



NMFS ANNOUNCES THE AUTHORIZATION OF GREEN-STICK GEAR FOR THE HARVEST OF ATLANTIC TUNAS AND A SEA TURTLE CONTROL DEVICE REQUIREMENT

The National Marine Fisheries Service (NMFS) published a final rule (73 FR 54721; September 23, 2008) to authorize green-stick gear (Figure 1) for harvest of Atlantic tunas, including bluefin tuna (BFT), in the Atlantic Tunas General, Highly Migratory Species (HMS) Charter/Headboat (CHB), and Atlantic Tunas Longline categories. The gear authorization will become effective on **October 23, 2008**. In the final rule, NMFS also requires possession and use of a sea turtle control device in pelagic (PLL) and bottom longline (BLL) fisheries, which will become effective on **January 1, 2009**. At this time, NMFS is not authorizing harpoon gear for the harvest of Atlantic tunas in the Highly Migratory Species (HMS) Charter/Headboat (CHB) category as originally proposed. For more information, please see the Environmental Assessment (EA) and final rule which may downloaded at <http://www.nmfs.noaa.gov/sfa/hms/index.htm> (click on "Breaking News").

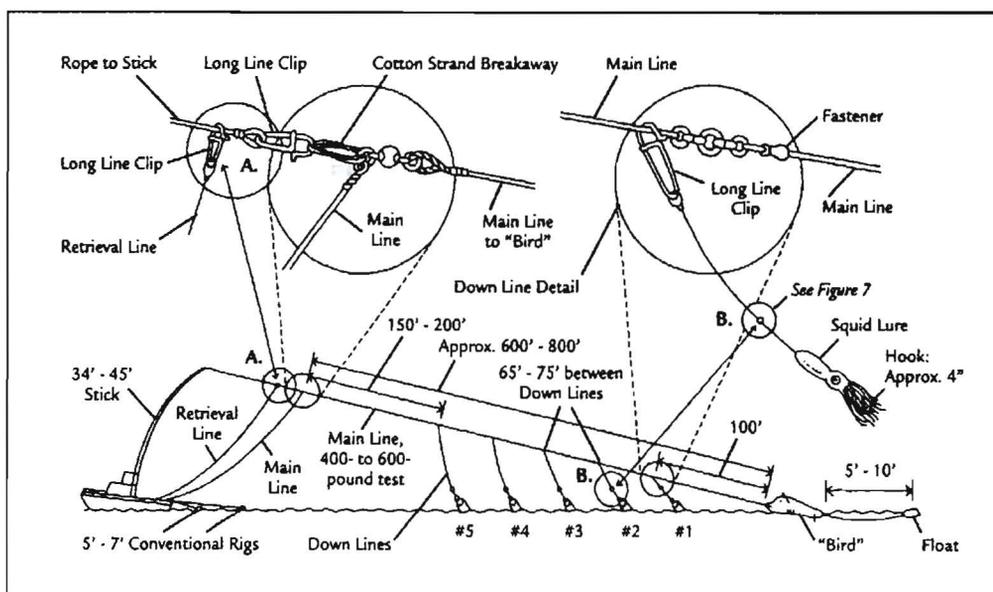


Figure 1. A diagram of green-stick fishing gear. Source: Wescott (1996)

The purpose of this final rule is to ensure fishermen harvest Atlantic tunas within quotas, size limits, or other established limitations and to distinguish green-stick fishing gear from current definitions of other authorized gear types. Additionally, the final rule addresses use of sea turtle control devices in the PLL and BLL fisheries to achieve and maintain low post-release mortality of sea turtles, thus maintaining consistency with the 2004 Biological Opinion (BiOp) for the Atlantic PLL fishery and to increase safety at sea for fishermen when handling sea turtles caught or entangled in longline fishing gear.

Green-stick gear is used primarily to harvest yellowfin tuna and is defined in the final rule as:

...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 defined in this section or as described at § 635.21(c) or § 635.21(d), respectively.

Regulations on the use of green-stick gear vary among the permit types for which green-stick gear is authorized. Please consult the final rule for specifics of these regulations.

NMFS is requiring the possession and use of one sea turtle control device onboard PLL and BLL vessels as an addition to the already existing suite of sea turtle bycatch mitigation measures. NMFS has approved two types of sea turtle control devices to meet this requirement. A revised list of equipment models that NMFS has approved as meeting the minimum design specifications for the careful release of sea turtles caught in hook and line fisheries is available at http://www.nmfs.noaa.gov/sfa/hms/Protected%20Resources/Required_Gear.pdf. The devices may be purchased or constructed with low cost materials. Specifications for the devices and instructions for use may be found in the EA, final rule, and in the Code of Federal Regulations at 50 CFR § 635.21 (c)(5)(i)(M). While NMFS is requiring the possession and use of only one sea turtle control device, the use of two devices is recommended to secure both front flippers of a turtle in order to better enable the removal of hooks and entangling fishing line.

Regarding harpoon authorization for harvesting BFT by HMS CHB vessels, NMFS considered public comment on this issue, some of which was made at the April 2008 HMS Advisory Panel meeting. Based on the relative lack of public support, and on consideration of the various concerns raised by NMFS and the public, including concerns about bycatch, enforcement and safety, and BFT stock status generally, NMFS has decided, at this time, to maintain the status quo regarding authorized harpoon use, i.e., authorized harpoon use by the General and Harpoon categories only.

This notice is a courtesy to Atlantic HMS fishery participants to help keep you informed about your fishery. Official notice of Federal fishery actions is made through filing such notice with the Office of the Federal Register. For further information, a copy of the environmental assessment, or a copy of the final rule, please contact Randy Blankinship at 727-824-5399 or Sarah McLaughlin at 978-281-9260.

Emily Menachis

for Alan Risenhoover, Director
Office of Sustainable Fisheries

SEP 23 2008

Date

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