



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

## **NMFS Announces a Proposed Rule to Implement Complementary Management Measures for Caribbean Closures and Dehooking Requirements for the Atlantic Shark Fishery**

The National Marine Fisheries Service proposes to implement additional requirements for handling and release of sea turtles and other non-target species in the shark bottom longline (BLL) fishery consistent with requirements for the pelagic longline (PLL) fishery (July 6, 2004, 69 FR 40734).

An objective of the final rule implementing Amendment 1 to the Fishery Management Plan for Atlantic Tunas, Swordfish, and Sharks (December 24, 2003, 68 FR 74746) was to minimize, to the extent practicable, bycatch of living marine resources and the mortality of such bycatch that cannot be avoided in the fisheries for Atlantic sharks. That rule finalized measures that required the use of non-stainless steel corrodible hooks aboard shark BLL fishing vessels, required the possession of release equipment (line cutters and dipnets) on vessels with shark BLL gear, and required these vessels to move one nautical mile after an interaction with a sea turtle, smalltooth sawfish, or marine mammal. At that time, NMFS had not yet approved dehooking devices for sea turtles. Therefore, while their use is required by that Amendment, the implementation of the requirement to possess and employ dehooking devices on BLL vessels was delayed until NMFS had approved a suite of dehooking devices and techniques.

This proposed rule would require Atlantic shark fishermen aboard all Federally permitted vessels for Atlantic Highly Migratory Species (HMS) with BLL gear onboard to possess, maintain, and utilize equipment and protocols consistent with the requirements for the pelagic longline (PLL) fishery.

**All BLL vessels would be required to have NMFS-approved equipment onboard, including, but not limited to: short and long handled dehookers, a standard automobile tire (or comparable cushioned surface), needle nose pliers, a long handled device to pull an inverted "V," monofilament line cutters, boltcutters, two different mouth openers/gags, and a copy of the Careful Release Protocols for Sea Turtle Release with Minimal Injury.**

Design specifications for all the new required equipment for BLL vessels are the same as those for the PLL fishery. Fishermen would be able to construct the equipment themselves as long as it meets the design specifications described in at 50 CFR Section 635.21. Appendix A1 of the draft Environmental Assessment prepared for this proposed rule describes the design specifications, costs, and suppliers.

This rulemaking would also implement measures for Atlantic HMS fisheries that complement those implemented by the Caribbean Fishery Management Council (CFMC)



on October 28, 2005 (70 FR 62073). The purpose of this action is to implement consistent measures between council-managed and Atlantic HMS fisheries, with the intent of minimizing adverse impacts to Essential Fish Habitat (EFH) and reducing fishing mortality on mutton snapper, red hind, and other reef-dwelling species. The proposed rule would prohibit all vessels issued HMS permits with BLL gear onboard from fishing with, or deploying, any fishing gear in six distinct areas off the U.S. Virgin Islands and Puerto Rico, year-round. Fishing with other bottom-tending gear (pots, traps, gillnets, and trammel nets) is already prohibited in these areas to minimize adverse impacts to coral or hard bottom habitats. These areas are defined 50 CFR § 622.33 (a) (1), (a) (2), and (a) (3).

The comment period for this proposed rule is open for 90 days and closes on June 27, 2006. Written comments may be submitted to the address below or emailed to: SF1.082305E@noaa.gov. NMFS will hold five public hearing to receive comments from fishery participants and other members of the public regarding these proposed amendments. The public hearings are scheduled for:

Wednesday, April 26, 2006 – Ponce, PR, 7-9 p.m.

Ponce Hilton, 1150 Caribe Avenue, Ponce, PR. 00716 (787) 259-7876

Thursday, April 27, 2006 – Christiansted, St. Croix, 6-8 p.m.

Florence Williams Public Library, 1122 King St., Christiansted, St. Croix, USVI 00820. (340) 773-5715.

Thursday, May 18, 2006 – Madeira Beach, FL, 7-9 p.m.

City of Madeira Beach, 300 Municipal Drive, Madeira Beach, FL 33708. (727) 391-9951.

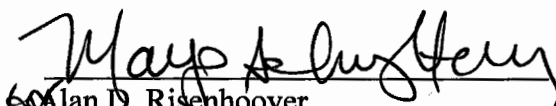
Thursday, June 1, 2006 – Manteo, NC, 6-8 p.m.

Town Hall, 407 Budleigh St, Manteo, NC, 27954. (252) 473-2133.

Wednesday, June 7, 2006 – Panama City, FL, 6-8 p.m.

NMFS Laboratory, 3500 Delwood Beach Road, Panama City, FL 32408. (850) 234-6541.

This FAX 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 Mike Clark or Karyl Brewster-Geisz at 301-713-2347. 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/>.

  
Alan D. Risenhoover  
Acting Director, Office of Sustainable Fisheries

MAR 29 2006

Date