

IV. GEAR TYPES AND AUTHORIZATIONS

The gear type authorized for an activity depends upon three things: (1) the type of fishing being conducted (commercial or recreational), (2) the species being targeted, and (3) the type of permit which is being used for that activity. Please see the tables below and the appropriate sections in this guide to determine which gear types may be used. NOTE: Except for the use of secondary gears and vessels with an HMS Caribbean Small Boat permit, a vessel using or having onboard any unauthorized gear may not possess any Atlantic HMS.⁶⁹

Gear Type ⁷⁰	Sharks ⁷¹	Bluefin tuna ⁷²	BAYS tunas ⁷³	Swordfish ⁷⁴
Bandit	X	X	X	X
Bottom Longline	X	X	X	X
Buoy Gear			X	X
Gillnet	X			
Green-stick		X	X	X
Handline	X	X	X	X
Harpoon		X	X	X
Pelagic Longline	X	X	X	X
Purse Seine		X	X	
Rod and Reel	X	X	X	X
Speargun			X	
Trap		X		

This table is provided only as a quick reference for gears that could be used to catch HMS.

The appropriate permit or combination of permits must be obtained before use of these gears is authorized to fish for HMS. This table does not reflect all of these permutations or specify all of the applicable restrictions. Consult Section V for these details.

PRIMARY GEARS

Circle hook – a hook originally designed and manufactured so that the point is turned perpendicularly back toward the shank of the hook to form a generally circular or oval shape.⁷⁵

Offset circle hook – a circle hook originally designed and manufactured so that the barbed end of the hook is displaced relative to the parallel plane of the eyed-end, or shank, of the hook when laid on its side.⁷⁶

Fish weir – a large catching arrangement with a collecting chamber that is made of non-textile material (wood, wicker) instead of netting as in a pound net.⁷⁷

Gillnet – a panel of netting suspended vertically in the water with floats along the top (see Gear Marking at the end of this section) and weights along the bottom, to entangle fish that attempt to pass through it.⁷⁸ Shark gillnets must remain attached to the vessel at one end except when conducting net checks. Net checks must be done at least once every two hours. Gillnets may not be longer than 1.5 miles (2.5 km).⁷⁹ See Section X for shark gillnet gear restrictions.

Green-stick gear – 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.⁸⁰

Handgear – includes handline, harpoon, rod and reel, buoy gear, bandit gear, or speargun gear.⁸¹

Handline – fishing gear that is attached to, or in contact with, a vessel; that consists of a mainline to which no more than two gangions or hooks may be attached. A handline is released and retrieved by hand (not mechanical means).⁸² If floats area attached to the handline, see Gear Marking requirements at the end of this section.

Buoy gear – one or more floatation devices supporting a single mainline to which no more than two hooks or gangions are attached.⁸³ This gear may be free-floating and is not required to be attached to, or in contact with, a vessel; however, it must be released and retrieved by hand. Vessels utilizing buoy gear are limited to possessing or deploying no more than 35 floatation devices. Fishermen must mark each floatation device (high flyer and buoy) with (1) the vessel's name, and (2) the vessel registration number, USCG documentation number, or HMS permit number.⁸⁴ Monitoring equipment such as radar reflectors, beeper devices, lights, or reflective tape must be attached. If only reflective tape is used, the vessel deploying buoy gear must possess on board an operable spotlight capable of illuminating the deployed gear. Individual buoy gears must not be attached to one another.⁸⁵

Floatation device – any positively buoyant object rigged to be attached to a fishing gear.⁸⁶

Harpoon – a pointed dart or iron attached to the end of a line several hundred feet in length, the other end of which is attached to a floatation device (see also Gear Marking requirements at the end of this section). Harpoon gear is attached to a pole that is propelled only by hand and not by mechanical means.

Rod and reel – a handheld fishing rod, including rod holder, with a manually or electronically operated reel attached.

Downrigger – a piece of equipment attached to a vessel with a weight on a cable that is in turn attached to hook-and-line gear to maintain lures or bait at depth while trolling. The downrigger has a release system to retrieve the weight by rod and reel or by manual, electric, or hydraulic winch after a fish strike on the hook and line gear.⁸⁷

Hook and line – one or more hooks attached to one or more lines (can include a troll).⁸⁸

Bandit gear – a vertical hook and line with rods that are attached to the vessel when in use. Lines are payed out from and retrieved on the reel manually, electrically, or hydraulically.⁸⁹

Longline gear – Longline gear is set horizontally, either anchored, floating, or attached to a vessel, and consists of a mainline or groundline with three or more leaders (gangions) or hooks. This gear can be retrieved by hand or by mechanical means.⁹⁰ Gear must be marked appropriately (see gear marking requirements at the end of this section).

Pelagic longline gear – A longline that is suspended by floats in the water column and that is not fixed to or in contact with the ocean bottom.⁹¹ A vessel is considered to have pelagic longline gear on board when the following equipment is on board:

1. A power-operated longline hauler,
2. A mainline,
3. Floats capable of supporting the mainline, and
4. Leaders (gangions) with hooks.

Removing any one of these four elements from the vessel constitutes removal of pelagic longline gear. See Section VII for pelagic longline gear restrictions.

Bottom longline gear – A longline that is deployed with enough weights and/or anchors to maintain contact with the ocean bottom.⁹² A vessel is considered to have bottom longline gear on board when

the following equipment is on board:

1. A power-operated longline hauler,
2. A mainline,
3. Weight and/or anchor capable of maintaining contact between mainline and ocean bottom, and
4. Leaders (gangions) with hooks.

Removing any one of these four elements from the vessel constitutes removal of bottom longline gear. Bottom longline vessels may have a limited number of floats and/or high-flyers onboard for the purposes of marking the location of the gear but removal of these floats does not constitute removal of bottom longline gear. See Section IX for bottom longline gear restrictions.

Purse seine – a floated and weighted encircling net that is closed (“pursed”) by means of a drawstring threaded through rings attached to the bottom of the net.⁹³ A purse seine used in directed fishing for bluefin tuna must have a mesh size equal to or smaller than 4.5 inches (11.4 cm) in the main body (stretched when wet) and must have at least 24-count thread throughout the net.⁹⁴

Atlantic Tunas purse seine vessels must have their fishing gear inspected for mesh size by a NMFS enforcement agent prior to fishing for the season in any fishery that may result in the harvest of Atlantic tunas. Inspection must be requested at least 24 hours before the first fishing trip of the season. If NMFS does not inspect the vessel within 24 hours of notification, the inspection requirement is waived. In addition, at least 24 hours before offloading any bluefin tuna after a fishing trip, an inspection of the vessel and catch must be requested from NMFS. If, after notification by the vessel, NMFS does not arrange to inspect the vessel and catch at offloading, the inspection requirement is waived.⁹⁵

Speargun—a muscle-powered speargun equipped with a trigger mechanism, a spear with a tip designed to penetrate and retain fish, and terminal gear. Terminal gear may include, but is not limited to, trailing lines, reels, and floats. The term “muscle-powered speargun” means a speargun that stores potential energy provided from the operator's muscles, and that releases only the amount of energy that the operator has provided to it from his or her own muscles. Common energy storing methods for muscle-powered spearguns include compressing air and springs, and the stretching of rubber bands⁹⁶

Speargun fishing gear is only authorized for the recreational harvest of BAYS tunas (no sale). No other HMS may be taken with speargun fishing gear. BAYS tunas must be free-swimming and cannot be restricted by fishing lines or other means when using a speargun. Persons using speargun gear must be physically in the water when the speargun is fired or discharged, and may freedive, use SCUBA, or other underwater breathing devices. “Powerheads” may not be used.⁹⁷

Trap – (a.k.a. “pot”) a portable, enclosed device with one or more gates or entrances and one or more lines attached to surface floats.⁹⁸

GEAR MARKING

Fishermen deploying handline, buoy gear, harpoon, longline, and gillnet gear must mark each float and high-flyer (if applicable) with (1) the vessel name and (2) either the vessel registration number or the Atlantic tunas or HMS Charter/Headboat permit number. The name and number must be at least 1 inch in height in block letters or Arabic numerals in a color that contrasts with the background color of the float or high flyer.⁹⁹

SECONDARY GEARS

Secondary, or “cockpit,” gears may be used only at boatside to aid and assist in subduing or bringing onboard a vessel Atlantic HMS that have first been caught or captured using primary authorized gears. Secondary gears include, but are not limited to, dart harpoons, gaffs, tail ropes, etc. Secondary gears may not be used to capture, or attempt to capture, free-swimming or undersized HMS.¹⁰⁰