



Atlantic States Marine Fisheries Commission

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MEMORANDUM

October 3, 2019

To: Coastal Sharks Management Board
From: Coastal Sharks Advisory Panel
RE: AP Review of Circle Hook Requirements

Participants: Charles Witek (NY), Mark Sampson (MD), Pete Grimbilas (NJ), Katie Westfall (EDF)

Staff: Kirby Rootes-Murdy (ASMFC)

Other: Chris Batsavage (Board Chair), Tobey Curtis (NOAA)

An Advisory Panel conference call was held on October 1, 2019 to review the Board's postponed motion which considers requiring circle hooks for the coastal sharks recreational fishery in state waters. Four AP member were in attendance and their comments and recommendations are summarized below.

Comments

Mark Sampson- Indicated he didn't see how requiring all the states to adopt the circle hook requirement would present a challenge for law enforcement. By requiring anglers in all states fishing in both state and federal waters to have the same gear requirement, it might make things easier for checking compliance, for example when a vessel returns to dock there would be no need to verify whether that those onboard had been fishing with the correct gear for the corresponding area.

Additionally, Mark noted that Florida now requires a quiz for shore-based shark fishing that covers species identification, best handling techniques, and gear requirements.

Charles Witek- Noted while New York has a state statute that requires the use of circle hooks, even if this wasn't in the state regulation, he doesn't see any downside to using them. Similar to Mark, he noted the benefit in having the same gear requirements for shore, nearshore, and offshore fishing.

In New York, there has been a decrease in anglers targeting striped bass and bluefish in light of the declining populations for both species and anglers fishing from shore have switched to target coastal sharks. Most of the sharks they encounter from shore are from the prohibited species list, so there's added benefit if they catch any those species that circle hook may improve chances of post-release survival. To help with determining whether an angler is targeting sharks and compliant with the regulation of the hook.

Katie Westfall- Given the evidence there is conservation benefit in using circle hooks to reduce post-release mortality, she indicated it would be best to require them. While helpful, circle

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hooks should be viewed as part of multi-approach effort as they are not a panacea and that education on best handling, release techniques, as well as species identification given some anglers who catch sharks are not always able to correctly identify the species.

Peter Grimbilas – Has run a shark tournament in New Jersey for about 30 years. Supports the conservation of the shark species, and requiring the use of circle hooks in state waters, noting that it becomes an enforcement issue when some vessels come in to the dock and they claim to have caught a shark in state waters, when the species they've caught likely occurred in federal waters. In running the shark tournament for over the 30 years, specifically targeting shortfin makos, there is an approximate 10% success rate- 10 boats go out fishing, only one lands a mako. With the increase in the size limit recently on shortfin makos, there has been a decrease in participation in the tournament.

Recommendations

The AP members recommended that the Board move forward with the circle hook requirement for the coastal sharks recreational fishery in state waters with the understanding that the current postponed motion should be adjusted to 1) mirror the federal regulatory language on circle hook requirements for recreational HMS permit holders and 2) that similar to the federal language, the motion should allow for an exemption to this requirement when fishing using flies or artificial lures. Language from NOAA HMS Amendment 11 and compliance guide on what the specifications of the circle hook gear requirement is included below. Additionally, the AP recommended that the Board should work to encourage the education and outreach on this change in recreational gear requirements as well as safe handling of sharks, similar to what is now required for HMS permit holders.

The regulatory text from Amendment 11 final rule:

Sec 635.21 (k)

“(1) A person on board a vessel that has been issued or is required to be issued a permit with a shark endorsement under this part and who is participating in an HMS registered tournament that bestows points, prizes, or awards for Atlantic sharks must deploy only non-offset, corrodible circle hooks when fishing for, retaining, possessing, or landing sharks, except when fishing with flies or artificial lures.”

The more plain language version of this regulation from the NOAA compliance guide:

“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.”