

X. SHARK GILLNET GEAR RESTRICTIONS

PERMIT REQUIREMENTS FOR USE OF SHARK GILLNET GEAR

Only commercial shark fishermen may use gillnet gear in HMS fisheries.²⁰¹

- These fishermen must possess a limited-access commercial (**Directed** or **Incidental**) federal shark limited access permit or, as of March 15, 2016, a **Smoothhound Shark** open access permit.²⁰²

Prior to renewing or obtaining a shark limited access permit, both the owner and operator must attend a Protected Species Safe Handling, Release, and Identification Workshop (Section XIX) and obtain a certificate. A copy of the workshop certificate must be included in the permit application package.²⁰³

- Vessels fishing with gillnet gear and holding a shark limited access permit must possess valid Protected Species Safe Handling, Release, and Identification Workshop certificates onboard for both the owner and operator.²⁰⁴

TIME/AREA CLOSURES FOR USE OF GILLNET GEAR

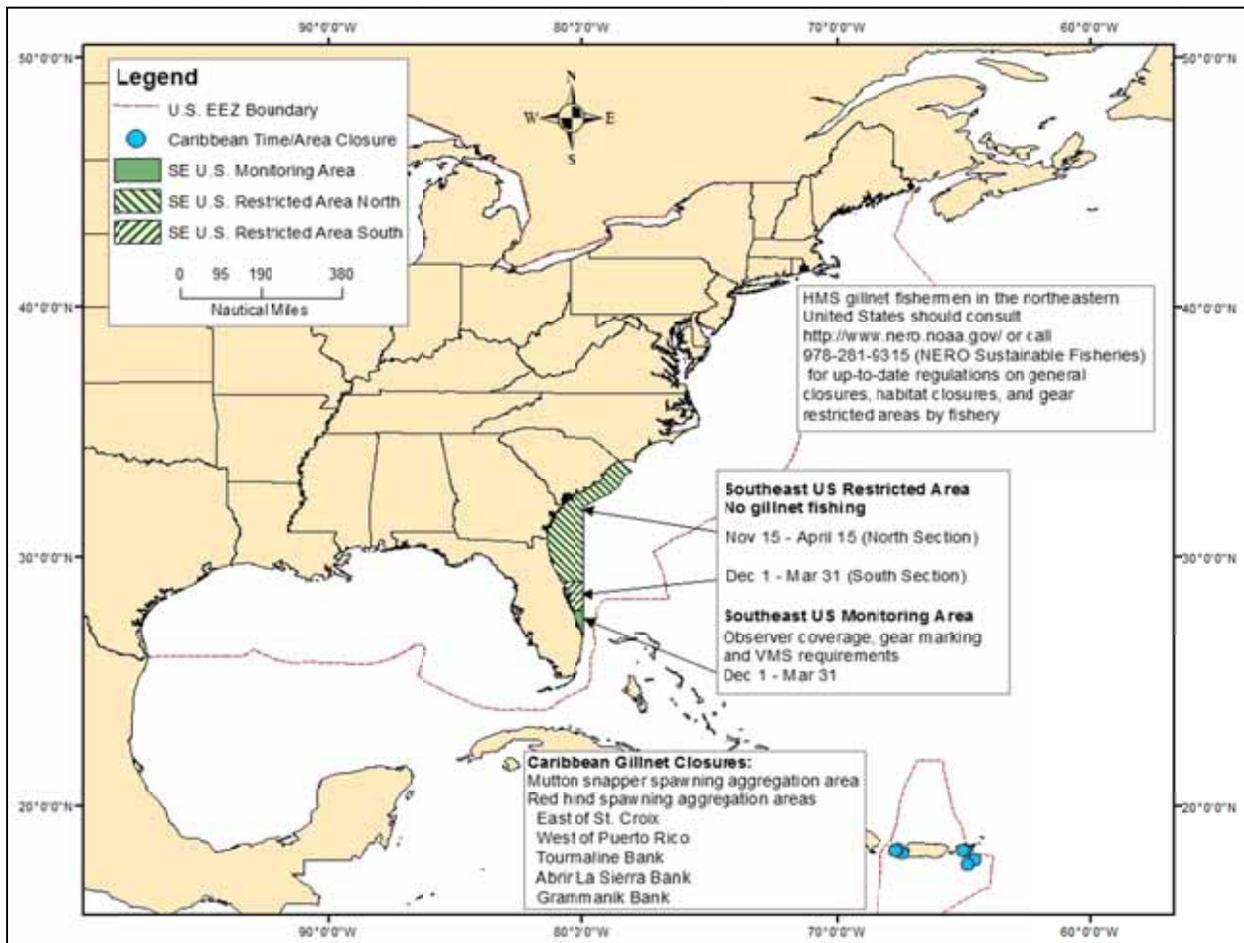


Figure 5 Time/area closures that restrict use of gillnet gear in the Atlantic Ocean, Gulf of Mexico, and Caribbean Sea. Additional closures for all gears are presented in Figure 2.

The gillnet time/area closures shown in Figure 5 are described in the following paragraphs. See also: Tortugas Marine Reserves, Madison-Swanson closed area, Steamboat Lumps closed area, and Edges 40

Fathom closed area descriptions in Section 0, which pertain to all HMS gears, including gillnet.

Southeast U.S. Restricted Area and Southeast U.S. Monitoring Area:²⁰⁵ The Atlantic Large Whale Take Reduction Plan specifies a number of restrictions on fishermen using gillnet gear, including fishermen using shark gillnet gear (defined as gillnet gear with stretched mesh greater than or equal to 5 inches). Requirements in these areas include gear marking,²⁰⁶ observer coverage, and vessel monitoring systems during times when the areas are not closed to gillnets. For more information, go to <http://www.greateratlantic.fisheries.noaa.gov/Protected/whaletrp/> or call the Protected Resources Division at (978) 281-9328. The “Southeast Gillnet Gear Guide” is at <http://www.greateratlantic.fisheries.noaa.gov/protected/whaletrp/outreach/index.html>.

OTHER RESTRICTIONS FOR USE OF GILLNET GEAR

Vessels fishing with gillnet gear:

- Cannot fish for sharks with, or have on board, a gillnet with a total length of 2.5 km or more.²⁰⁷
- Until March 15, 2016, must keep the gillnet attached to at least one vessel at one end, except during net checks. A new rule becomes effective on March 15, 2016. As of that date, only drift gillnet gear will be required to be attached to the vessel; sink gillnet gear will NOT be required to be attached to the vessel.²⁰⁸
- Until March 15, 2016, must conduct net checks at least once every 2 hours to look for and remove any sea turtles, marine mammals, or smalltooth sawfish. A new rule becomes effective March 15, 2016. As of that date, vessels using drift gillnet gear will need to conduct net checks at least once every 2 hours to look for and remove any sea turtles, marine mammals, or smalltooth sawfish. Vessels using sink gillnet gear do not have to conduct net checks.²⁰⁹
- As of March 15, 2016, must limit soak times to 24 hours when using sink gillnet gear.²¹⁰
- Cannot possess billfish, tuna, or swordfish.²¹¹
- If a listed whale is taken, the vessel operator must cease fishing operations immediately and contact NOAA Fisheries consistent with the marine mammal regulations.²¹² The marine mammal mortality/injury reporting form is available online at http://www.nmfs.noaa.gov/pr/pdfs/interactions/mmap_reporting_form.pdf or by calling (301) 713-2322.
- Must keep smalltooth sawfish in the water while removing them from the gillnet.²¹³
- Must install and use a NOAA Fisheries-approved enhanced mobile transmitting unit (E-MTU) vessel monitoring system (VMS) as instructed between December 1 and March 31, pursuant to the Atlantic large whale take reduction plan requirements for any vessel with a directed shark permit and gillnet gear onboard when in the vicinity of the Southeast U.S. Monitoring Area.²¹⁴