.
- Established mandatory shark identification workshops for all federally permitted shark dealers with a mandatory certification renewal every three years.
- Established a differentiation between pelagic longline and bottom longline gear based upon the species composition of the catch on board or landed.
- Required that the second dorsal fin and the anal fin remain attached to the shark carcass on all sharks through landing.
- Prohibited the sale or purchase of any HMS that was offloaded from an individual vessel in excess of the retention limits specified in §§ 635.23 and 635.24.

### ***Amendment 2 to the 2006 Consolidated HMS FMP***

In 2006, NMFS completed a stock assessment on the LCS complex, blacktip sharks, and sandbar shark (SEDAR 11). SEDAR 11 indicated that the sandbar shark was overfished and experiencing overfishing. Thus, NMFS implemented management measures, consistent in part with the results of SEDAR 11 stock assessment, in Amendment 2 to the 2006 Consolidated HMS FMP (73 FR 35778, June 24, 2008; corrected 73 FR 40658, July 15, 2008). Amendment 2, among other things:

- Initiated a rebuilding plan for sandbar sharks consistent with the results of the SEDAR 11 stock assessment.
- Established a shark research fishery to collect shark life history information.
- Prohibited the retention of sandbar sharks in recreational fisheries.
- Prohibited the retention of sandbar sharks in commercial fisheries unless participants were part of the shark research fishery. Shark research fishery participants were required to have 100 percent observer coverage and meet specific gear and fishing restrictions, consistent with their shark research fishery permit.
- Implemented a commercial quota of 87.9 mt dw for sandbar sharks harvested in the shark research fishery.
- Required that fishermen offload all sharks with their fins naturally attached.

- Established a boundary between the Gulf of America region and the Atlantic region, defined as a line beginning on the east coast of Florida at the mainland at 25°20.4' N. lat., proceeding due east. NMFS considered any water and land to the south and west of that boundary to be within the Gulf of America and any water and land to the north and east of that boundary line to be within the Atlantic region.
- Implemented time/area closures recommended by the South Atlantic Fishery Management Council.

In February 2007, NMFS expanded the equipment required for the safe handling, release, and disentanglement of sea turtles caught in the shark bottom longline fishery (72 FR 5633, February 7, 2007). Specifically, the final rule created consistency in the equipment requirements (e.g., those related to dehookers and line cutters) for the bottom longline and pelagic longline fisheries. Additionally, the final rule created several year-round bottom longline closed areas off the U.S. Virgin Islands and Puerto Rico to protect EFH for reef-dwelling species, consistent with management measures by the Caribbean Fishery Management Council.

***Amendment 5a to the 2006 Consolidated HMS FMP***

In 2011, SEDAR assessed sandbar, dusky, and blacknose sharks (SEDAR 21). Based on the results of the SEDAR 21 stock assessment, NMFS determined sandbar shark overfished, but no longer experiencing overfishing. NMFS announced their intent to prepare Amendment 5 to the 2006 Consolidated HMS FMP (76 FR 62331, October 7, 2011), which would, among other things, address the results of the SEDAR 21 stock assessment. However, due to several factors, including public comments received on draft Amendment 5 (77 FR 70552), NMFS split the management measures into two separation actions. Amendment 5a would address scalloped hammerhead, sandbar, blacknose, and Gulf of America blacktip sharks and Amendment 5b would address dusky sharks.

In July 2013, NMFS finalized Amendment 5a to the 2006 Consolidated HMS FMP (78 FR 40318, July 3, 2013). Amendment 5a did not change any management measures specifically for sandbar sharks; however, the changes could affect sandbar shark bycatch. Specifically, Amendment 5a:

- Established new regional shark management groups and quotas for the commercial fishery, including annual regional quotas for the aggregated LCS, hammerhead sharks, Gulf of America blacktip sharks, blacknose sharks, and non-blacknose SCS sharks.
- Established regional quota linkages between management groups whose species are often caught together in the same fisheries to prevent exceeding the newly established quotas through discarded bycatch.

***Amendment 6 to the 2006 Consolidated HMS FMP***

In September 2011, NMFS published a notice of intent to prepare Amendment 6 to the 2006 Consolidated HMS FMP (76 FR 57709, September 16, 2011), which would consider catch shares for shark fisheries. The notice also established a control date for eligibility to participate in a shark catch share program, announced the availability of a white paper on catch share programs and issues specific to shark fisheries, and requested public comment on the implementation of catch shares in the shark fisheries. NMFS received public comments on a variety of modifications to the existing management structure of shark fisheries, including programs such as catch shares, limited access privilege programs, individual fishing quotas, and sectors. Fishermen requested, for allocation purposes, that sandbar shark landings be included when determining landings history. Additionally, fishermen requested, if an individual fishing quota allocation was implemented, that the sandbar shark research fishery quota be equally distributed to all

qualified shark fishermen and that they would be allowed to land all sandbar sharks caught in the research fishery.

In August 2015, NMFS implemented Amendment 6 to the 2006 Consolidated HMS FMP (80 FR 50074, August 18, 2015). Amendment 6 did not implement any catch share program. Amendment 6:

- Adjusted the sandbar shark research fishery quota from 116.6 mt dw to 90.7 mt dw.
- Increased the LCS retention limit for directed permit holders.
- Apportioned the Gulf of America regional commercial quotas for aggregated LCS, blacktip, and hammerhead sharks into western and eastern sub-regional quotas along 88° 00' W. long.
- Removed the upgrading restrictions for shark LAP holders.

#### ***Amendment 10 to the 2006 Consolidated HMS FMP***

In September 2017, NMFS published Amendment 10 to the 2006 Consolidated HMS FMP (82 FR 42329, September 7, 2017). Amendment 10 updated EFH boundaries and descriptions for HMS, including sandbar shark, and analyzed fishing and non-fishing impacts on EFH. In particular, Amendment 10 updated the boundaries of the sandbar shark HAPC.

In July 2018, NMFS published a final rule that would allow commercial shark fisheries to remain open after a fishery's landings have reached or are projected to reach 80 percent of the available overall, regional, and/or sub-regional quota, if the fishery's landings are not projected to reach 100 percent of the applicable quota before the end of the season (83 FR 31677, July 9, 2018). The final rule also revised the minimum notice time between the date of filing a closure with the Office of the Federal Register and the closure effective date from five days to four days.

#### ***Amendment 14 to the 2006 Consolidated HMS FMP***

In January 2023, NMFS finalized Amendment 14 to the 2006 Consolidated HMS FMP (88 FR 4157, January 24, 2023). In Amendment 14, NMFS set forth a revised framework for establishing quotas and related management measures for Atlantic shark fisheries and incorporated, for potential use, several optional fishery management tools that NMFS adopted in the revised guidelines for implementing National Standard 1 of the Magnuson-Stevens Act (81 FR 71858, October 18, 2016). While the framework management measures are not specific to sandbar sharks, some of them could result in changes to fishing practices that would affect sandbar sharks. Specifically, Amendment 14 established a framework to:

- Create a tiered ABC control rule.
- Allow consideration of phase-in ABC control rules for any modifications in ABC.
- Actively manage all sector ACLs (commercial and recreational).
- Establish an ACL for each Atlantic shark management group, without commercial ACL quota linkages.
- Allow carry-over, and only for underharvest of the commercial quotas (landings only) under certain conditions.
- Compare a three-year average of fishing mortality estimates to the overfishing limit to determine overfishing status.

Amendment 14 did not have any implementing regulations. However, NMFS may implement the revised framework for establishing quotas and related management measures for Atlantic shark fisheries, as established in Amendment 14, through Amendment 16 to the 2006 Consolidated HMS FMP (Notice of

Intent to Prepare an Environmental Impact Statement; 88 FR 29617, May 8, 2023) and other future rulemakings. These future management measures could affect sandbar sharks.

***Amendment 16 to the 2006 Consolidated HMS FMP***

In May 2023, NMFS announced the availability of a scoping document for Amendment 16 (88 FR 29617, May 8, 2023). The scoping document for Amendment 16 considered extensive changes to commercial and recreational shark fisheries management. The management options presented for public comment included changes to commercial and recreational shark management measures related to commercial and recreational quotas, management groups, retention limits, and minimum size limits. During scoping for Amendment 16, a number of commenters noted that Amendment 16 was too large and recommended that NMFS split the management measures into multiple smaller actions. Amendment 16 and related future rulemakings could affect sandbar sharks.

***Amendment 15 to the 2006 Consolidated HMS FMP***

In May 2024, NMFS released a final environmental impact statement for Amendment 15 to the 2006 Consolidated HMS FMP (89 FR 40481, May 10, 2024). Amendment 15, among other things, considers the modification, data collection, and assessment of four spatial management areas that restrict commercial longline fishing (Mid-Atlantic Shark, Charleston Bump, East Florida Coast, and DeSoto Canyon closed areas). To address the lack of fishery-dependent data inside these closed areas and to assess their effectiveness, Amendment 15 considers potential modifications to the boundaries and/or timing of the closed areas, data collection programs in the high- and low-by-catch-risk areas, and a process for routine evaluation of spatial management areas to identify whether conservation and management needs are being met. Amendment 15 and any implementing regulations could affect sandbar sharks.

**Table 1. FMP amendments and their implementing regulations that affect sandbar sharks.**

<b>Effective Date*</b>	<b>FMP/Amendment</b>	<b>Description</b>
January 1978	PMP for Atlantic Billfish and Sharks	<ul style="list-style-type: none"> <li>• Mandatory data reporting requirements for foreign vessels.</li> <li>• A hard cap on shark catch by foreign vessels, which when achieved would prohibit further landings of sharks by foreign vessels.</li> <li>• Permit requirements for foreign vessels to fish in an established 200-mile FCZ.</li> <li>• Required radio checks by foreign vessels upon entering and leaving the FCZ.</li> <li>• Boarding and inspection privileges for U.S. observers.</li> <li>• A prohibition on the intentional discard of fishing gears by foreign fishing vessels within the FCZ that may pose environmental or navigational hazards.</li> </ul>
April 26, 1993*	FMP for Sharks of the Atlantic Ocean	<ul style="list-style-type: none"> <li>• Established a fishery management unit consisting of 39 frequently caught species of Atlantic sharks, separated into three groups for assessment and regulatory purposes (LCS, SCS, and pelagic sharks).</li> <li>• Established calendar year commercial quotas for LCS and pelagic sharks and divided the annual quota into two equal half-year quotas that applied to the following two fishing periods – January 1 through June 30 and July 1 through December 31.</li> <li>• Established a recreational trip limit of four sharks per vessel per trip for LCS or pelagic shark species groups.</li> </ul>

		<ul style="list-style-type: none"> <li>• Required that fishermen release all sharks not taken as part of a commercial or recreational fishery uninjured.</li> <li>• Established a framework procedure for adjusting commercial quotas, recreational retention limits, species minimum size limits, management units, fishing years, species groups, estimates of MSY, and permitting and reporting requirements.</li> <li>• Prohibited shark finning by requiring that the ratio between wet fins/dressed carcass weight not exceed 5 percent (effective May 26, 1993).</li> <li>• Prohibited the sale, by recreational fishermen, of sharks or shark products (meat and fins) caught in the U.S. EEZ.</li> <li>• Required annual commercial permits for fishermen who harvest and sell shark products (effective July 1, 1993).</li> <li>• Established a permit eligibility requirement for vessel owners or operators (including charter vessel and headboat owners/operators who intend to sell their catch). Vessel owners or operators must show proof that at least 50 percent of their earned income is derived from the sale of fish or fish products, or that their charter vessel and/or headboat operations earned at least \$20,000 from the sale of fish during one of three years preceding the permit request.</li> <li>• Required trip reports by permitted fishermen and persons conducting shark tournaments, and required fishermen to provide information to NMFS under the Trip Interview Program (effective July 1, 1993).</li> <li>• Required NMFS observers on selected shark fishing vessels to document mortality of marine mammals and endangered species (effective July 1, 1993).</li> </ul>
July 1, 1999*	FMP for Atlantic Tunas, Swordfish, and Sharks	<ul style="list-style-type: none"> <li>• Reduced the LCS commercial quota to 1,285 mt dw.</li> <li>• Established ridgeback and non-ridgeback categories of LCS (931 mt dw ridgeback LCS quota) (effective January 1, 2003; suspended after 2003 fishing year).</li> <li>• Implemented a commercial minimum size limit of 54 inches FL for ridgeback LCS (suspended).</li> <li>• Reduced recreational retention limits for all sharks to one shark per vessel.</li> <li>• Established a recreational minimum size limit of 54 inches FL for all sharks except Atlantic sharpnose shark.</li> <li>• Established EFH for 39 species of sharks, including sandbar shark, and established a HAPC for sandbar shark nursery and pupping grounds.</li> <li>• Implemented HMS LAP in commercial fisheries (LAPs issued immediately; application and appeals processed over the next year).</li> <li>• Established a shark public display quota (60 mt ww).</li> <li>• Established new procedures for counting dead discards, including counting state landings of sharks after federal fishing season closures against federal quotas (effective January 1, 2003).</li> <li>• Established season-specific over- and underharvest adjustment procedures.</li> </ul>
February 1, 2004*	Amendment 1 to the FMP for Atlantic	<ul style="list-style-type: none"> <li>• Re-aggregated the LCS complex.</li> </ul>

	Tunas, Swordfish, and Sharks	<ul style="list-style-type: none"> <li>• Divided LCS and SCS management and commercial quotas between three regions: South Atlantic, North Atlantic, and Gulf of America.</li> <li>• Established MSY as a basis for setting commercial quotas (LCS quota = 1,017 mt dw) (effective December 30, 2003).</li> <li>• Eliminated the commercial minimum size limit.</li> <li>• Established regional commercial quotas and trimester commercial fishing seasons (trimesters not implemented until January 1, 2005).</li> <li>• Adjusted the recreational retention and minimum size limits.</li> <li>• Established gear restrictions to reduce bycatch or reduce bycatch mortality.</li> <li>• Established a time/area closure off the coast of North Carolina (effective January 1, 2005).</li> <li>• Updated EFH for sandbar, blacktip, finetooth, dusky, and nurse sharks.</li> <li>• Changed the administrative process for issuing exempted fishing permits to collect sharks for display purposes.</li> </ul>
November 1, 2006*	2006 Consolidated HMS FMP	<ul style="list-style-type: none"> <li>• Established mandatory protected species safe handling, release, and identification workshops and certification for HMS pelagic longline, bottom longline, and shark gillnet vessel owners and operators with mandatory certification renewal every three years (effective January 1, 2007).</li> <li>• Established mandatory shark identification workshops for all federally permitted shark dealers with a mandatory certification renewal every three years (effective January 1, 2007).</li> <li>• Established a differentiation between pelagic longline and bottom longline gear based upon the species composition of the catch on board or landed.</li> <li>• Required that the second dorsal fin and the anal fin remain attached to the shark carcass on all sharks through landing.</li> <li>• Prohibited the sale or purchase of any HMS that was offloaded from an individual vessel in excess of the retention limits specified in §§ 635.23 and 635.24.</li> </ul>
July 24, 2008	Amendment 2 to the 2006 Consolidated HMS FMP	<ul style="list-style-type: none"> <li>• Initiated a rebuilding plan for sandbar sharks.</li> <li>• Established a shark research fishery to collect shark life history information.</li> <li>• Prohibited the retention of sandbar sharks in recreational fisheries.</li> <li>• Prohibited the retention of sandbar sharks in commercial fisheries unless participants were part of the shark research fishery. Shark research fishery participants were required to have 100 percent observer coverage and meet specific gear and fishing restrictions, consistent with their shark research fishery permit.</li> <li>• Implemented a commercial quota of 87.9 mt dw for sandbar sharks harvested in the shark research fishery.</li> <li>• Required that fishermen offload all sharks with their fins naturally attached.</li> <li>• Established a boundary between the Gulf of America region and the Atlantic region, defined as a line beginning</li> </ul>

		<p>on the east coast of Florida at the mainland at 25°20.4' N. lat., proceeding due east. NMFS considered any water and land to the south and west of that boundary to be within the Gulf of America and any water and land to the north and east of that boundary line to be within the Atlantic region.</p> <ul style="list-style-type: none"> <li>• Implemented time/area closures recommended by the South Atlantic Fishery Management Council.</li> </ul>
July 13, 2013	Amendment 5a to the 2006 Consolidated HMS FMP	<ul style="list-style-type: none"> <li>• Established new regional shark management groups and quotas for the commercial fishery.</li> <li>• Established regional quota linkages between management groups whose species are often caught together in the same fisheries to prevent exceeding the newly established quotas through discarded bycatch.</li> </ul>
August 18, 2015	Amendment 6 to the 2006 Consolidated HMS FMP	<ul style="list-style-type: none"> <li>• Adjusted the sandbar shark research fishery quota to 90.7 mt dw.</li> <li>• Increased the LCS retention limit for directed permit holders.</li> <li>• Apportioned the Gulf of America regional commercial quotas for aggregated LCS, blacktip, and hammerhead sharks into western and eastern sub-regional quotas along 88° 00' W. long.</li> <li>• Removed the upgrading restrictions for shark LAP holders.</li> </ul>
September 7, 2017 <sup>1</sup>	Amendment 10 to the 2006 Consolidated HMS FMP	<ul style="list-style-type: none"> <li>• Updated EFH designations for HMS, including sandbar shark, and updated the boundaries of the sandbar shark HAPC.</li> </ul>
January 24, 2023 <sup>1</sup>	Amendment 14 to the 2006 Consolidated HMS FMP	<ul style="list-style-type: none"> <li>• Create a tiered ABC control rule.</li> <li>• Allow consideration of phase-in ABC control rules for any modifications in ABC.</li> <li>• Actively manage all sector ACLs (commercial and recreational).</li> <li>• Establish an ACL for each Atlantic shark management group, without commercial ACL quota linkages.</li> <li>• Allow carry-over, and only for underharvest of the commercial quotas (landings only) under certain conditions.</li> <li>• Compare a three-year average of fishing mortality estimates to the overfishing limit to determine overfishing status.</li> </ul>
May 10, 2024 <sup>2</sup>	Amendment 15 to the 2006 Consolidated HMS FMP	<ul style="list-style-type: none"> <li>• Expected to revise timing and boundaries for some spatial management areas to create low- and/or high-bycatch-risk areas.</li> <li>• Expected to establish effort caps and require monitoring for pelagic longline vessels for all or part of a trip in low-bycatch-risk/monitoring areas and require these vessels to pay for electronic monitoring sampling costs in these areas.</li> <li>• Expected to allow cooperative research data collection via an exempted fishing permit for high- and low-bycatch-risk areas in the Charleston Bump and East Florida Coast spatial management areas, and the entirety of the high-bycatch-risk DeSoto Canyon spatial management area.</li> </ul>



		<ul style="list-style-type: none"> <li>Plans for evaluating spatial management area effectiveness regularly, when three years of final catch and effort data are available (or earlier).</li> <li>Expected to add regulatory provisions for review of spatial management areas, and maintain the status-quo for funding of the HMS Electronic Monitoring Program (both administrative and sampling costs).</li> </ul>
May 8, 2023 <sup>3</sup>	Amendment 16 to the 2006 Consolidated HMS FMP	<ul style="list-style-type: none"> <li>Considered extensive changes to commercial and recreational shark fisheries management, including changes to commercial and recreational shark management measures related to commercial and recreational quotas, management groups, retention limits, and minimum size limits.</li> </ul>

\*The effective date applies to all measures unless otherwise noted in the “Description” column.

<sup>1</sup> Amendment 10 and Amendment 14 have no implementing regulations and therefore do not have effective dates. The dates in the “Effective Date” column for these actions reflect the date of publication for the notice of agency decision and approval of the final amendments.

<sup>2</sup> At this time, NMFS has not finalized Amendment 15 and therefore there is no effective date. The date in the “Effective Date” column reflects the date of publication for the notice of availability of the FEIS.

<sup>3</sup> At this time, NMFS has not finalized Amendment 16 and therefore there is no effective date. The date in the “Effective Date” column reflects the date of publication for the scoping document.

**Table 2. List of LCS or sandbar shark seasons, 1993-2024.**

Year	Management Group	Open Dates	Quota (mt dw)
1993	LCS	January 1 - May 15	1,218
		July 1 - July 31	875
1994	LCS	January 1 - May 17	1,285
		July 1 - August 10 September 1 - November 4	1,318
1995	LCS	January 1 - May 31	1,285
		July 1 - September 30	968
1996	LCS	January 1 - May 17	1,285
		July 1 - August 31	1,168
1997	LCS	January 1 - April 7	642
		July 1 - July 21	326
1998	LCS	January 1 - March 31	642
		July 1 - August 4	600
1999	LCS	January 1 - March 31	642
		July 1 - July 28 September 1 - October 15	585
2000	LCS	January 1 - March 31	642
		July 1 - August 15	542

2001	LCS	January 1 - March 24	642
		July 1 - September 4	697
2002	LCS	January 1 - April 15	735.5
		July 1 - September 15	655.5
2003	Ridgeback LCS	January 1 - April 15	391.5
		July 1 - September 15	424
2004	LCS	GOA: January 1 - February 29 S. Atl: January 1 - February 15 N. Atl: January 1 - April 15	190.3 244.7 18.1
		GOA: July 1 - August 15 S. Atl: July 1 - September 30 N. Atl: July 1 - July 15	287.4 369.5 39.6
2005	LCS	GOA: January 1 - February 28 S. Atl: January 1 - February 15 N. Atl: January 1 - April 30	156.3 133.3 6.3
		GOA: July 6 - July 23 S. Atl: July 6 - August 31 N. Atl: July 21 - August 31	147.8 182 65.2
		GOA: September 1 - October 31 S. Atl: September 1 - November 15 N. Atl: September 1 - September 15	167.7 187.5 4.9
2006	LCS	GOA: January 1 - April 15 S. Atl: January 1 - March 15 N. Atl: January 1 - April 30	222.8 141.3 5.3
		GOA: July 6 - July 31 S. Atl: July 6 - August 16 N. Atl: July 6 - August 6	180 151.7 66.3
		GOA: September 1 - November 7 S. Atl: September 1 - October 3 N. Atl: Closed	225.6 50.3 N/A
2007	LCS	GOA: January 1 - January 15 S. Atl: Closed N. Atl: January 1 - April 30	62.3 N/A 7.9
		GOA: September 1 - September 22 S. Atl: July 15 - August 15 N. Atl: July 6 - July 31	83.1 163.1 69.0
		GOA: merged with second season S. Atl: merged with second season N. Atl: Closed	N/A N/A N/A
2008	LCS	GOA: Closed to July 23 S. Atl: Closed to July 23 N. Atl: Closed to July 23	Closed (51) Closed (16.3) Closed (10.7)
	Sandbar Shark	August 14 - December 31	87.9
2009	Sandbar Shark	January 14 - October 13	87.9
2010	Sandbar Shark	January 6 - December 31	87.9

2011	Sandbar Shark	January 1 - December 31	87.9
2012	Sandbar Shark	February 8 - December 31	87.9
2013	Sandbar Shark	February 27 - December 31	116.6
2014	Sandbar Shark	February 26 - December 31	116.6
2015	Sandbar Shark	January 16 - December 31	116.6 / 90.7
2016	Sandbar Shark	January 13 - December 31	90.7
2017	Sandbar Shark	March 6 - December 31	90.7
2018	Sandbar Shark	February 1 - December 31	90.7
2019	Sandbar Shark	March 13 - December 31	90.7
2020	Sandbar Shark	February 28 - December 31	90.7
2021	Sandbar Shark	March 12 - December 31	90.7
2022	Sandbar Shark	March 21 - December 31	90.7
2023	Sandbar Shark	March 16 - December 31	90.7
2024	Sandbar Shark	June 28 - December 31	90.7

Note: NMFS managed sandbar sharks in the LCS management group from 1993 through 2002 and 2004 through 2007. In 2003, NMFS split the LCS management group into ridgeback (e.g., sandbar sharks) and non-ridgeback sharks. In 2008, NMFS prohibited the retention of sandbar sharks outside of the shark research fishery. Acronyms: GOA = Gulf of America; N. Atl = North Atlantic; and S. Atl = South Atlantic.

**Table 3. Species that are currently in the LCS complex and species that were in the LCS complex that are now prohibited species.**

Common Name	Species Name
<b><i>Species that are currently in the LCS complex</i></b>	
<i>Ridgeback species</i>	
Sandbar	<i>Carcharhinus plumbeus</i>
Silky	<i>Carcharhinus falciformis</i>
Tiger	<i>Galeocerdo cuvier</i>
<i>Non-ridgeback species</i>	
Blacktip	<i>Carcharhinus limbatus</i>
Bull	<i>Carcharhinus leucas</i>
Great hammerhead	<i>Sphyrna mokarran</i>
Lemon	<i>Negaprion brevirostris</i>
Nurse	<i>Ginglymostoma cirratum</i>
Scalloped hammerhead	<i>Sphyrna lewini</i>
Smooth hammerhead	<i>Sphyrna zygaena</i>
Spinner	<i>Carcharhinus brevipinna</i>
<b><i>Species that were in the LCS complex that are now prohibited species</i></b>	
Basking <sup>1</sup>	<i>Cetorhinus maximus</i>
Bigeye sand tiger <sup>1</sup>	<i>Odontaspis noronhai</i>
Bignose <sup>2</sup>	<i>Carcharhinus altimus</i>
Caribbean reef <sup>2</sup>	<i>Carcharhinus perezi</i>
Dusky <sup>2</sup>	<i>Carcharhinus obscurus</i>
Galapagos <sup>2</sup>	<i>Carcharhinus galapagensis</i>
Narrowtooth <sup>2</sup>	<i>Carcharhinus brachyurus</i>

Night <sup>2</sup>	<i>Carcharhinus signatus</i>
Sand tiger <sup>1</sup>	<i>Odontaspis taurus</i>
Whale <sup>1</sup>	<i>Rhincodon typus</i>
White <sup>1</sup>	<i>Carcharodon carcharias</i>

<sup>1</sup> These species were part of the LCS complex until NMFS added them to the Prohibited Sharks complex in 1997.

<sup>2</sup> These species were part of the LCS complex until NMFS added them to the Prohibited Sharks Complex in 1999.

**Table 4. Summary of 2024 shark regulations affecting sandbar sharks.**

<b>Fishery</b>	<b>Retention Limits</b>	<b>Quota<sup>1</sup></b>	<b>Other Requirements</b>
Inside the commercial shark research fishery	Specific to each vessel and owner(s) combination as identified in the shark research fishery permit	90.7mt dw <sup>2</sup>	- Shark research fishery permit - 100-percent observer coverage when participating in the shark research fishery
Outside the commercial shark research fishery	N/A - sandbar sharks cannot be retained in the commercial shark fishery, outside of the shark research fishery		
All commercial shark fisheries	<b>Authorized gears:</b> bottom longline, pelagic longline, handgear (rod and reel, handline, and bandit gear), and gillnet		
	<b>Authorized species:</b>		
	<ul style="list-style-type: none"> <li>• Non-sandbar LCS: blacktip, bull, great hammerhead<sup>3</sup>, scalloped hammerhead<sup>3</sup>, smooth hammerhead<sup>3</sup>, lemon, nurse, silky<sup>3</sup>, spinner, and tiger</li> <li>• SCS: Atlantic sharpnose, blacknose, bonnethead, and finetooth</li> <li>• Pelagic sharks: blue, common thresher, and porbeagle</li> </ul>		
	<b>Landings condition:</b> All sharks must have their fins naturally attached through offloading, with the limited exception of some smooth dogfish under limited circumstances. Fins may be cut as long as they remain naturally attached to the carcass by at least a small flap of uncut skin through offloading. Shark carcasses must otherwise remain intact except that sharks may be eviscerated and the heads may be removed.		
	The Shark Fin Sales Elimination Act, signed into law on December 23, 2022, provides that, with certain exceptions, “no person shall possess, acquire, receive, transport, offer for sale, sell, or purchase a shark fin or a product containing a shark fin” P.L. 117-263 § 5946(b)(1). Under the Act, “shark fin” is defined to mean “the unprocessed, dried, or otherwise processed detached fin or tail of a shark.” Id. at § 5946(b)(8). The Act includes an exemption for smooth dogfish, under which a person may “possess, acquire, receive, transport, offer for sale, sell, or purchase a shark fin of a smooth dogfish.” Id. at § 5946(b)(4).		
<b>Permits:</b> Atlantic shark Directed or Incidental limited access permit			
<b>Reporting requirements:</b> All commercial fishermen must submit commercial logbooks; all dealers must report weekly.			
All recreational shark fisheries	N/A - sandbar sharks cannot be retained in recreational shark fisheries		

<sup>1</sup> NMFS may adjust commercial quotas, including the sandbar shark quota, based on overharvest, if applicable.

<sup>2</sup> NMFS implemented the sandbar shark commercial quota for the shark research fishery on August 18, 2015.

<sup>3</sup> Participants in the pelagic longline fishery cannot retain these species.

## 1.2. Control Date Notices

February 22, 1994 (59 FR 8457), September 16, 2011 (76 FR 57709)

## 1.3. Management Program Specifications

**Table 5. General management information for sandbar shark.**

<b>Species</b>	Sandbar shark ( <i>Carcharhinus plumbeus</i> )
<b>Management Unit</b>	Atlantic Ocean, Gulf of America, and Caribbean Sea
<b>Management Unit Definition</b>	All federal waters within the U.S. EEZ of the western North Atlantic Ocean, including the Gulf of America and the Caribbean Sea
<b>Management Entity</b>	NMFS, Atlantic Highly Migratory Species Management Division
<b>Management Contacts</b>	Karyl Brewster-Geisz
<b>SERO / Council</b>	N/A
<b>Current stock exploitation status</b>	Overfishing not occurring
<b>Current stock biomass status</b>	Overfished

**Table 6. Specific management criteria for sandbar shark.**

Criteria	Value
Current Relative Biomass Level	$SSF_{2015}/SSF_{MSY} = 0.77$
Domestic Minimum Stock Size Threshold	595,000 (1-M( $SSF_{MSY}$ ))
Rebuilding Start Date	January 1, 2005
Rebuilding End Date	2070
Current Relative Fishing Mortality	$F_{2015}/F_{MSY} = 0.58$
Maximum Fishing Mortality Threshold	0.07
$B_{MSY}$	$SSF_{MSY} = 681,000$ (numbers of sharks)

#### 1.4. Current Quota

Sandbar sharks may only be landed in the shark research fishery. The current sandbar shark quota is based on the TAC calculated during SEDAR 11 (158.3 mt dw) as reduced by estimates of dead discards in the commercial fisheries and any recreational harvest. The current quota is 90.7 mt dw. The details on how this quota was calculated is described in Amendment 2 (73 FR 40658, July 15, 2008, corrected at 73 FR 40658, July 15, 2008) and Amendment 6 (80 FR 50074, August 18, 2015).

**Table 7. Quota calculation details for sandbar shark.**

<b>Current Commercial Landings Quota Value</b>	90.7 mt dw*
<b>Next Scheduled Quota Change</b>	N/A
<b>Annual or average quota?</b>	Annual
<b>If averaged, number of years to average</b>	NA
<b>Does the quota include bycatch/discard?</b>	No; the commercial quota is a subset of the overall TAC (158.3 mt dw) and the remainder of the TAC is partitioned between dead discards and recreational harvest

\*NMFS implemented this quota on August 18, 2015.

#### 1.5. Management and Regulatory Timeline

The following tables provide a timeline of federal management actions by fishery. Federally permitted fishermen must follow federal regulations unless state regulations are more restrictive.

**Table 8. Commercial sandbar shark regulatory summary.**

Year	Management Group <sup>1</sup>	Annual Base Quota (mt dw)	Fishing Year	Retention Limit
1993	LCS	2,436 mt dw	one region; calendar year with two fishing periods	None

1994	LCS	2,346 mt dw	one region; calendar year with two fishing periods	4,000 lb dw LCS/vessel/trip
1995-1996	LCS	2,570 mt dw	one region; calendar year with two fishing periods	4,000 lb dw LCS/vessel/trip
1997-2000	LCS	1,285 mt dw	one region; calendar year with two fishing periods	4,000 lb dw LCS/vessel/trip
1999-2002	LCS	1,285 mt dw	one region; calendar year with two fishing periods	Directed LAP: 4,000 lb dw LCS/vessel/trip; Incidental LAP: 5 LCS/vessel/trip <sup>2</sup>
2003	Ridgeback LCS	783 mt dw	one region; calendar year with two fishing periods	Directed LAP: 4,000 lb dw LCS/vessel/trip; Incidental LAP: 5 LCS/vessel/trip
2004	LCS	1,107 mt dw	regions <sup>3</sup> with two fishing seasons	Directed LAP: 4,000 lb dw LCS/vessel/trip; Incidental LAP: 5 LCS/vessel/trip
2005-2007	LCS	1,107 mt dw	regions with trimesters	Directed LAP: 4,000 lb dw LCS/vessel/trip; Incidental LAP: 5 LCS/vessel/trip
2008	Sandbar Shark	87.9 mt dw	one region; calendar year	2,750 lb dw of LCS/vessel/trip of which no more than 2,000 lb dw could be sandbar sharks
2009	Sandbar Shark	87.9 mt dw	one region; calendar year	45 sandbar sharks/vessel/trip
2010-2011	Sandbar Shark	87.9 mt dw	one region; calendar year	33 sandbar sharks/vessel/trip
2013-2014	Sandbar Shark	116.6 mt dw	one region; calendar year	None
2015-2024	Sandbar Shark	90.7 mt dw	one region; calendar year	None

<sup>1</sup> NMFS managed sandbar sharks in the LCS management group from 1993 through 2002 and 2004 through 2007. In 2003, NMFS split the LCS management group into ridgeback (e.g., sandbar sharks) and non-ridgeback sharks. In 2008, NMFS prohibited the retention of sandbar sharks outside of the shark research fishery.

<sup>2</sup> NMFS implemented LAPs for shark fisheries in the 1999 FMP.

<sup>3</sup> Regions = Gulf of America, North Atlantic, and South Atlantic.

**Table 9. Recreational sandbar shark regulatory summary.**

<b>Year</b>	<b>Minimum Size Limit</b>	<b>Retention Limit (sharks/vessel/trip)</b>
1993 – 1996	None	4 LCS/pelagic sharks
1997 – 1999	None	2 LCS/SCS/pelagic sharks
2000 – 2007	54 inches FL	1 LCS/SCS/pelagic shark
2008 – 2024	NA*	NA*

\*NMFS prohibited the retention of sandbar sharks in the recreational fishery in Amendment 2 to the 2006 Consolidated HMS FMP, effective July 24, 2008.