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ENVIRONMENTAL PROTECTION

FISH AND WILDLIFE

Notice of Administrative Change

Marine Fisheries

Modification of Gear Types

N.J.A.C. 7:25-18.1

Take Notice that, pursuant to N.J.A.C. 7:25-18.1(p), the Commissioner of the Department of Environmental Protection (Commissioner), with the approval of the New Jersey Marine Fisheries Council (Council) at its January 5, 2023, meeting, has modified the gear types for recreational shark fishing. The actions for sharks have been taken to comply with the Interstate Fishery Management Plan (FMP) for Atlantic Coastal Sharks.

In April 2017, National Marine Fisheries Service (NMFS) implemented a circle hook requirement for Highly Migratory Species (HMS) permit holders fishing for sharks to reduce discard mortality, and as approved in the Consolidated HMS FMP (see 82 FR 16478). In October 2019, the Atlantic States Marine Fisheries Commission (ASMFC) Coastal Sharks Management Board implemented complementary management measures regarding the use of circle hooks when fishing for sharks as recommended by the NMFS (Proceedings of the ASMFC Coastal Sharks Management Board).

In accordance with the ASMFC's actions, the Council approved changes to shark fishery management measures that require the use of non-offset, corrodible, non-stainless steel circle

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hooks, except when fishing with flies or artificial lures when fishing for sharks recreationally, consistent with the Interstate FMP for Atlantic Coastal Sharks.

These changes will be reflected in the Fish and Wildlife rules at N.J.A.C. 7:25-18.1(c)2. As required in N.J.A.C. 7:25-18.1(p), changes to N.J.A.C. 7:25-18.1 will be published in the New Jersey Register, the New Jersey Fish and Wildlife Marine Digest, and on the New Jersey Fish and Wildlife website.

Full text of the changed rule follows (additions indicated in boldface **thus**, deletions indicated in brackets [thus]):

7:25-18.1 Size, season, and possession limits

(a) – (b) (No change.)

(c) A person angling with a hand line or with a rod and line or using a bait net or spearfishing shall not have in his or her possession any species listed below less than the minimum length, nor shall such person take in any one day or possess more than the possession limits as provided below, nor shall such person possess any species listed below during the closed season for that species. Exceptions to this section as may be provided elsewhere in this subchapter shall be subject to the specific provisions of any such section. Fish length shall measure from the tip of the snout to the tip of the tail (total length), except as noted below:

<u>Species</u>	<u>Minimum Size In Inches</u>	<u>Open Season</u>	<u>Possession Limit</u>
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1. (No change.)

2. Shark length shall be measured from the tip of the snout to the V-shaped indentation between the two separate tail segments (fork length) forming the caudal fin. Sharks may be harvested in the recreational fishery only by angling with a hand line or rod and reel[.] **using non-offset, corrodible, non-stainless steel circle hooks, except when fishing with flies or artificial lures.**

The minimum size, open season, and possession limit for shark, as listed at (a) above, shall be the minimum size, open season, and possession limit as determined by the National Marine Fisheries Service, as published in the Federal Register and posted at <https://www.fisheries.noaa.gov/rules-and-announcements/notices-and-rules>.

3. – 6. (No change.)

(d) – (r) (No change.)