



NOAA FISHERIES

Compliance Guide for Amendment 11 to the 2006 Consolidated Atlantic Highly Migratory Species Fishery Management Plan

National Marine Fisheries Service
Office of Sustainable Fisheries
Highly Migratory Species Management Division

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Introduction

Atlantic highly migratory species (HMS) including tunas, swordfish, sharks, and billfish are managed by the National Marine Fisheries Service (NMFS) under the authority of the Secretary of Commerce, considering both the domestic and international aspects of these fisheries.

Amendment 11 of the 2006 Consolidated HMS Fishery Management Plan (FMP) and its final rule are based on the 2017 International Commission for the Conservation of Atlantic Tunas stock assessment for North Atlantic shortfin mako sharks. The stock assessment for North Atlantic shortfin mako sharks indicated that the species is overfished and experiencing overfishing. Amendment 11 is designed to end overfishing to take steps towards rebuilding and to establish the foundation for rebuilding the North Atlantic shortfin mako shark stock. Table 1 summarizes the final measures.

This guide provides a plain language summary of how to comply with the new regulations, and is produced in compliance with Section 212 of the Small Business Regulatory Enforcement Fairness Act, which requires agencies to publish guides to assist small entities in complying with certain rules. The official and complete set of regulations addressing HMS are found in the Code of Federal Regulations (CFR), primarily at 50 CFR Part 635. Electronic versions of both the CFR and the *Federal Register* (FR) are available at www.gpo.gov/fdsys. Since fishery rules frequently change, fishermen must familiarize themselves with the latest regulatory updates and are responsible for complying with the current official regulations. If there is a discrepancy between federal regulations and the information in this Guide, the regulations take precedence. This Guide supplements applicable sections of the HMS Compliance Guides until updated guides are published.

You may request a copy of a particular rule or supporting materials by calling the HMS Management Division at (301) 427-8503 or by visiting the HMS website at <https://www.fisheries.noaa.gov/topic/atlantic-highly-migratory-species>.

Table 1. Final management measures in Amendment 11 to the 2006 Consolidated HMS FMP.

Recreational Measures	Short Description	Effective Date
Increase the minimum size limit for the shortfin mako sharks	Recreational HMS permit holders are only allowed to retain male shortfin mako sharks that measure at least 71 inches FL (180 cm FL) and female shortfin mako sharks that measure at least 83 inches FL (210 cm FL).	March 3, 2019
Circle hooks are required when fishing for sharks	All HMS permit holders are required to use non-offset, non-stainless steel circle hooks when fishing for sharks recreationally, except when fishing with flies or artificial lures, in federal waters.	March 3, 2019
Commercial Measures	Short Description	
Allow retention of shortfin mako sharks caught with longline or gillnet gears by persons with a directed or incidental shark LAP	Shortfin mako sharks caught using gillnet, bottom longline, or pelagic longline gear on properly-permitted vessels may be retained, if the sharks are dead at haulback. Vessels with pelagic longline gear are required to have a functional electronic monitoring system. An electronic monitoring system is not required on vessels using bottom longline or gillnet gear.	March 3, 2019
Monitoring Measures	Short Description	
Status Quo	No additional regulatory requirements were implemented related to reporting of shortfin mako shark landings in HMS fisheries.	Not applicable
Rebuilding Measures	Short Description	
Establish a foundation for developing an international rebuilding plan for shortfin mako sharks	No additional regulatory requirements were implemented related to this measure. Rather, NMFS intends to take action at the international level through ICCAT to develop a rebuilding plan. At that point, there may be additional measures for U.S. fishermen.	Not applicable

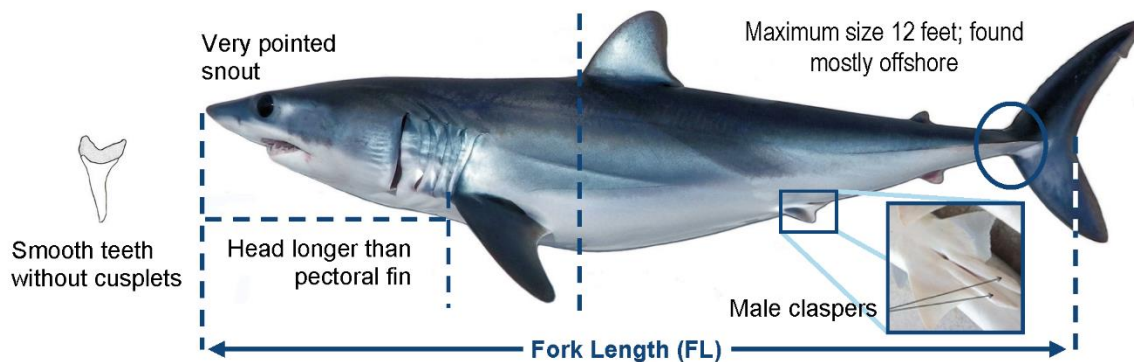
Recreational Shark Fishing Measures

Shortfin Mako Shark Minimum Size Limit

As of March 3, 2019, all HMS recreational permit holders are only allowed to retain male shortfin mako sharks that measure at least 71 inches FL (180 cm FL) and female shortfin mako sharks that measure at least 83 inches FL (210 cm FL). Male sharks are those sharks that have “claspers,” see Figure 1; female sharks do not have claspers.

FL means the straight-line measurement of a fish from the midpoint of the anterior edge of the fish to the fork of the caudal fin. See Figure 1.

Figure 1. Diagram of shortfin mako sharks



The shortfin mako shark minimum size limit applies to the following HMS permits*:

1. **HMS Angling with a shark endorsement**
2. **HMS Charter/Headboat with a shark endorsement**
3. **Atlantic Tunas General Category with a shark endorsement***
4. **Swordfish General Commercial Category with a shark endorsement***

*When participating in recreational shark fishing tournaments.

Recreational Circle Hook Requirement

As of March 3, 2019, HMS recreational permit holders fishing recreationally for sharks on a vessel with the permits listed above must use non-offset, non-stainless steel circle hooks except when fishing with flies or artificial lures, in federal waters. Circle hooks are required for any line that is targeting sharks, and this can be determined by the angler on a line by line basis. Any shark caught on a hook other than a non-offset, non-stainless steel circle hook must be released unless caught using flies or artificial lures.

Commercial Shark Fishing Measure

Retention of Shortfin Mako Sharks Caught with Longline or Gillnet Gear

As of March 3, 2019, Atlantic shark limited access permit holders (directed or incidental) fishing with using gillnet, bottom longline, or pelagic longline gear on properly-permitted vessels may retain shortfin mako sharks if the sharks are dead at haulback. Vessels with pelagic longline gear would be required to have a functional electronic monitoring system. Electronic monitoring systems are not be required on vessels that use bottom longline or gillnet gear.