

**Statement of Sonja Fordham, Shark Advocates International (SAI)
on behalf of SAI, Wildlife Conservation Society & Humane Society**

before the Atlantic States Marine Fisheries Commission Coastal Sharks Board

May 21, 2013, Alexandria, Virginia

Thank you, Mr. Chairman.

Our groups – along with Project AWARE -- submitted and encouraged comments during the public comment period, and I participated in the Advisory Panel call regarding this draft addendum.

We appreciate this opportunity to underscore our strong opposition to the proposed 12% fin-to-carcass ratio, and offer some additional information.

First, increasing the ratio from 5 to 12% has very little scientific basis. In fact, a comprehensive 2005 study of such ratios for 14 shark species conducted by the National Marine Fisheries Service, the University of Florida, and the Florida Fish & Wildlife Research Institute calculated the smooth dogfish ratio at 3.51%.

A 12% fin to carcass ratio would be the highest and therefore most lenient in the world, drawing unnecessary, negative attention to the ASMFC coastal shark plan. We highlight that there was little if any support for this measure expressed from the Advisory Panel.

Moreover, fin to carcass ratios are notoriously difficult to enforce, which is why the National Marine Fisheries Service switched to the best practice of keeping shark fins attached through landing in 2008 and the ASMFC followed suit for all other shark species. Since then a growing number of countries around the world – with encouragement from the US – including major shark fishing powers like Spain and Taiwan – are adopting fins-attached policies.

While we appreciate the desire to achieve consistency with federal water regulations, we stress that the language in the Shark Conservation Act savings clause that suggests a 12% ratio for smooth dogfish is still being interpreted by

NMFS; the resulting regulations have not yet been proposed, and it is not clear how this confusing and problematic text will be implemented for federal waters.

We note that on passage of the Shark Conservation Act, *NOAA Fisheries assistant administrator Eric Schwaab told the Washington Post that " the bill's carve-out of one specific shark fishery presents major enforcement and implementation challenges, and we need to work to fix this loophole."*

In the Final Environmental Impact Statement for HMS Amendment 3, NMFS stated that requiring smooth dogfish fins to remain naturally attached to the carcass is necessary to maintain consistency with other domestic shark regulations and the United States' international shark conservation and management positions, and to facilitate enforcement and species identification, *"as the dressed carcass and detached fins of a smooth dogfish could be misidentified as a dressed carcass or detached fins of a SCS, juvenile LCS, or spiny dogfish"*. (SCS=small coastal shark, LCS = large coastal shark).

In the 2008 federal fins-attached rulemaking process, NMFS summarized the benefits of the strategy: *"This requirement will improve enforcement, species identification, data quality for future stock assessments, and further prevent the practice of shark finning."*

We remind you that smooth dogfish are increasingly targeted and yet catches are still unregulated. This species therefore should be the last choice for exceptions to existing coast-wide safeguards.

In summary, adopting this exceptionally lenient finning enforcement measure would risk finning of smooth dogfish as well as other sharks, invite widespread criticism, and threaten US efforts to combat shark finning around the world.

We respectfully urge the Board to reject any increase in the smooth dogfish fin to carcass ratio and to instead initiate the process for proposing and adopting a fins-naturally-attached requirement for smooth dogfish, thereby eliminating all exceptions to a sound ASMFC shark finning ban.

Thank you.