

NOAA Fisheries consistent with the marine mammal regulations.<sup>210</sup> The marine mammal mortality/injury reporting form is available online at [http://www.nmfs.noaa.gov/pr/pdfs/interactions/mmap\\_reporting\\_form.pdf](http://www.nmfs.noaa.gov/pr/pdfs/interactions/mmap_reporting_form.pdf) or by calling (301) 713-2322.

- Must install and use a NOAA Fisheries-approved enhanced mobile transmitting unit (E-MTU) vessel monitoring system (VMS) as instructed, including whenever the vessel is away from port, if the vessel is between 33° 00' N. lat. and 36° 30' N. lat., and the Mid-Atlantic shark closed area is closed. Additional information on the VMS requirements is provided in Section X.<sup>211</sup>

## IX. SHARK GILLNET GEAR RESTRICTIONS

Vessels fishing with gillnet gear must possess valid Protected Species Safe Handling, Release, and Identification Workshop certificates onboard for both the owner and operator.<sup>212</sup>

### **PERMIT REQUIREMENTS FOR USE OF SHARK GILLNET GEAR**

Only commercial shark fishermen can use gillnet gear in HMS fisheries.<sup>213</sup> These fishermen must possess a limited-access commercial (directed or incidental) shark federal limited access permit.<sup>214</sup>

- Commercial shark permits are administered under a limited access program. NOAA Fisheries is not issuing any new limited access permits. Persons wishing to enter the fishery may only obtain these three permits by transferring the permit, within the vessel upgrading restrictions, from a permit holder who is leaving the fishery.<sup>215</sup> All permits must be renewed annually.<sup>216</sup> Only persons holding non-expired shark permits in the preceding year are eligible to renew those permits.<sup>217</sup>
- 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 and obtain a certificate. A copy of the workshop certificate must be included in the permit application package.<sup>218</sup> For more information on workshops, see Section I.

## TIME/AREA CLOSURES FOR USE OF GILLNET GEAR

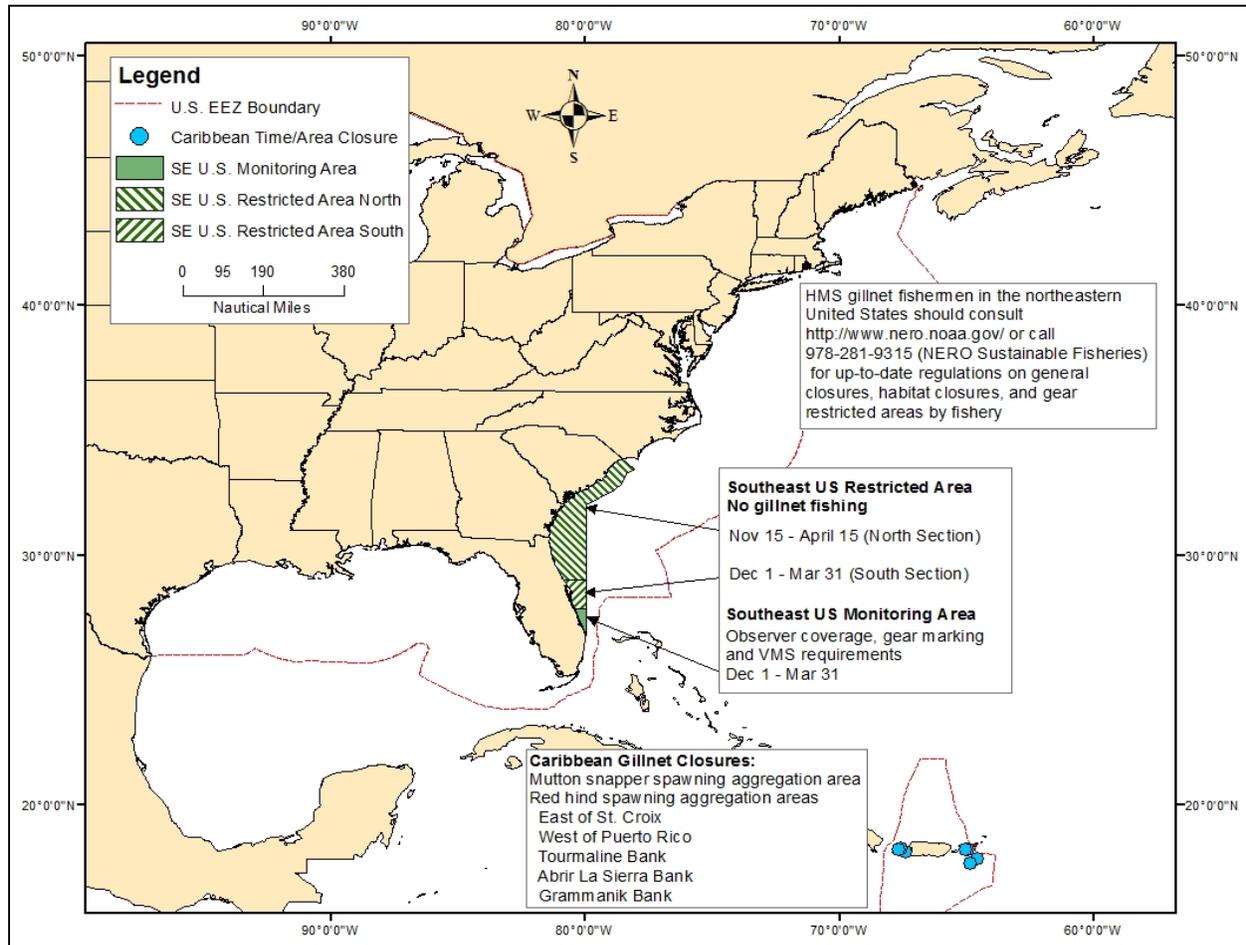


Figure 5 Time/area closures that restrict use of gillnet gear in the Atlantic Ocean, Gulf of Mexico, and Caribbean Sea. Additional closures for all gears are presented in Figure 2.

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 I, which pertain to all HMS gears, including bottom longline.

Southeast U.S. Restricted Area and Southeast U.S. Monitoring Area:<sup>219</sup> 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 or equal to 5 inches).<sup>220</sup> Requirements in these areas include gear marking,<sup>221</sup> observer coverage, and vessel monitoring systems during times when the areas are not closed to gillnets. For more information regarding these restrictions, go to <http://www.nero.noaa.gov/Protected/whaletrp/> or call the Northeast Regional Office Protected Resource Division at (978) 281-9328. The “Guide to the Atlantic Large Whale Take Reduction Plan” is available at <http://www.nero.noaa.gov/whaletrp/plan/ALWTRPGuide.pdf>.

Caribbean closed areas: Fishing for HMS with bottom longline gear is prohibited year-round in several distinct areas off the U.S. Virgin Islands and Puerto Rico.<sup>222</sup>

(A) Mutton Snapper Spawning Aggregation Area

Point	North latitude	West longitude
A	17°37.8'	64°53.0'
B	17°39.0'	64°53.0'
C	17°39.0'	64°50.5'
D	17°38.1'	64°50.5'
E	17°37.8'	64°52.5'
A	17°37.8'	64°53.0'

(B) Red Hind Spawning Aggregation Areas

(i) East of St. Croix

Point	N. lat.	W. long.
A	17°50.2'	64°27.9'
B	17°50.1'	64°26.1'
C	17°49.2'	64°25.8'
D	17°48.6'	64°25.8'
E	17°48.1'	64°26.1'
F	17°47.5'	64°26.9'
A	17°50.2'	64°27.9'

(ii) Tourmaline Bank

Point	N. lat.	W. long.
A	18°11.2'	67°22.4'
B	18°11.2'	67°19.2'
C	18°08.2'	67°19.2'
D	18°08.2'	67°50.5'
E	18°08.2'	64°52.5'

(iii) Abrir La Sierra Bank

Point	N. lat.	W. long.
A	18°06.5'	67°26.9'
B	18°06.5'	67°23.9'
C	18°03.5'	67°23.9'
D	18°03.5'	67°26.9'
E	18°06.5'	64°26.9'

(C) Grammanik Bank

Point	North latitude	West longitude
A	18°11.898'	64°56.328'
B	18°11.645'	64°56.225'
C	18°11.058'	64°57.810'
D	18°11.311'	64°57.913'
E	18°11.898'	64°56.328'

**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.<sup>223</sup>
- Must keep the gillnet attached to at least one vessel at one end, except during net checks.
- Must conduct net checks at least once every 2 hours to look for and remove any sea turtles, marine mammals, or smalltooth sawfish.
- Cannot possess billfish, tuna, or swordfish.<sup>224</sup>
- Must immediately release any marine mammal, sea turtle, or smalltooth sawfish that is hooked or entangled, retrieve the gillnet gear, and move at least 1 nmi from the location of the incident before resuming fishing. Reports of marine mammal entanglements must be submitted to NOAA Fisheries consistent with the marine mammal regulations.<sup>225</sup> The marine mammal mortality/injury reporting form is available online at [http://www.nmfs.noaa.gov/pr/pdfs/interactions/mmap\\_reporting\\_form.pdf](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.<sup>226</sup>
- Must install and use a NOAA Fisheries-approved enhanced mobile transmitting unit (E-MTU) vessel monitoring system (VMS) as instructed between November 15 and April 15, for any vessel with a directed shark permit and gillnet gear onboard, including whenever the vessel is away from port.<sup>227</sup> Additional information on the VMS requirements is provided in the following section.