

Proposed Action:

Sea turtle handling and release gear requirement modification

The South Atlantic Fishery Management Council approved Amendment 15B for secretarial review in July 2008, and the amendment was approved by NOAA Fisheries Service on September 1, 2009. Amendment 15B requires all vessels having a South Atlantic Unlimited Snapper-Grouper Permit, a South Atlantic 225 lb Trip Limit Snapper-Grouper Permit, or a South Atlantic Charter/Headboat Permit for Snapper-Grouper, and carrying hook-and-line gear onboard to: (1) Post the *Sea Turtle Handling/Release Guidelines* placard inside the wheelhouse, or in any easily viewable area, if there is no wheelhouse; (2) have a copy of the Protocols posted inside the wheelhouse, or within a waterproof case in a readily accessible area, and; (3) possess and use sea turtle handling and release gear consistent with the Protocols. The Council considered several alternatives during the development of the amendment to address the requirements to carry dehooking gear, including an alternative requiring different dehooking gears for vessels with a freeboard heights of 4 ft or greater. The Council selected the alternative to require all vessels to carry all types of dehooking gear, citing enforcement concerns as the primary reason for not selecting the alternative to require different dehooking gears for vessels, based on freeboard height. NMFS did not receive any public comments specific to the requirements to carry dehooking gear designed for the pelagic longline fishery, during the comment period for Amendment 15B. Since the Amendment's approval and implementation, some concerns have been raised regarding the appropriateness of several required sea turtle handling and release gear. Therefore, the following proposed amendment action has been developed to address those concerns.

Current Amendment 15B sea turtle release gear requirements include the same dehooking and disentanglement gear required for the pelagic longline fishery despite the fact that many snapper-grouper fishermen fish with much lighter rod and reel type fishing gear. For those using rod and reel, all dehooking and disentanglement gear required in the pelagic longline fishery may not be appropriate for use with the lighter tackle. The dehooking and disentanglement tools that would be included in this potential action are the line cutter which must be capable of cutting 2.0–2.1 mm (0.078 in -0.083 in) monofilament line (400–lb test) or polypropylene multistrand material known as braided or tarred mainline; bolt cutters, which must be able to cut hard metals, such as stainless or carbon steel hooks, up to 1/4-inch (6.35 mm) diameter; and dehookers built out of 5/16" stainless steel. These items were intended for use with pelagic longline tackle, and are therefore relatively "heavy duty." The effectiveness and necessity of these dehooking and disentanglement tools when used with lighter rod and reel tackle has been called into question. Therefore, the Council has been asked to consider developing an amendment action that would re-address and possibly modify sea turtle release gear requirements for the snapper-grouper fishery.

Action 1. Modify current sea turtle dehooking and disentanglement gear requirements for the snapper-grouper fishery of the South Atlantic.

Alternative 1. (No Action): Maintain current sea turtle release gear requirements for the snapper-grouper fishery in federal waters of the South Atlantic. Required gear (regardless of freeboard height) includes:

- a long-handled line clipper or cutter,
- a long-handled dehooker for ingested hooks,
- a long-handled dehooker for external hooks,
- a long-handled device to pull an “inverted V”,
- a dipnet,
- a tire (or other comparable cushioned, elevated surface that immobilizes boated sea turtles),
- a short-handled dehooker for ingested hooks,
- a short-handled dehooker for external hooks,
- long-nose or needle-nose pliers,
- bolt cutters,
- monofilament line cutters, and
- at least two types of mouth openers/mouth gags.

This equipment must meet the specifications described in 50 CFR 635.21(c)(5)(i)(A-L) (see Appendix D) with the following modification: any other comparable, cushioned, elevated surface that allows boated sea turtles to be immobilized, may be used as an alternative to the requirement in 50 CFR 635.21(c)(5)(i)(F) to have a tire on board.

These requirements were implemented through Amendment 15B. The biological analysis for what was the preferred alternative appears below.

*As **Preferred Alternative 2** would require that all gear be present rather than discriminating by freeboard, it could be considered to have a slightly greater biological benefit. An increased biological benefit could be expected from **Preferred Alternative 2** because it ensures fishermen have gear onboard to remove the maximum amount of fishing gear. This alternative also ensures fishermen are able to remove the maximum amount of gear from sea turtles that cannot be boated... Sea turtle release gear can also be used to release incidentally caught or unwanted snapper grouper species, potentially increasing the survival of individuals taken as bycatch.*

Alternative 2. Modify the approved specifications for line cutters, bolt cutters, and dehookers required onboard federally permitted snapper-grouper vessels.

Things to consider:

1. This alternative may require that newly recommended gear undergo some form of test for effectiveness in order to issue NMFS approval.

Alternative 3. Modify the current gear specifications component of the regulations to require dehooking and disentanglement gear of an appropriate size and strength relative to tackle deployed for fishing.

For example: 50 CFR 635.21 *Construction. A long-handled dehooker must be constructed of a ~~5/16 inch (7.94 mm) 316 L stainless steel rod. A 5 inch (12.7 cm) tube T handle of 1 inch (2.54 cm) outside diameter is recommended, but not required.~~ The design should be such that a fish hook can be rotated out, without pulling it out at an angle. The dehooking end must be blunt with all edges rounded. The device must be of a size appropriate to secure the range of hook sizes and styles used in the pelagic longline fishery targeting swordfish and tuna.*

Things to consider:

1. There may be significant enforcement concerns relative to this alternative.

Alternative 4. Require all federally-permitted hook and line vessels with no longline gear onboard to have and use a tool capable of cutting the fishing line and a tool capable of removing a hook from a sea turtle. Require a fishermen to follow the sea turtle handling and release guidelines. Fishermen would still be required to comply with all current sea turtle release guidelines.

Things to consider:

1. **Alternative 4.** would require a modification to the terms and conditions included in the 2006 biological opinion for the snapper-grouper fishery.

Alternative 5. Require all sea turtle release gear listed under Alternative 1 (No Action) for federally permitted snapper-grouper vessels using longline gear, and require [insert specific sea turtle release gear] for federally permitted vessels fishing with hook and line gear.

Things to consider:

1. Most federally permitted snapper grouper fishermen already have the entire suite of sea turtle release gear currently required.

Alternative 6. Track the same turtle release gear requirements for the Gulf of Mexico, which are dependent upon freeboard heights of 4 feet or less.

Sub-Alternative 6a. Modify the gear specifications for line cutters, dehookers, and bolt cutters for vessels with freeboard height of 4 feet or less.

Sub-Alternative 6b. Modify the gear specifications for line cutters, dehookers, and bolt cutters for all federally permitted snapper-grouper vessels.

Things to consider:

1. The Council voted against requiring different sea turtle release gear on vessels with different freeboard heights in Amendment 15B based on law enforcement concerns. Many vessels have varying freeboard heights depending on where the freeboard height is measured.