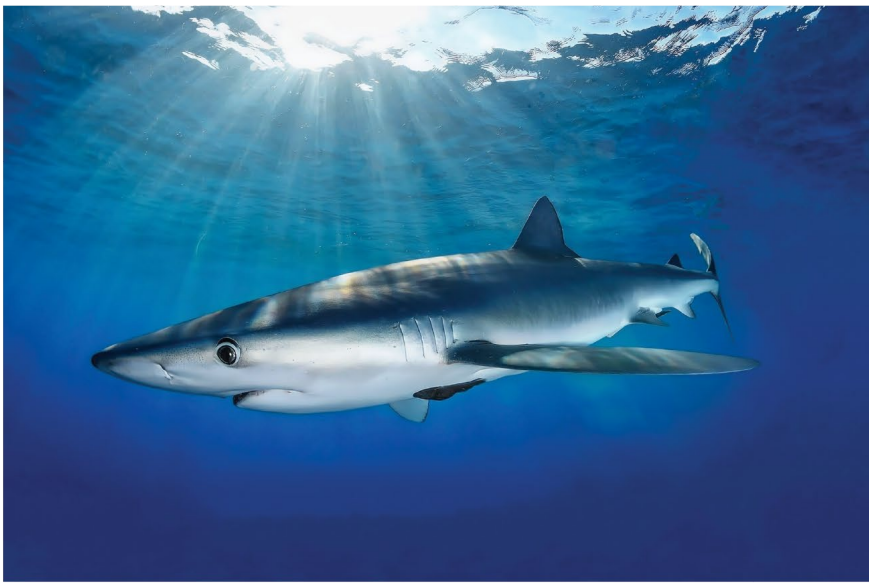

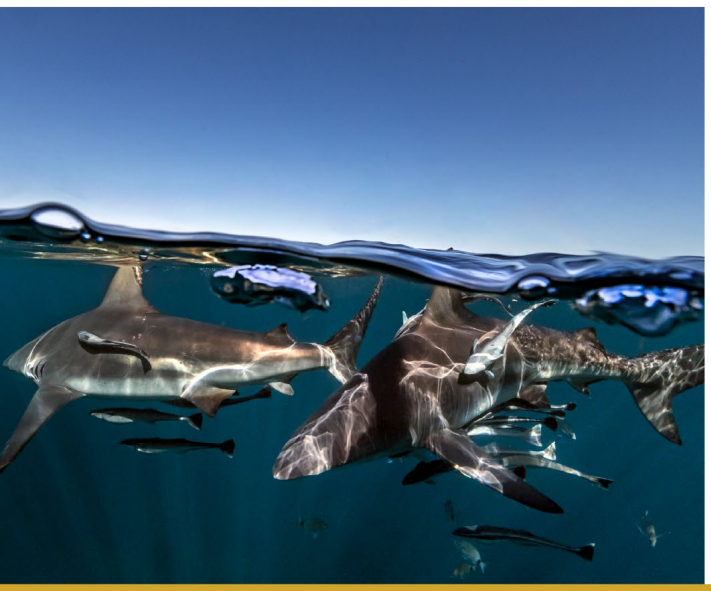

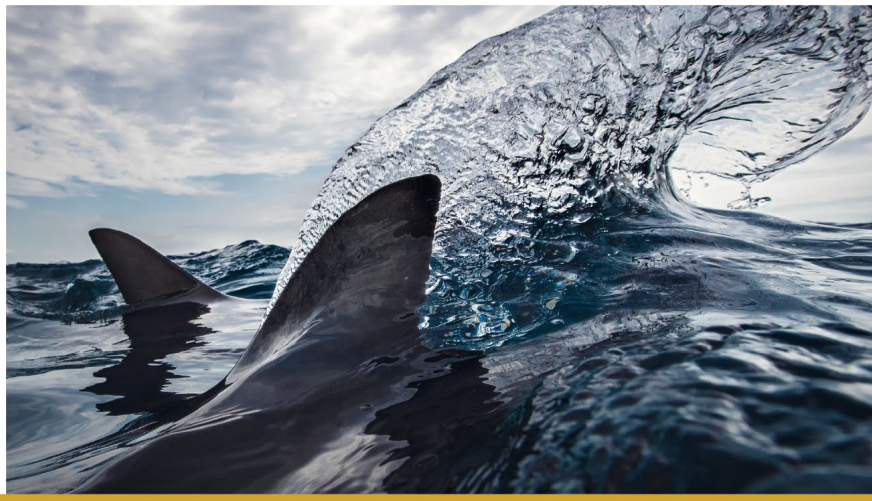

IMPACT STATEMENT:

Recreational night fishing for elasmobranchs (sharks and rays) in South Africa applicable to jurisdictions where fishing between sunset and sunrise the following day is regulated: *iSimangaliso Marine Protected Area*.

Shark Conservation Fund

WILDTRUST™

sharks UNDER ATTACK

GreenLaw Foundation

IMPACT STATEMENT

RECREATIONAL NIGHT FISHING FOR ELASMOBRANCHS (SHARKS AND RAYS) IN SOUTH AFRICA APPLICABLE TO JURISDICTIONS WHERE FISHING BETWEEN SUNSET AND SUNRISE THE FOLLOWING DAY IS REGULATED: ISIMANGALISO WETLAND PARK MARINE PROTECTED AREA

WHAT IS 'NIGHT FISHING'?

A period defined as "night" is typically identified relative to daily published sunset and sunrise times. A practical aspect of any efforts to manage 'night fishing' involves defining "nighttime" in a manner that is clear and enforceable.[1] In South African law, this period is defined as "between sunset in the evening and sunrise the following day." [4]

In aquatic environments, species composition and associated ecological processes that occur during the day are often different at night. Many fish species, including teleosts (bony fish) and elasmobranchs (sharks and rays) have evolved unique sensory and behavioural adaptations to darkness. Consequently, fishers have adopted unique strategies for exploiting fish at night.[2]

WHY WOULD ANGLERS WANT TO FISH AT NIGHT?

Although most anglers fish during daylight hours, many target particular species during the night. The sensory physiology and foraging behaviours of certain fish species offer anglers unique opportunities to catch them at night, when they may be more difficult to catch or less accessible during the day.[1]

Anglers who prefer to fish at night have expressed a desire to avoid increasing boat traffic, warm temperatures, and to increase catch rates that may decrease in times when fish are subjected to higher amounts of angling pressure. Some anglers have even indicated preferences related to the phases of the moon, believing the catchability of their target species to be influenced by moonlight.[3]

HOW IS 'NIGHT FISHING' REGULATED IN SOUTH AFRICAN LAW?

The National Environmental Management: Protected Areas Act (NEMPA), 2003 (Act no. 57 of 2003) [4] governs the management of protected areas, including nature reserves and parks. Fishing activities in these areas, including whether they are permitted at night, are regulated by Park Authorities and individual Park Management Plans. For example, the *Regulations for the Management of the iSimangaliso Marine Protected Area*[5] states that:

- "No person may undertake fishing in any Inshore Controlled or Inshore Controlled Catch and Release Zones between sunset in the evening and sunrise of the following day, except with the permission of the management authority."
- "No person may undertake fishing in any Offshore Controlled or Offshore Catch and Release Zones between sunset in the evening and sunrise the following day."
- "No person shall fish in any Controlled Pelagic Linefish Zone between sunset in the evening and sunrise the following day."

WHAT IS THE IMPACT OF RECREATIONAL 'NIGHT FISHING' ON THE MARINE ECOSYSTEM?

There are a variety of impacts night fishing could have on marine ecosystems. These impacts are of particular concern for threatened species, which are those listed as *Vulnerable, Endangered* or *Critically Endangered*, by the IUCN Red List of Threatened Species.[6]

1. Night fishing involves the use of more artificial lights and scent-based attractants than fishing during the day. There is much variability among species in response to light and a high degree of plasticity in these responses [7] which could influence the extent to which anglers using light can directly or indirectly impact populations.[1]

2. Night fishing has been banned in all marine areas of iSimangaliso Wetland Park, where *Vulnerable* loggerhead, *Caretta caretta* and *Critically Endangered* leatherback, *Dermochelys coriacea* turtles' nest,

to reduce disturbance.[8] The life cycle of sea turtles is closely tied to the beach environment.[9] Adult female turtles come ashore to lay their eggs at night and then return to the ocean. Hatchlings generally emerge at night and instinctively head towards the ocean to begin their journey offshore.[10]

- In recent years, beaches where turtles nest have been impacted by artificial lights from coastal developments, shore anglers fishing at night, and other nighttime beach users.[11,12,13,14,15]
- Natural transitions between light and darkness influence the biology and behaviour of many organisms, and studies show that when artificial lights are present, turtle nesting activity drops significantly. Adult turtles rely on natural ambient light to guide them to suitable nesting sites, and hatchlings rely on natural ambient light to reach the ocean.[12,15,16]
- Since artificial lights are typically brighter than natural light they dominate and mislead the turtles.[17]
- Artificial lighting on beaches is known to deter adult female turtles from nesting, likely due to a perceived increase in predation risk.[12,18,19]
- Hatchlings are drawn toward artificial lights from coastal developments, fishermen, and other sources, causing them to move away from the ocean.[11,12,13,14,15] This inland movement increases mortality rates due to dehydration, exhaustion, and predation,[11,13,19,20,21] or even being crushed by vehicles.[12]

3. Biological impacts associated with shark depredation[22,23] and post-release predation[24] include the increase in mortality of target fish species and causing injury and mortality to the depredating sharks.[25]

- Whether an angler is targeting teleosts (bony fish) or elasmobranchs (sharks and rays), the increased presence of predators in a nocturnal community may result in an increase in shark depredation: where a shark partially or completely consumes an animal caught by fishing gear before it can be retrieved by the fishermen. This is regularly reported by recreational fishers worldwide.[22,23]
- Increased predation rates at night may also lead to an increase in shark post-release predation after catch-and-release. This is where the released fish (teleost or elasmobranch) is sluggish or stressed from the capture event and, therefore, more susceptible to predation by sharks.[1,24]

4. When anglers target elasmobranchs for catch-and-release, reduced visibility associated with fishing in the dark may result in different species-specific impacts due to changes in handling efficiency.

- Reduced visibility can make anglers slower to register and react to bites, and can lead to extended handling times, air exposure, increased rates of deep hooking, injury, and ultimately post-release mortality.[1]
- Post-release mortality takes place after release and is often caused by any physical trauma following interactions with the fishing gear during capture, landing and handling, and/or because of physiological effects of capture stress, such as increased anaerobic muscular activity, barotrauma, air exposure, impaired respiration and reflexes.[26,27,28,29] Animals that have retained hooks or sustained physical injuries may also be prone to infection,[30,31] more susceptible to attack by predators and scavengers,[22,23,24] or experience physiological stress that may have prolonged effects on their feeding and swimming behaviour, growth, their immune system or reproductive biology.[26,27]

5. There is evidence for the occurrence of increased targeting and catches of various shark and ray species by recreational anglers at night along the South African coast which could impact populations of threatened and endemic species.

- Various South African fishing charters and fishermen, located in Eastern Cape,[39,40] KwaZulu-Natal regions[40,41] and Western Cape[42,43] regions, advertise and boast about their targeting and catching of various species of elasmobranchs at night through their websites[39,40] or via social media, on platforms such as Facebook[44,45] and Youtube.[43,46,50]
- The species targeted include *Critically Endangered* raggedtooth sharks, *Carcharias taurus*;[39] whitespotted wedgefish, *Rhynchobatus djiddensis*;[37,40,47] common eagle rays, *Myliobatus aquila*[53] and duckbill rays, *Pteromylaeus bovinus.*[39]
- Southern African endemic species targeted include, the diamond ray, *Gymnura* natalensis;[38] blue stingray, *Dasyatis chrysonota*;[39] spotted gully sharks, *Triakis* megalopterus;[39] and *Vulnerable* endemics such as flapnose houndsharks, *Scylliogaleus quecketti*[48] and lesser guitarfish, *Acroteriobatus annulatus*[39,48].
- Endemic catsharks: pyjama sharks, *Poroderma africanum* and *Poroderma pantherinium* are nocturnal and are primarily active at night,[49] and shyshark species: dark shyshark, *Haploblepharus pictus* and

Endangered puffadder shyshark, *Haploblepharus edwardsii* have also been observed being caught by shore anglers at night.[50] Although these species are rarely targeted, they are often seen as pests and killed rather than returned to the water.[51]

- Other species known to be caught at night include tiger sharks, *Galeocerdo cuvier;*[39,45] African blackspot shark, *Carcharhinus* humani[35] and *Vulnerable* species such as blacktip sharks, *Carcharhinus limbatus*;[48] bronze whalers *Carcharhinus brachyurus*;[36,39,42] milk sharks, *Rhizoprinodon acutus*;[48] bull sharks, *Carcharhinus leucas*[41] and broadnose sevengill sharks, *Notorynchus cepedianus.*[44]
- *Endangered* smoothhound sharks, *Mustelus mustelus*[34,36,43] and dusky sharks, *Carcharhinus obscurus*[46] (referred to by fishermen locally as grey sharks) are common target species by shore anglers along the South African coastline.[39,48]

6. 'Night fishing' may have a profound impact on *Critically Endangered*, pregnant raggedtooth sharks.

- Boat-based anglers have reported incidental seasonal catches of 2–3 raggedtooth sharks per day and up to 20 per night at some reefs in Algoa Bay.[52]
- Anglers fishing for teleosts report more depredation by raggedtooth sharks at night than during the day, suggesting that the species are more active, and hunt more frequently at night.[22,33]
- Evidence for increased activity at night is further reflected in local research showing more vertical use of the water column by raggedtooth sharks at night than by day.[32,33]
- There is concern about anglers targeting raggedtooth sharks during their breeding migration along the northern KZN coast from October to April. Pregnant females need to preserve as much energy as possible to support the development of embryos and maximise their chances of producing healthy pups. Capturing a pregnant female may reduce her much-needed energy reserves and may negatively impact the breeding process of this critically endangered species.[53]
- Raggedtooth sharks undertake a breeding migration into the coastal waters of KZN each year,[54,55,56] where mating occurs in southern and central KZN between August and November.[54]
- Pregnant females move northwards along the coastline, passing popular fishing spots like Tugela Mouth, Mtunzini and Richards Bay, and finally into the warmer waters of the iSimangaliso MPA and Southern Mozambique.
- Females use the warm nearshore waters of this region to rest and gestate for approximately 4-6 months, before returning southwards to the waters of the Eastern Cape where they give birth to no more than two pups.[55]
- Research suggests that the iSimangaliso MPA is imperative to the conservation of raggedtooth sharks as adult females appear to spend most of their pregnancy in this area[53] which further supports the prohibition of night fishing in this area.

CITATION

WILDTRUST, 2025. Recreational night fishing for elasmobranchs (sharks and rays) in South Africa applicable to jurisdictions where fishing between sunset and sunrise the following day is regulated: iSimangaliso Wetland Park Marine Protected Area. *WILDTRUST Impact Statement* 1. 9pp.

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PHOTOGRAPHS OF NIGHT FISHING FOR ELASMOBRANCHS IN SOUTH AFRICA

Figure 1: Juvenile Blue stingray, *Dasyatis chrysonota* caught at night from Kariega River Mouth, Eastern Cape. Source: https://www.fishthesea.co.za/images/img100.jpg Accessed on 08 October 2024.

Figure 2. Broadnose sevengill shark, *Notorynchus cepedianus* caught at night in Strand, Western Cape. 15 May 2021. Source: https://www.facebook.com/groups/189327754419462/posts/got-this-cow-last-night-in-strand-on-my-ult-set-up-rockmaster-11-with-a-bigboss-/4301843439834519/

Figure 3: Raggedtooth shark, *Carcharias taurus* caught by shore angler at night in St. Lucia, KZN. December 2017. Source: https://www.anglerstalk.co.za/raggie-rage/

Figure 4: Tiger shark, *Galeocerdo cuvier* caught from the shore at night in KZN on 17 August 2023. Source: https://tacklebag.co.za/post/daniel-govender--tiger-shark-17-august-2023/2777

Figure 5: Shore angler with raggedtooth shark, *Carcharius taurus* at night in South Africa on 12 September 2022. Source: https://www.africahunting.com/media/150-kg-ragged-tooth-shark-fishing-south-africa.121997/

Figure 6: Whitespotted wedgefish, *Rhynchobatus djiddensis*, caught at night from shore in KZN. 5 December 2019. Source: https://www.mensjournal.com/adventure/angler-lands-record-size-giant-guitarfish

Figure 7: Spotted gully sharks, *Triakis megalopterus*, caught in Betty's Bay, Western Cape. 9 October 2013. Source: https://meagancummins.wordpress.com/tag/spotted-gully-shark/

Figure 8: Female 2.98m, 400kg dusky (grey) shark, *Carcharhinus obscurus*, caught at night from shore in Margate, KZN. 20 January 2024. Source: https://www.iol.co.za/ios/news/anglers-massive-catch-and-release-6310ccd4-eaf3-4a78-8c50-867d5952ad41