



## NMFS Announces a Final Rule to Adjust the Atlantic Bluefin Tuna (BFT) General and Harpoon Category (Commercial Handgear) Regulations

The National Marine Fisheries Service (NMFS) announces a final rule that:

- (1) Increases the General category *maximum* possible BFT daily retention limit from 3 to 5 fish (*with limit adjustments to be executed via inseason actions as appropriate*);
- (2) Allows the BFT General category season to remain open until the January subquota is reached or March 31 (whichever happens first); and
- (3) Increases the Harpoon category daily retention limit of 73-81" BFT from 2 to 4 fish.

The General category measures are effective November 30, 2011, and the Harpoon category measure will be effective December 30, 2011. However, note that the Harpoon category fishery is open June 1- November 15 each year. NMFS has made one change from the proposed rule: allowing the General category season to remain open annually until the January subquota is reached or March 31 *rather than May 31 as originally proposed* (whichever happens first).

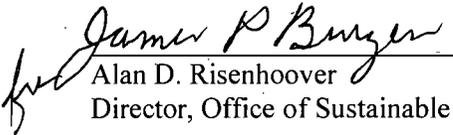
This action is intended to enable more thorough utilization of the available U.S. BFT quota for the General and Harpoon categories; convert potential BFT dead discards to landings; expand fishing opportunities for participants in the commercial winter General category fishery; and increase NMFS' flexibility and range for setting the General category retention limit depending on available quota. General category fishing regulations apply to vessels permitted in the commercial Atlantic tunas General category and the Highly Migratory Species (HMS) Charter/Headboat category while fishing commercially. This action is consistent with the Magnuson-Stevens Fishery Conservation and Management Act, the Atlantic Tunas Convention Act, and the 2006 Consolidated Atlantic HMS Management Plan.

On November 4, 2009 (74 FR 57128), NMFS published the proposed rule for this action. Based on public requests, NMFS extended the closure of the proposed rule comment period from December 2009 to March 2010. NMFS delayed issuing a final rule pending a new BFT stock assessment by the International Commission for the Conservation of Atlantic Tunas (ICCAT) and subsequent ICCAT recommendation on BFT conservation and management in 2010, as well as the decision on a May 2010 petition to list BFT as threatened or endangered under the Endangered Species Act (ESA).

NMFS is undertaking a comprehensive review of BFT management to determine whether existing management measures need to be adjusted more broadly to meet the multiple goals for the BFT fishery. Any further changes following implementation of this rule could be considered as part of future rulemaking, if needed.

This notice is a courtesy to BFT fishery participants to help keep you informed about the fishery. Official notice of Federal fishery actions is made through filing such notice with the Office of the Federal Register. For further information, contact the HMS Management Division at (978) 281-9260. This

notice is intended to provide a plain language summary of how to comply with the rule and is published in compliance with the Small Business Regulatory Enforcement Fairness Act. To view the final rule and supporting documents, see: [www.nmfs.noaa.gov/sfa/hms/breaking\\_news.htm](http://www.nmfs.noaa.gov/sfa/hms/breaking_news.htm).

  
Alan D. Risenhoover  
Director, Office of Sustainable Fisheries

NOV 29 2011  
Date

**SIGN UP FOR ATLANTIC HMS NEWS!**

-- An electronic newsletter informing you of the latest HMS-related actions --  
<http://www.nmfs.noaa.gov/sfa/hms/newslist/>