

Press release

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NOM-029-PESCA-2006 - Shark and ray fishing regulation. This regulation is a huge potential threat to the Sea of Cortes and goes into effect on the 15th of May



<http://www.cofemermir.gob.mx/uploadtests/7591.59.59.1.PNOM-029-PESC%20Tiburones%20y%20Rayas%20mayo%202005.doc>

NOM-029-PESCA-2006 will go into effect on May 15th. This regulation, promoted as a way to stop the over-exploitation of sharks and rays, was rejected during the last two Presidencies, but strongly supported by commercial fishing interests in Ensenada, Sinaloa, Sonora, Mexican Fisheries (CONAPESCA) and some Mexican and United States NGOs. The people of Baja California Sur and some NGOs believe that NOM-029 is a deeply flawed regulation that will have devastating consequences for shark and ray populations.

Several clauses of NOM-029 will change current law in ways that will have profound effects on sharks and rays and other fish populations. Most Baja Mexicans and some NGOs believe these clauses are the real reason commercial fishing interests support this law, and that they will act as “Trojan Horses” to ultimately reverse the intended effects of the law.

Three “Trojan Horses”

By-catch – NOM-029 does not restrict by-catch, allowing all “incidental” by-catch to be kept. By-catch runs about 60 to 80%. According to the INP National Report in 1999 two longliners out of Magdalena Bay killed 11,743 striped marlin in 9 months. This comprised 77.5% of the total catch. Panga longliners with shark permits from Manzanillo kill 80% sailfish, according to INP senate testimony, and sell 150 to 200 tons every month, according to Profepa.

Reduction in Protected Zones Under current regulations no commercial fishing vessels are allowed to fish for or possess marlin, sailfish, dorado and other protected species within the 50 mile conservation zones. The only allowed fishing was under sportfishing bag limits. This law provided strong protection to a wide variety of marine life. Under NOM-029 these species can be targeted and retained. Commercial boats less than 30' can come within 10 miles of shore with longlines (section 4.2.1). Commercial longline boats between 30' and 89' can fish as near as 15 miles from the shore in the Sea of Cortes, and within 20 miles of the west coast of the Baja (4.7.3).

Current Permits - Section 4.3.1 of the new regulation restricts the issuance of new shark permits. However, according to reliable sources in the fishing industry, there are approximately 4,200 boats that will be fishing from existing shark permits. 308 permits have been issued to fishing boats over 89 feet, and 225 permits to boats 89 feet or less. More than 600 permits have been issued to pangas (22' to 30'), with 6 pangas able to work from one permit. Based on current fishing practices, this means there are can be more than 1.5 million hooks in the Sea of Cortes on any one day, fishing for sharks, rays and other species.

The rationale for those promoting this regulation has been “something is better than nothing, and this is only a start”. Opponents point out, however, that the regulation will likely increase the overall fishing pressure on the fisheries it aims to protect. This is particularly true for fisheries inside the current 50 mile protected zone, which will become new targets for commercial fishing. Shark populations will face more depletion. Longline boats will continue to rely on high levels of by-catch (billfish and dorado) that will deplete sport fisheries and impact tourism.

The people of Baja California Sur are working together to stop these regulations from going into effect. They insist that the Norma must not become law, and that the public consulting process must be reinstated. If NOM-029 becomes law, permits will be issued to at least 225 medium sized fishing boats. Once these shark fishing permits are issued, commercial boats will be able to fish under an “amparo” for at least a full year.

The people from BCS are demanding an immediate cancellation or suspension of this shark norma until the following modifications are included:

1. That the 50 miles zones already in the law be respected. This protects sharks as well as all other species which live inside 50 miles of the coast.
2. That incidental by catch be clearly defined, so that sports fish aren't commercially targeted.
3. That the sport fishing species which have been set aside by the Ley de Pesca for sport fishing to be respected and not commercialized.
4. That there is Regionalization of Permits, so that Sinaloa or Sonora boats, where there are even fewer fish, can't come and fish the Baja.
5. That the Armada de Mexico be in charge of (inspection and vigilance) enforcement.
6. That solid stock assessment and fishing effort data be compiled in a comprehensive environmental impact study which should have been included.

The groups supporting the people of Baja California Sur include the following:

Sindicato De Propietarios De Embarcaciones De Pesca Deportiva De Los Cabos AC.

Asociación Mexicana de Marinas Turísticas AC.

Asociación Sudcaliforniana De
Desarrolladores De Tiempo
Compartido AC.

Asociación De Hoteles De Los Cabos
AC.

Unión De Permisarios De
Carnada Viva De Cabo San Lucas

Camara Nacional De La industria De
La Transformación De Los Cabos

Camara Nacional De Comercio De
Los Cabos

Camara Nacional Restaurantera De
Los Cabos

Union De Pescadores Rivereños De
Los Cabos

Marina Fundadores

Sea Watch

The Billfish Foundation (TBF)

YOU CAN HELP

http://www.seawatch.org/mail_campaign/norma_letter.php