

PROCLAMATION

RE: COMMERCIAL AND RECREATIONAL SHARK HARVEST - ALL STATE WATERS

Dr. Louis B. Daniel III, Director, Division of Marine Fisheries, hereby announces that effective at **12:01 A.M. Friday, May 24, 2013**, the harvest of sharks **taken in state waters is restricted as follows:**

I. COMMERCIAL HARVEST RESTRICTIONS:

A. ALLOWABLE SPECIES AND SEASONS:

It is unlawful to possess sharks taken for commercial purposes except during open seasons established by this proclamation. Open seasons in North Carolina waters shall be the same as open seasons established by the National Marine Fisheries Service (NMFS) for federal waters. These open seasons are dependent on adherence to established quotas. The allowable shark species groups and commercial fishing seasons are defined herein as:

SPECIES GROUP	SEASONS
1. LARGE COASTAL	
Allowable Species: blacktip, silky, spinner, bull, tiger, lemon, nurse, scalloped hammerhead*, great hammerhead*, smooth hammerhead*, and sandbar**	From May 24 until the annual quota is reached but not later than December 31 .
2. SMALL COASTAL	
Allowable Species: Atlantic sharpnose, bonnethead, finetooth, and blacknose	From January 1 until the annual quota is reached but not later than December 31
3. PELAGIC	
Allowable species: shortfin mako, porbeagle, common thresher, oceanic whitetip, and blue shark	From January 1 until the annual quota is reached but not later than December 31
4. SMOOTH DOGFISH (SMOOTHBOUND SHARK)	From January 1 through December 31
	If quotas are reached prior to the end of the season, seasons will be closed by proclamation

*These sharks may not be retained, transshipped, landed, stored, or sold by vessels with pelagic longline gear onboard. Charter/Headboat vessels cannot possess these sharks while in possession of tunas, swordfish, or billfish.

**Sandbar sharks can only be retained by vessels selected to participate in the shark research fishery, subject to the retention limits established by NOAA Fisheries and only when an NOAA Fisheries-approved observer is onboard.

B. SIZE AND CATCH LIMITS:

- Large Coastal:** It is unlawful to possess more than **36 Large Coastal sharks per trip**. There is no minimum size limit on commercial Large Coastal sharks.
- Small Coastal:** This group is **exempt** from harvest and size restrictions.
- Pelagic:** This group is **exempt** from harvest and size restrictions.
- It is unlawful to fail to return all sharks not meeting harvest requirements to the water in a manner that ensures the highest likelihood of survival.**
- It is unlawful to possess any shark [with the exception of smooth dogfish (smoothhound shark) without tail and fins naturally attached to the carcass through the point of landing. Commercial fishermen may completely remove the fins of smooth dogfish (smoothhound shark). If fins are removed, the total wet weight of the shark fins may not exceed twelve (12) percent of the total dressed weight of smooth dogfish (smoothhound shark) carcasses landed or found onboard a vessel.**

C. COMMERCIAL RESTRICTIONS:

1. It is unlawful to use gears **other than** rod and reel, handlines, large and small mesh gill nets, shortlines (maximum of 500 yards each with 50 hooks or less), meeting the criteria in C.2. below and bandit gear.
2. For purposes of this proclamation, shortlines shall only be used in state waters to capture sharks if they meet the following criteria. A shortline shall not exceed 500 yards in length nor have more than 50 hooks. Hooks attached to a shortline **shall not be corrosion resistant and must be designated by the manufacturer as circle hooks**. A vessel shall be limited to a maximum of two (2) shortlines.
3. It is unlawful to sell sharks to anyone who is not a federally permitted shark dealer.
4. It is unlawful to use a large mesh (stretched mesh size greater than or equal to 5 inches) gill net more than 2,734 yards in length to capture sharks.

II. RECREATIONAL PURPOSES SEASON, SIZE AND POSSESSION LIMITS:

The season for the recreational harvest of all allowable shark species groups is year round.

- A. It is unlawful to possess more than **one (1) shark per vessel per day** or if no vessel is used, it is unlawful to possess more than **one (1) shark per person per day (with the exception of smooth dogfish (smoothhound), which have no maximum harvest limits) of the following allowable recreational shark species: Large Coastal Sharks** (tiger, blacktip, spinner, lemon, bull, nurse, great hammerhead, scalloped hammerhead, and smooth hammerhead), **Pelagic Sharks** (shortfin mako, blue, common thresher (*Alopias vulpinus*), porbeagle, and oceanic whitetip) and **Small Coastal Sharks** (Atlantic sharpnose, finetooth, bonnethead and blacknose).
- B. **It is unlawful to possess silky sharks (*Carcharhinus falciformis*) and sandbar (*Carcharhinus plumbeus*) for recreational purposes.**
- C. **It is unlawful to possess Large Coastal Sharks and Pelagic Sharks less than 54 inches long (fork length).**
- D. **Small Coastal Sharks have no minimum size.**
- E. One (1) Atlantic sharpnose (no minimum size) and one bonnethead (no minimum size) per person per day may be landed in addition to allowable bag limits for other sharks.
- F. It is unlawful for recreational fishermen to possess any shark without head, tail, and fins intact with the carcass through the point of landing. Anglers may still gut and bleed the carcass as long as the tail is not removed. **Filleting sharks at sea is prohibited.**
- G. It is unlawful to fail to return all sharks not meeting harvest requirements to the water in a manner that ensures the highest likelihood of survival.
- H. It is unlawful for recreational fishermen to catch sharks by any gear other than rod and reel or handlines. Handlines are defined as a mainline with no more than two gangions or hooks attached that are retrieved by hand only.
- I. **Spiny dogfish are exempt from harvest and size restrictions.**

III. PROHIBITED SPECIES:

It is unlawful to possess any of the following shark species in state waters: Atlantic angel (*Squatina dumerili*), Basking (*Cetorhinus maximus*), Bigeye sandtiger (*Odontaspis noronhai*), Bigeye sixgill (*Hexanchus nakamurai*), Bigeye thresher (*Alopias superciliosus*), Bignose (*Carcharhinus altimus*), sixgill (*Hexanchus griseus*), Carribean reef (*Carcharhinus perezii*), Caribbean sharpnose (*Rhizoprionodon porosus*), Dusky (*Carcharhinus obscurus*), Galapagos (*Carcharhinus galapagensis*), Longfin mako (*Isurus paucus*), Narrowtooth (*Carcharhinus brachyurus*), Night (*Carcharhinus signatus*), Sandtiger (*Carcharias taurus*), Sevengill (*Heptranchias perlo*), Smalltail (*Carcharhinus porosus*), Whale (*Rhincodon typus*) and White (*Carcharodon carcharias*).

IV. GENERAL INFORMATION:

- A. This proclamation is issued under the authority of N.C.G.S. 113-170.4; 113-170.5; 113-182; 113-221.1; 143B-289.52; and N.C. Marine Fisheries Commission Rules 15A NCAC 03H .0103 and 03M .0512.
- B. It is unlawful to violate the provisions of any proclamation issued by the Fisheries Director under his delegated authority pursuant to N.C. Fisheries Commission Rule 15A NCAC 03H .0103.

- C. The federal commercial seasons for sharks are based on quotas. Quota information can be obtained by contacting the NMFS Highly Migratory Species Section at (301) 713-2347 or (800) 894-5528. The website is <http://www.nmfs.noaa.gov/sfa/hms/>.
- D. Spiny dogfish (*Squalus acanthias*) commercial seasons and harvest limits are established under the Mid-Atlantic/New England Council Spiny Dogfish Fishery Management Plan or the ASMFC Spiny Dogfish FMP. **NMFS is changing the name of smooth dogfish to smoothhound sharks** to eliminate confusion that may be caused by having two dogfish species and permits in the future.
- E. All gill net restrictions in coastal fishing waters pertaining to the sea turtle settlement agreement measures are still in effect.
- F. From January 1 through July 31, the Mid-Atlantic shark area is closed to the use of bottom longline gear by federally permitted commercial vessels. The closed area is described as the Atlantic Ocean seaward of the inner boundary of the U.S. EEZ at 35° 41' N. lat. just south of Oregon Inlet, North Carolina, and connecting by straight lines the following coordinates in the order stated: 35° 41' N. lat., 75° 25' W. long. proceeding due east to 35° 41' N. lat., 74° 51' W. long.; then proceeding southeast to 35° 30' N. lat., 74° 46' W. long.; then proceeding southwest, roughly following the 55 fathom mark, to 33° 51' N. lat., 76° 24' W. long.; then proceeding due west to intersect the inner boundary of the U.S. EEZ at 33° 51' N. lat., 77° 53' W. long. near Cape Fear, North Carolina.
- G. **This proclamation supersedes Proclamation FF-33-2013, dated May 21, 2013. It aligns state restrictions with the National Marine Fisheries Service season for Large Coastal Sharks and changes the 5% ratio back to 12%. ASMFC Spiny Dogfish and Coastal Sharks Management Board voted to maintain a 12% fin to carcass ratio, consistent with the 2010 Shark Conservation Act as part of the management measure in Addendum II.**

BY: _____
Dr. Louis B. Daniel III, Director
DIVISION OF MARINE FISHERIES

May 22, 2013
3:00 P.M.
FF-33-2013(REVISED)
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