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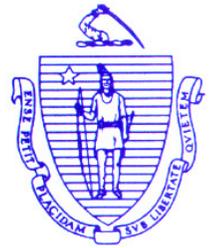
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June 4, 2015

Marine Fisheries Advisory

New Regulations Affecting Activity around White Sharks

The Division of Marine Fisheries (*Marine Fisheries*) has adopted emergency regulations – effective immediately – that restrict activity around white sharks. Specifically, persons are prohibited from attracting or capturing a white shark within the waters under the jurisdiction of the Commonwealth without having been issued a “white shark special permit” from the agency to conduct such an activity. The requirement for this new permit is designed with the specific goal of constraining certain activities designed to attract white sharks to persons, objects or vessels to protect the sharks and safeguard public health. Examples of such activities include cage diving, shark chumming, baiting, and feeding, towing decoys, applying research devices on sharks, and attracting sharks to conduct these activities.

In recent years, there has been a well-documented summertime presence of white sharks off Massachusetts’ coast. In fact, Massachusetts is home to the only predictable population of white sharks in the Northwest Atlantic. The summertime presence of these sharks has resulted in substantial public interest and this interest is prompting an increase in deliberate interactions between white sharks and humans, including the development of cage diving and other white shark tourism businesses, as well as incidents of recreational boaters attempting to attract white sharks to their vessels. *Marine Fisheries* anticipates it is likely that the seasonal presence of these white sharks will continue and, as a result, so will the public interest in interacting with these sharks. This is problematic because it puts both the sharks and public safety at risk. Accordingly, *Marine Fisheries* has implemented this new permitting requirement.

Recent scientific studies on shark behavior have indicated that certain activities that enhance shark-human interactions may increase public safety risks. Of particular concern are those activities where humans interfere with critical shark behaviors (e.g., feeding and swimming). Such activities may result in sharks associating humans with food and prompt changes in shark behavior that make them more aggressive towards humans. Accordingly, *Marine Fisheries* has adopted this precautionary permitting approach to constrain the growth of such activities in Massachusetts’ waters. This is a similar management approach to what has occurred globally in regions where there are predictable populations of white sharks, such as South Africa and the Gulf of Farallones National Marine Sanctuary (CA).

This new rule will not affect normal fishing or boating activity. Persons who are actively rod and reel fishing and chumming with the intention of targeting other finfish (e.g., bluefin tuna) will not be in violation of this new regulation. In the rare event that a white shark is incidentally caught during the course of normal fishing activity, fishermen are required to immediately release the shark in a manner that maximizes the shark’s survival. Similarly, boaters who encounter a white shark in the course of recreational boating will not be in violation of this new

regulation, provided they do not attempt to feed or lure the shark to the vessel. If a boater encounters a shark during the course of boating, they are advised to promptly proceed with caution away from the shark.

A public hearing and public comment period announcement on these emergency regulations is forthcoming. In the meanwhile, if you have any questions about these new regulations, please contact *Marine Fisheries* by phone (617-626-1520) or email (marine.fish@state.ma.us). The full text of these emergency regulations can be found on our website (www.mass.gov/marinefisheries) at [322 CMR 6.37](#).