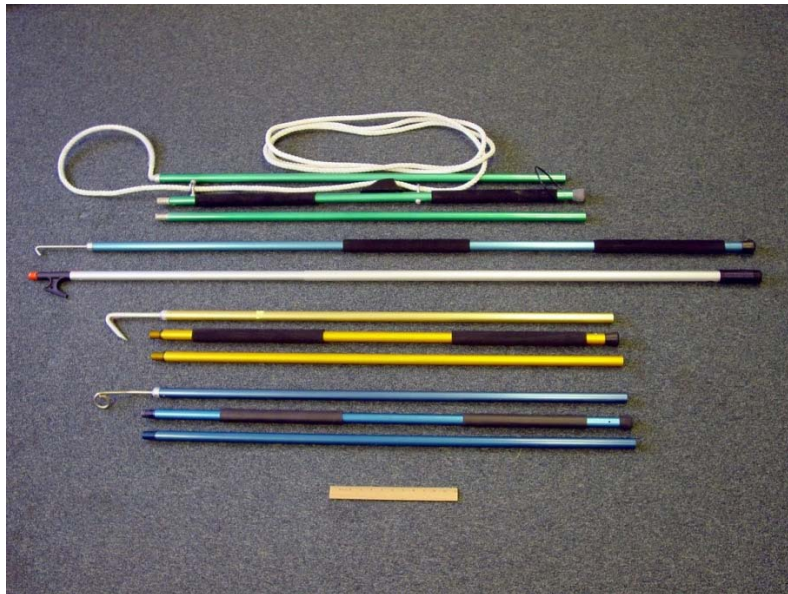


# Modifications to the Sea Turtle Release Protocol and Gear for the Reef Fish Fishery



## Discussion Paper

August 2017



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# COVER SHEET

## Name of Action

Modifications to the Sea Turtle Release Protocol and Gear for the Reef Fish Fishery

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## Type of Action

- Administrative  Legislative  
 Draft  Final

## **ABBREVIATIONS USED IN THIS DOCUMENT**

BiOp	Biological Opinion
Council	Gulf of Mexico Fishery Management Council
ESA	Endangered Species Act
FMP	Fishery Management Plan
Gulf	Gulf of Mexico
NMFS	National Marine Fisheries Service
RPMs	Reasonable and Prudent Measures
SEFSC	Southeast Fisheries Science Center
SERO	Southeast Region Office

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# CHAPTER 1. INTRODUCTION

## 1.1 Background

The Gulf of Mexico (Gulf) reef fish fishery is known to encounter endangered and threatened sea turtles and, less frequently, endangered smalltooth sawfish. Sea turtles are highly migratory and occur throughout the Gulf. Adverse effects to these species may result from being hooked on or entangled in bottom longline and vertical line gear targeting reef fish. Sea turtles and sawfish can be injured or killed as a result of interacting with these gears.

### *Biological Opinion (BiOp):*

The Endangered Species Act (ESA) requires that any federal agency proposing an action that may have an effect on an ESA-listed species issuing a permit, spending money, taking a direct action on fish habitat consult with the U.S. Fish and Wildlife Service or NOAA Fisheries (i.e., consulting agencies).

The agency proposing the action (known as the action agency) will commonly complete a biological assessment on potential effects to the species or its habitat and submit it to the regulatory agency(ies). The consulting agency then renders a Biological Opinion (BiOp) to the action agency making the proposal.

BiOps document the opinion the National Marine Fisheries Service (NMFS) on how a proposed federal agency action affects ESA-listed species and critical habitat. Federal agencies are required to ensure that their proposed actions will not reduce the likelihood of survival and recovery of an ESA-listed species. BiOps that provide an exemption for the "take" of listed species specify the extent of take allowed, the Reasonable and Prudent Measures (RPMs) necessary to minimize impacts from the federal action, and the terms and conditions with which the action agency must comply. A BiOp also includes conservation recommendations that may further recovery of the specific ESA-listed species if implemented.

In February 2005, the National Marine Fisheries Service (NMFS) Southeast Regional Office (SERO) issued a biological opinion (BiOp), in accordance with section 7 of the Endangered Species Act (ESA) that evaluated the impact of the reef fish fishery on endangered sea turtles and smalltooth sawfish (NMFS 2005). The BiOp concluded that the anticipated incidental take of sea turtles and smalltooth sawfish by the reef fish fishery was not likely to jeopardize their continued existence; however, it required that reasonable and prudent measures be taken to

minimize stress and increase survival rates of any sea turtles and smalltooth sawfish taken in the reef fish fishery. At the time of the 2005 BiOp, the only reef fish regulation that specifically addressed bycatch of protected species was a prohibition of the use of entangling nets that was implemented in 1990 (GMFMC 1990). The BiOp specified that NMFS, in cooperation with the Gulf of Mexico Fishery Management Council (Council), must implement sea turtle bycatch release equipment requirements and sea turtle and smalltooth sawfish handling protocols and/or guidelines in the commercial and for-hire permitted GOM reef fish fishery.

In response to the 2005 BiOp, the Council developed an amendment to increase the likelihood of survival of released sea turtles and smalltooth sawfish caught incidentally by the reef fish fishery (GMFMC 2005). The amendment requires vessels with commercial or for-hire reef fish permits to possess a specific set of release gear (see description in Appendix A), and comply with sea turtle and smalltooth sawfish release protocols and guidelines for proper care and release of incidentally caught sea turtles and sawfish (GMFMC 2005). The amendment also requires commercial reef fish and for-hire reef fish vessel permit holders to possess inside the wheelhouse, or within a waterproof case if no wheelhouse, a copy of the most updated document provided by NMFS titled, “Careful Release Protocols for Sea Turtle Release With Minimal Injury” (hereafter referred to as Release Protocols). Vessel permit holders are also required to post inside the wheelhouse, or in an easily viewable area if no wheelhouse, sea turtle handling and release guidelines provided by NMFS available here: [http://www.nmfs.noaa.gov/sfa/hms/compliance/workshops/protected\\_species\\_workshop/turtles/sea\\_turtle\\_handling\\_release\\_hookline.pdf](http://www.nmfs.noaa.gov/sfa/hms/compliance/workshops/protected_species_workshop/turtles/sea_turtle_handling_release_hookline.pdf).

The Release Protocols were originally published in 2004 (Epperly et. al 2004). Revised editions were released in 2008 and 2010 (NMFS-SEFSC 2008, 2008, Revised 2010), and a new update is waiting to be published. In this most recent pending update, two additional turtle release gear types were approved by the Southeast Fisheries Science Center (SEFSC) for use in handling and releasing incidentally caught sea turtles when fishing for reef fish. These turtle release gears include a collapsible net (Figure 1.1.1) and a new type of dehooking device (Figure 1.1.2). These new gears require less space on vessels but still provide the necessary functionality. However, these gears cannot be used by fishermen participating in the reef fish fishery until they are approved for use in the fishery.





**Figure 1.1.1.** A collapsible net that can be used on-board and subsequently release incidentally hooked sea turtles.



**Figure 1.1.2.** Example of new sea turtle release gear “Hookout” to release incidentally hooked sea turtles.

The Council may want to consider modifying the appropriate reef fish regulations to allow the use of the new gear types. In addition, the Council may want to consider streamlining the processes for adding additional gears once they are authorized for use by the SEFSC. The framework procedure to the fishery management plan (FMP) was most recently updated in 2012 (GMFMC 2012), but it does not currently allow for changes in gear release requirements to be implemented via the framework process thus an amendment to the FMP is required to make these changes. Incorporating a process to allow changes in release gear requirements to be implemented via the framework process could streamline management and provide additional flexibility to participants in the commercial and for-hire reef fish fishery.

## CHAPTER 2. REFERENCES

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## APPENDIX A

Appendix A1. Sea turtle release gear required for vessels with commercial and/or for-hire reef fish permits and with a freeboard height of 4 ft or less. Freeboard is defined as the working distance between the top rail of the gunwale to the water's surface, and will vary based on the vessel design.

Required Item	Example Model(s) Meeting Current Design Standards
Dipnet (handle length must be 6 ft or 150 percent of freeboard height)	ARC 12' Breakdown Lightweight Dip Net Model DN6P (6'), DN08 (8') or DN14 (12') or ARC Net Assembly (hoop, net, coupling-DNIN) and handle; Lindgren-Pitman, Inc. Model NMFS-Turtle Net; Bluewater Tackle; or Howell Tackle
Cushioned Support Device	A standard automobile tire; boat cushion; or large turtle hoist
Short-Handled Dehooker for Ingested Hooks*	17-in Bite Block Deep-Hooked (Sea Turtle) ARC Dehooker Model ST08 or NOAA/Bergmann Dehooker
Short-Handled Dehooker for External Hooks*	17-in Bite Block Deep-Hooked (Sea Turtle) ARC Dehooker Model ST08; NOAA/Bergmann Dehooker; Short-handled J-Style Dehooker; Scotty's Dehooker; or Short-handled Roby Dehooker
Long-nose or Needle-nose Pliers	12-in S.S. NuMark Model #030 281 109 871, Offshore Angler® Stainless Longreach Pliers Model #38-481-759-00, or Pittsburgh® 15-in Long Nose Locking Pliers
Bolt Cutter	H.K. Porter Model 1490 AC
Monofilament Line Cutter	Jinkai Model MC-T
At least Two (2) Types of the following Mouth Openers and Mouth Gags	
Block of Hard Wood	Any block of hard wood or long-handled wire brush (e.g., Olympia Tools Model 974174)
Set of (3) Canine Mouth Gags	Jorvet Model 4160, 4162, and 4164
Set of (2) Sturdy Dog Chew Bones	Nylabone®, Gumabone®, or Galileo® (trademarks owned by T. F. H. Publications, Inc)
Set of (2) Rope Loops Covered with Hose	Any set of (2) rope loops covered with hose meeting design standards
Hank of Rope	Any size soft braided nylon rope is acceptable, provided it creates a hank of rope approximately 2–4 in thickness
Set of (4) PVC Splice Couplings	A set of (4) Standard Schedule 40 PVC splice couplings (1 in, 1.25 in, 1.5 in, and 2 in)
Large Avian Oral Speculum	Model # 85408 from Webster Vet Supply; VSP # 216-08 from Veterinary Specialty Products; Jorvet Model J-51z; and Krusse Model 273117.

**Disclaimer:** This table is meant to help fishermen comply with sea turtle release measures contained in regulations published in the *Federal Register* [76 FR 82183] on December 30, 2011, for the South Atlantic, and 71 FR 45428 published on August 9, 2006, for the Gulf of Mexico. All sea turtle release gear must meet the specific requirements in Appendix F to Part 622.

\*Only one short-handled dehooker is required onboard if the approved short-handled dehooker is designed to remove both ingested and external hooks.

Appendix A2. Sea turtle release gear required for vessels with commercial and/or for-hire reef fish permits with a freeboard height of greater than 4 ft. Freeboard is defined as the working distance between the top rail of the gunwale to the water's surface, and will vary based on the vessel design.

Required Item	Example Model(s) Meeting Current Design Standards
Long-handled line cutter (6 ft or 150 percent of freeboard height)	NOAA/LaForce Line Cutter or NOAA/Arceneaux Line Clipper
Long-handled <sup>1</sup> (6 ft or 150 percent of freeboard height) dehooker for ingested hooks <sup>2</sup>	ARC Pole Big Game Dehooker Models BP04, BP08, BP11, P610 and BPIN
Long-handled (6 ft or 150 percent of freeboard height) dehooker for external hooks <sup>1</sup>	ARC Pole Big Game Dehooker Models BP04, BP08, BP11, P610 and BPIN; Long-handled J-Style Dehooker or "Flip Stick" (ARC Model LJ6P); or Long-handled Roby Dehooker
Long-handled device to pull an "inverted V" (6 ft (1.83 m) or 150 percent of freeboard height)	Long-handled J-Style Dehooker or "Flip Stick" (ARC Model LJ6P); Any standard boat hook (e.g., Davis Telescoping Boat Hook to 96" Model 85002A); or Any standard fishing gaff (e.g., West Marine # F6H5 Hook and # F6-006 Handle)
Dipnet (handle length must be 6 ft or 150 percent of freeboard height)	ARC 12' Breakdown Lightweight Dip Net Model DN6P (6'), DN08 (8') or DN14 (12') or ARC Net Assembly (hoop, net, coupling-DNIN) and handle; Lindgren-Pitman, Inc. Model NMFS-Turtle Net; Bluewater Tackle; or Howell Tackle
Cushioned Support Device	A standard automobile tire; boat cushion; or large turtle hoist
Short-Handled Dehooker for Ingested Hooks	17-in Bite Block Deep-Hooked (Sea Turtle) ARC Dehooker Model ST08 or NOAA/Bergmann Dehooker
Short-Handled Dehooker for External Hooks	17-in Bite Block Deep-Hooked (Sea Turtle) ARC Dehooker Model ST08; NOAA/Bergmann Dehooker; Short-handled J-Style Dehooker; Scotty's Dehooker; or Short-handled Roby Dehooker
Long-nose or Needle-nose Pliers	12-in S.S. NuMark Model #030 281 109 871, Offshore Angler® Stainless Longreach Pliers Model #38-481-759-00, or Pittsburgh® 15-in Long Nose Locking Pliers
Bolt Cutter	H.K. Porter Model 1490 AC
Monofilament Line Cutter	Jinkai Model MC-T
At least Two (2) Types of the following Mouth Openers and Mouth Gags	
Block of Hard Wood	Any block of hard wood or long-handled wire brush (e.g., Olympia Tools Model 974174)
Set of (3) Canine Mouth	Jorvet Model 4160, 4162, and 4164

Gags	
Set of (2) Sturdy Dog Chew Bones	Nylabone©, Gumabone©, or Galileo© (trademarks owned by T. F. H. Publications, Inc)
Set of (2) Rope Loops Covered with Hose	Any set of (2) rope loops covered with hose meeting design standards
Hank of Rope	Any size soft braided nylon rope is acceptable, provided it creates a hank of rope approximately 2–4 in thickness
Set of (4) PVC Splice Couplings	A set of (4) Standard Schedule 40 PVC splice couplings (1 in, 1.25 in, 1.5 in, and 2 in)
Large Avian Oral Speculum	Model # 85408 from Webster Vet Supply; VSP # 216-08 from Veterinary Specialty Products; Jorvet Model J-51z; and Krusse Model 273117.

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<sup>1</sup> A short-handled dehooker with an appropriate length handle extender will also fulfill this requirement.

<sup>2</sup> Until you have received training on the proper use of internal dehookers and internal dehooking techniques, an external dehooker is recommended. For those with proper training, an internal and external dehooker or one that does both, is recommended.