

THE DUSKY SHARK SHOULD BE LISTED UNDER THE ENDANGERED SPECIES ACT



Dusky shark (*Carcharhinus obscurus*) © Steve Garner/Creative Commons

The dusky shark's northwest Atlantic population now meets the International Union for the Conservation of Nature's criteria for a critically endangered species, showing a decline of at least 80 percent from pre-exploitation levels in the past three generations. Listing the northwest Atlantic population of dusky shark under the Endangered Species Act would allow the population to recover. To keep up-to-date with the status of the dusky shark ESA listing, follow NRDC fisheries expert Brad Sewell's blog at www.switchboard.nrdc.org/blogs/bsewell.

FAST FACTS

HABITAT (NW ATLANTIC):
SE COAST OF THE U.S.
AND THE GULF OF MEXICO



AVERAGE LENGTH: 12 FEET

AVERAGE WEIGHT: 400 LBS

SEXUAL MATURITY: ~20 YEARS

GESTATION: ~22 MONTHS

LIFE SPAN: 40-50 YEARS

THE THREATS

The dusky shark gives birth only once every three years after reaching the age of 20, meaning it has one of the lowest reproductive potentials among all sharks. A low reproductive rate makes the dusky shark especially vulnerable to exploitation by fishermen who have for decades pursued the shark for its meat, skin, liver, and fins. In fact, the dusky shark is one of the most sought-after species in the shark fin trade. Dusky sharks are also threatened by commercial fishing that targets swordfish and tuna but catch sharks as well (known as bycatch). Once hooked, most dusky sharks die before they can be released. As a result of these threats, the northwest Atlantic dusky shark population, the population that lives primarily in U.S. waters, has dropped to between 15 percent and 20 percent of its 1970 level (scientists know much less about the status of dusky shark populations in other parts of the world).

THE SOLUTION

The dusky shark's highly depleted status in the northwest Atlantic requires strong action now. Despite a more than 10-year-long ban on U.S. recreational and commercial fisheries retaining dusky sharks, the region's population has failed to recover. The best chance dusky sharks have for recovery is to be listed under the Endangered Species Act (ESA), which would provide comprehensive protection to both the species and its habitat. NRDC and WildEarth Guardians have both filed petitions to list the dusky shark under the Endangered Species Act.

AFTER DECADES OF COMMERCIAL AND RECREATIONAL FISHING, THE DUSKY SHARK IS NOW A SPECIES ON THE BRINK



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DESPITE A MORE THAN 10-YEAR-LONG BAN ON U.S. RECREATIONAL AND COMMERCIAL FISHERIES RETAINING DUSKY SHARKS, THE SPECIES HAS FAILED TO RECOVER.

WHY DOES THE DUSKY SHARK NEED THE PROTECTION OF THE U.S. ENDANGERED SPECIES ACT?

NRDC and WildEarth Guardians both filed petitions to list the northwest Atlantic population of dusky shark under the Endangered Species Act. Although a future amendment to the relevant federal government management plan, called the Consolidated Highly Migratory Species Fishery Management Plan, may address overfishing of the dusky shark, the timing and adequacy of any new regulations is highly uncertain. However, an ESA listing for the region's population of dusky sharks would ensure that the federal government, with input from the fishing industry and other stakeholders, adopts the management measures necessary to stop the population's decline. An ESA listing would also help protect critical dusky shark habitat in the U.S., including coastal breeding and nursery areas and key feeding grounds. The loss of the species in our waters would have broader consequences as well: as a top predator, the dusky shark plays an important role in maintaining the long-term health of coastal marine ecosystems. When the dusky shark population has recovered, the species can be delisted.

WHAT ARE THE POTENTIAL ECONOMIC EFFECTS OF AN ENDANGERED SPECIES ACT LISTING?

Under the ESA, efforts to recover the dusky shark would be designed to reduce dusky shark fishing mortality with the minimum possible disruption to fishermen. For example, measures to curb bycatch, such as gear changes and targeted area closures, could protect dusky sharks while allowing fishermen to harvest target species. An ESA listing could benefit the valuable tourism and dive industries. Shark ecotourism, which is expected to double in the next 20 years, already generates more than \$314 million annually and employs an estimated 10,000 people worldwide. Healthy fisheries and tourism industries also rely on healthy coastal marine ecosystems, which the dusky shark, as an apex predator, plays an important role in maintaining.

WHAT DO OTHER GOVERNMENT AGENCIES AND SCIENTIFIC BODIES SAY ABOUT THE DUSKY SHARK?

The National Marine Fisheries Service (NMFS), part of the National Oceanic and Atmospheric Administration (NOAA), a federal agency focused on the condition of the oceans and the atmosphere, has said that an Endangered Species Act listing may be warranted for northwest Atlantic population of dusky shark, the population that primarily lives in U.S. waters. NMFS also identified the dusky shark as a Species of Concern as far back as 1997.

The Southeast Data, Assessment, and Review (SEDAR) is the formal NMFS and fishery management council scientific process that develops and reviews population assessments for U.S. fisheries in the U.S. Southeast, Gulf of Mexico and Caribbean. According to SEDAR's latest population assessment done in 2011, the northwest Atlantic population of dusky sharks remain overfished and subject to overfishing, as it has since the 1990s.

In 2009, the International Union for the Conservation of Nature (IUCN) designated the northwest Atlantic population of dusky sharks as endangered. According to IUCN Red List criteria, the northwest Atlantic population would now be considered critically endangered, showing a decline of at least 80 percent from pre-exploitation levels in the past three generations (~90 years for dusky sharks).

CAN U.S. ACTION ALONE PROTECT THE MIGRATORY DUSKY SHARK?

Although dusky sharks are found all over the world, the United States has an opportunity to recover the northwest Atlantic population that lives primarily in U.S. coastal waters, migrating seasonally along the coast of the U.S. Atlantic and the Gulf of Mexico. The best current science indicates that this population is genetically distinct and geographically separate from other dusky shark populations. U.S. leadership on dusky shark protection will also set an example for other nations to follow and help forge a comprehensive protection plan for all dusky shark populations.

WHAT IS THE STATUS OF THE LISTING DECISION?

In response to petitions filed by NRDC and WildEarth Guardians, NMFS determined in May 2013 that listing of the northwest Atlantic population of dusky shark may be warranted and initiated a formal status review at that point. By law, the agency is required to make a listing decision within 12 months of the petition's submission date. NRDC's petition was submitted in February 2013, which means a listing decision is overdue.

NRDC

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