

## IV. GEAR DEFINITIONS

The actual gear type authorized for an activity depends upon three things: 1) the type of fishing being conducted (commercial or recreational), 2) the species being targeted, and 3) the type of permit which is being used for that activity. Please see the tables below and the appropriate section(s) in this guide to determine which gear types may be used.

Gear Type	Shark	Tuna	Swordfish
Pelagic Longline	X	X	X
Bottom Longline	X	X	X
Handline	X	X	X
Buoy Gear*			X
Harpoon		X	X
Rod and Reel	X	X	X
Bandit Gear	X	X	X
Gillnet	X		
Green-stick Gear		X	
Trap		X	
Purse Seine		X	
Speargun**		X (BAYS only)	

\* For use by swordfish directed or swordfish handgear limited access permit holders only

\*\* For use by Charter/Headboat permit holders for BAYS tunas only.

**Longline gear** – Longline gear is set horizontally, either anchored, floating, or attached to a vessel, and consists of a mainline with three or more gangions or hooks. This gear can be retrieved by hand or by mechanical means.

**Pelagic longline (PLL) gear** – A longline that is suspended by floats in the water column and that is not fixed to or in contact with the ocean bottom. A vessel is designated as possessing pelagic longline gear on board when the following equipment is on board:

1. A power-operated longline hauler,
2. A mainline,
3. Floats capable of supporting the mainline, and
4. Leaders (gangions) with hooks.

Removing any one of these four elements from the vessel constitutes removal of PLL gear.

**NOTE:** PLL vessels fishing in areas closed to bottom longline gear **may not possess** demersal species in a quantity that exceeds 5 percent of the total weight of all indicator species (demersal and pelagic) on board the vessel.

**Bottom longline (BLL) gear** – A longline that is deployed with enough weights and/or anchors to maintain contact with the ocean bottom. A vessel is designated as possessing bottom longline gear on board when the following equipment is on board:

1. A power operated longline hauler,
2. A mainline,
3. Weight and/or anchor capable of maintaining contact between mainline and ocean bottom, and
4. Leaders (gangions) with hooks.

Removing any one of these four elements from the vessel constitutes removal of BLL gear.

**NOTE:** BLL vessels fishing in areas closed to PLL gear **may not possess** pelagic species in a quantity that exceeds 5 percent of the total weight of all indicator species (demersal and pelagic) on board the vessel. Please see Section VI for a list of demersal and pelagic

See 50 CFR part 635 for the current Atlantic HMS regulations and 50 CFR part 300 subpart M for the ITP regulations. Regulations may change, and if disparities with this guide exist, the regulations prevail.

“indicator” species.

**Handgear** – Handgear includes handline, harpoon, rod and reel, buoy gear, or bandit gear.

**Handline** – A mainline to which no more than two gangions or hooks are attached. A handline is retrieved by hand (not mechanical means), and must be attached to, or in contact with, a vessel.

**Buoy gear** – Buoy gear consists of one or more floatation devices supporting a single mainline to which no more than two hooks or gangions are attached. This gear may be free-floating and is not required to be attached to, or in contact with, a vessel; however, it must be released and retrieved by hand. Vessels utilizing buoy gear are limited to possessing or deploying no more than 35 floatation devices. Fishermen must mark each floatation device with the vessel’s name, registration number, or HMS permit number, as per regulations at 50 CFR § 635.6(c). Monitoring equipment such as radar reflectors, beeper devices, lights, or reflective tape must be attached. Individual buoy gears must not be attached to one another.

**Floatation device** – Any positively buoyant object rigged to be attached to a fishing gear.

**Harpoon** – A pointed dart or iron attached to the end of a line several hundred feet in length, the other end of which is attached to a floatation device. Harpoon gear is attached to a pole that is propelled only by hand and **not** by mechanical means.

**Rod and reel** – A handheld fishing rod with a manually or electronically operated reel attached.

**Downrigger** – A piece of equipment attached to a vessel that has a weight on a cable that is in turn attached to hook-and-line gear to maintain lures or bait at depth while trolling.

**Hook and line** – One or more hooks attached to one or more lines (can include a troll).

**Bandit gear** – A vertical hook and line with rods that are attached to the vessel when in use. Lines can be retrieved by hand or mechanical means.

**Gillnet** – A gillnet is a panel of netting suspended vertically in the water with floats at the top and weights along the bottom. Shark gillnets must remain attached to the vessel at one end except when conducting net checks.

**Green-stick gear** – An actively trolled mainline attached to a vessel and elevated or suspended above the surface of the water with no more than 10 hooks or gangions attached to the mainline. The suspended line, attached gangions and/or hooks, and catch may be retrieved collectively by hand or mechanical means. Green-stick does not constitute a pelagic longline or a bottom longline as described at § 635.21(c) or § 635.21(d), respectively.

**Trap** – A portable, enclosed device with one or more gates or entrances and one or more lines attached to surface floats. Also called a pot.

**Fish weir** – A large catching arrangement with a collecting chamber that is made of non-textile material (wood, wicker) instead of netting as in a pound net.

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**Purse seine** – A purse seine is a floated and weighted encircling net that is closed (“pursed”) by means of a drawstring threaded through the bottom of the net.

**Circle Hook** – A hook originally designed and manufactured so that the point of the hook is turned perpendicularly back toward the shank of the hook to form a generally circular or oval shape. Circle hooks are required for pelagic longline gear.

**Speargun** - a muscle-powered speargun equipped with a trigger mechanism, a spear with a tip designed to penetrate and retain fish, and terminal gear. Terminal gear may include, but is not limited to, trailing lines, reels, and floats. The term “muscle-powered speargun” means a speargun that stores potential energy provided from the operator's muscles, and that releases only the amount of energy that the operator has provided to it from his or her own muscles. Common energy storing methods for muscle-powered spearguns include compressing air and springs, and the stretching of rubber bands.

**Weak Hook** – A circle hook that is constructed of round wire stock which is less than 3.65 mm in diameter.

## **V. GENERAL RESTRICTIONS**

### **GEAR MARKING**

Fishermen deploying handline, buoy gear, harpoon, longline, and gillnet gear must mark their floats with their vessel identification number, vessel name, and Atlantic tunas or limited access permit number. Additional information concerning gear marking requirements can be found at 50 CFR Part 635.6.

### **HIGH SEAS FISHING**

In addition to the appropriate HMS permit, a High Seas Fishing permit is required for all U.S. vessels commercially fishing on the High Seas. To apply for a High Seas Fishing Permit, contact NMFS Office of International Affairs (F/IA), 1315 East-West Highway, Room 12659, Silver Spring, Maryland 20910, or call (301) 713-9090 or -2276. Generally, U.S. flagged vessels must comply with U.S. domestic regulations that pertain to Atlantic HMS while fishing outside the exclusive economic zone (EEZ) in the Atlantic. Some U.S. citizens, even on foreign-flagged vessels, may need an exempted fishing permit. Please call the HMS Management Division at (301) 427-8503 for more information.

### **FISHING FOR HMS IN STATE WATERS**

Both the Atlantic Tunas Convention Act and the Magnuson-Stevens Fishery Conservation and Management Act have provisions that allow NMFS to apply federal regulations to state waters. In general, Atlantic HMS permit holders must abide by all applicable federal regulations, regardless of where fishing occurs, including in state waters. When fishing in the waters of a state with more stringent regulations, vessels must abide by the more restrictive state regulations. However, as reflected in this Guide, the regulations are species and situation-specific. Please call the HMS Management Division at (301) 427-8503 for more information.

### **SECONDARY GEARS**

Secondary, or “cockpit,” gears may be used only at boatside to aid and assist in subduing, or bringing onboard a vessel, Atlantic HMS that have first been caught or captured using primary authorized gears. Secondary gears include, but are not limited to, dart harpoons, gaffs, tail ropes, etc. Secondary gears may not be used to capture, or attempt to capture, free-swimming or

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