UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
NATIONAL MARINE FISHERIES SERVICE
Silver Spring, MD 20910

NMFS Announces a Proposed Rule to Temporarily Suspend Circle Hook Requirements for Anglers Participating in Atlantic Billfish Tournaments

The National Marine Fisheries Service (NMFS) proposes to suspend existing regulations that require Atlantic billfish tournament participants who are fishing from HMS permitted vessels and deploying natural bait or natural bait/artificial lure combinations to use non-offset circle hooks through December 31, 2007. Under this proposed rule, current non-offset circle hook requirements for Atlantic billfish participants would be reinstated unchanged at 12:01 am January 1, 2008. The measure is intended to increase post-release survival of Atlantic billfishes by improving long-term compliance with recreational billfish tournament circle hook regulations. To accomplish this, the proposed rule would provide additional time for recreational billfish tournament anglers to become more familiar and proficient with circle hooks and increase awareness among tournament anglers of circle hook conservation benefits.

The circle hook requirement for HMS permitted vessels fishing in Atlantic billfish tournaments was implemented January 1, 2007 by the Final Consolidated Highly Migratory Species Fishery Management Plan (Consolidated HMS FMP) (October 2, 2006; 71 FR 58058). NMFS has continued to receive public comment on the perceived impacts of the billfish tournament circle hook requirement contained in the Consolidated HMS FMP. This included comments by anglers indicating that circle hooks will not work well for catching blue marlin; expressing a desire by anglers to continue using J-hooks while fishing for Atlantic blue marlin in tournaments; and noting that deploying J-hooks on mixed-baits with heavy fishing gear was an effective and popular technique employed by anglers during fishing tournaments. Comments also stated that fishing for billfish with J-hooks trolled at high speeds with heavy tackle did not result in high post-release hooking mortalities of Atlantic billfish species. Finally, some commenters supported fully implementing tournament circle hook requirements.

In response to these concerns, NMFS considered development of an exempted fishing permit (EFP) program to collect additional data to evaluate the impacts of J-hooks and heavy tackle on Atlantic blue marlin in billfish tournaments. Comments received on the development of an EFP program to collect data within billfish tournaments expressed concern by anglers over the difficulty of standardizing fishing gear type and use in a tournament setting; concern over the quality of data collected in a tournament setting; and the scientific applicability of such data given the fishing characteristics of tournaments (fast paced activity, focus on catching and retaining specific species and/or size classes, and varying tournament rules), among others. Finally, comments were received that expressed a general lack of support for conducting research and/or data in tournaments.

Based on public comment, NMFS determined that the collection of data to evaluate the impacts of J-hooks and heavy tackle on Atlantic blue marlin during billfish tournaments would be problematic and chose not to issue EFPs to Atlantic billfish

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tournaments (72 FR 4691; February 1, 2007). Available data indicate that hook type (circle hook vs. J-hook) is not a major factor influencing catch rates of blue marlin. Nevertheless, many anglers believe circle hooks to be relatively ineffective and that J-hooks can be deployed in a manner resulting in low post-release mortality. Available studies demonstrate the benefits of circle hooks for billfish and other species, and NMFS believes that concerns over the effectiveness of circle hooks when fishing for Atlantic blue marlin can be overcome as anglers become more familiar and proficient with them.

The comment period for this proposed rule is open until March 30, 2007. Written comments may be submitted to the address below or emailed to: 0648-AV25@noaa.gov. Public hearings will be held at the following times and locations:

This notice is a courtesy to the HMS fishery participants to help keep you informed about your fishery. Official notice of Federal fishing actions is made through filing such notice with the Office of Federal Register. For further information on this proposed rule and its requirements, contact Russell Dunn or Randy Blankinship at (727) 824-5399. Copies of the proposed rule and draft Environmental Assessment/Regulatory Impact Review/Initial Regulatory Flexibility Analysis are available upon request from the Highly Migratory Species Management Division, 1315 East-West Highway, Silver Spring, MD 20910 (phone: 301-713-2347, fax: 301-713-1917). The information will also be posted on the HMS website at: http://www.nmfs.noaa.gov/sfa/hms/.

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Alan D. Risenhoover
Director, Office of Sustainable Fisheries

Date

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