



Reminder – Restriction on Harpoon Use on HMS Charter/Headboats and Permit Requirements for Taking Paying Passengers

Recently, the National Marine Fisheries Service's (NMFS) Highly Migratory Species (HMS) Management Division has received several inquiries about: 1) gears authorized for HMS Charter/Headboat permitted vessels; and 2) the permit required to take paying passengers on HMS fishing trips. The following reminder of current regulations is intended to help vessel owners comply with the regulations and choose the appropriate vessel permit:

- 1) Harpoons are not authorized for use as primary fishing gear on HMS Charter/Headboat vessels. Harpoon gear is authorized as primary fishing gear for General category and Harpoon category permitted vessels only.

Note: In 2008, we *proposed* a change to the regulations that would have allowed the use of harpoons as primary gear by HMS Charter/Headboat vessels during non-for-hire trips. However, based on concerns raised by the public and within NMFS, we decided not to adopt that change. Therefore, harpoon use remains an authorized primary gear *only* in the General and Harpoon permit categories.

We remind vessel operators that a person who fishes for, retains, or possesses bluefin tuna may not have on board a vessel or use any primary gear other than those authorized for the vessel permit category, as shown below for the handgear categories:

Permit category	Authorized primary gear
Angling	Rod and reel (including downriggers), handline (for all tunas), and speargun (for bigeye, albacore, yellowfin, and skipjack tunas only, <i>not bluefin tuna</i>)
Charter/Headboat	Rod and reel (including downriggers), bandit gear, handline, and green-stick gear are authorized for all recreational and commercial Atlantic tuna fisheries. Speargun is authorized for recreational Atlantic bigeye, albacore, yellowfin, and skipjack tunas only.
General	Rod and reel (including downriggers), handline, harpoon, bandit gear, and green-stick
Harpoon	Harpoon

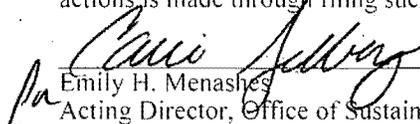
Secondary gears including, but not limited to, dart harpoons, gaffs, flying gaffs, tail ropes, etc. may be used to at boatside to aid and assist in subduing, or bringing on board a vessel, Atlantic HMS that have first been caught or captured using primary gears but may not be used to capture, or attempt to capture, free-swimming HMS.

- 2) An HMS Charter/Headboat permit is required to carry paying passengers and fish for, possess, or retain any Atlantic HMS. General category, Harpoon category, or Angling category vessels are not authorized to take paying passengers on HMS fishing trips.

NMFS is in the process of considering the best means of achieving current bluefin management objectives and providing flexibility for future management while conserving and protecting the resource consistent with legal obligations. We have prepared a scoping document for a potential amendment to the 2006 Consolidated HMS Fishery Management Plan, and will be holding public scoping meetings in May and June 2012. Comments on the scoping document are due by July 15, 2012. For further information, see:

http://www.nmfs.noaa.gov/sfa/hms/newslist/2012/04-20-12_amendment7_scoping_meetings_announcement.pdf

Please see the HMS Compliance Guides at: http://www.nmfs.noaa.gov/sfa/hms/Compliance_Guide/index.htm
 For additional information regarding the issues above, call (978) 281-9260. Official notice of Federal fishery actions is made through filing such notice with the Office of the Federal Register.


 Emily H. Menashes
 Acting Director, Office of Sustainable Fisheries

5/15/12
 Date

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