

Compliance Guide for the Atlantic Pelagic Longline Take Reduction Plan (PLTRP) Final Rule Regulations - 50 CFR 229.36

ATTENTION: Owners and operators of vessels holding or required to hold an Atlantic Highly Migratory Species tunas, swordfish, or shark permit under 50 CFR 635.4 and that has pelagic longline gear onboard, as described by 50 CFR 635.21(c), in the Atlantic Exclusive Economic Zone (EEZ), as defined by 50 CFR 600.10, off the U.S. East Coast.

EFFECTIVE DATES: Regulatory requirements in the amended PLTRP are effective on **July 6, 2023**, except for the requirements at 50 CFR 229.36(d), implementing terminal gear restrictions, which are effective on **July 8, 2024**.

Overview of the Pelagic Longline Take Reduction Plan Amendment

The PLTRP is required under Section 118 of the Marine Mammal Protection Act to reduce serious injury and mortality (bycatch) of short-finned pilot whales in the U.S. East Coast Atlantic pelagic longline fishery. The PLTRP includes regulatory and non-regulatory management measures. The regulations implementing the PLTRP were first published on May 19, 2009 (74 FR 23349) and were amended on June 6, 2023 (88 FR 36965) based on consensus recommendations made by the Pelagic Longline Take Reduction Team. The amended PLTRP removes the Cape Hatteras Special Research Area (CHSRA) and its special observer and research participation requirements. It also modifies the current mainline length restrictions in the EEZ portion of the Mid-Atlantic Bight (MAB) and implements hook and gangion (terminal gear) requirements in the U.S. Atlantic EEZ. The original requirement to post the Marine Mammal Handling and Release Placard in the wheelhouse and on deck remains unchanged. Each regulatory and non-regulatory measure is described in detail in this Guide.

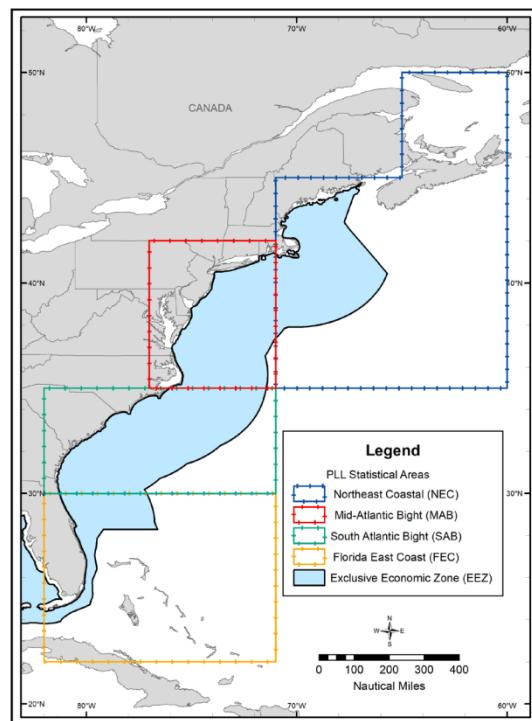


Figure 1. The geographic scope of PLTRP requirements is the U.S. Atlantic EEZ (the State/Federal water boundary seaward to 200 nautical miles and east of the line of demarcation between the Atlantic Ocean and the Gulf of Mexico as defined in 50 CFR 600.105(c)).

Regulatory Requirements

1. Marine mammal handling and release placard - 50 CFR 229.36(c) - Effective June 18, 2009

This is an existing requirement from the original PLTRP. All affected pelagic longline vessels in the U.S. Atlantic EEZ are required to post the "Marine Mammal Handling/Release Guidelines: A Quick Reference for Atlantic Pelagic Longline Gear" inside the wheelhouse and on the working deck.

Note: Additional placards are available from NOAA Fisheries Southeast Regional Office at (727) 824-5312.

2. Mainline length restriction for the Mid-Atlantic Bight - 50 CFR 229.36(e) - Effective July 6, 2023

Vessels operating in the EEZ portion of the MAB (Figure 1) may set no more than one mainline in the water at any one time. If the gear breaks or parts after setting, the vessel owner or operator must make every effort to remove the additional portions of the gear as soon as possible. Mainline cannot exceed 32 nmi (59.26 km) in length, subject to the following specifications:

1. there may be no more than 30 nmi (55.56 km) total of active gear (gear with gangions or hooks attached) deployed along the mainline
2. a single section of active gear may not exceed 20 nmi (37.04 km)
3. if more than one section of active gear along the mainline are deployed, each section of active gear must be separated by a gap of at least 1 nmi (1.85 km) with no active gear (no gangions or hooks attached).

Note: the MAB is defined as the area bounded by rhumb lines connecting the following points: 43°N 77°W; 43° N 71°W; 35°N 71°W; 35°N 77°W; and 43°N 77°W.

3. Hook and Gangion (Terminal Gear) Requirements - 50 CFR 229.36(d) - Effective July 8, 2024

Vessels operating in the U.S. Atlantic EEZ can only possess, use, and deploy hooks and gangions that meet the following specifications:

Hooks. The hook shank must be constructed of corrodible round wire stock and meet the following specifications:






1. 16/0 circle hook must have a round wire diameter not to exceed 4.05 mm (0.159 in) and must straighten with a force not to exceed 300 lb. (136.08 kg), based on manufacturer specifications when new.
2. A 18/0 circle hook must have a round wire diameter not to exceed 4.40 mm (0.173 in) and must straighten with a force not to exceed 300 lb., based on manufacturer specifications when new.

Gangions. Any gangion must meet all of the following specifications:

1. Made of monofilament nylon. No other line material, such as wire, may be used. Crimps and chafing gear are allowed.
2. Have a diameter of 1.8 mm (0.071 in) or larger.
3. Have a breaking strength of at least 300 lb., based on manufacturer specifications when new.

Note: Exception for Transit - If pelagic longline gear is appropriately stowed, a vessel may transit through the EEZ of the Atlantic Ocean without meeting the gear requirements. "Transit" means non-stop progression through an area without any fishing activity occurring. "Appropriately stowed" means all gangions and hooks are disconnected from the mainline and are stowed on or below deck, hooks are not baited, and all buoys and weights are disconnected from the mainline and drum (buoys may remain on deck). (50 CFR 229.36(d))

Summary of the PLTRP regulatory requirements by geographic area

Requirement	Effective Date	Mid-Atlantic Bight (EEZ)	U.S. Atlantic EEZ
Marine mammal handling and release placard (50 CFR 229.36(c))	June 18, 2009		
Mainline length restriction: maximum 32 nm, subject to additional specifications (50 CFR 229.36(e))	July 6, 2023		
Hook and Gangion (Terminal Gear) Requirements (50 CFR 229.36(d))	July 8, 2024		

Non-Regulatory Measures

There are four non-regulatory measures in the amended PLTRP. NOAA Fisheries is responsible for implementing three of these measures, within the constraints of available funding. These include:

1. Increased observer coverage

NOAA Fisheries will increase observer coverage to 12-15% throughout all Atlantic pelagic longline fisheries that interact with short-finned pilot whales, with priority given to the Mid-Atlantic Bight.

2. Convene a safe handling and release work group

The workgroup will update protocols for marine mammal interactions in the Atlantic pelagic longline fishery.

3. Update observer protocols and fishery observer data forms

These forms will increase information collected from marine mammal interaction and depredation events in the Atlantic pelagic longline fishery.

4. Captains’ communications

Vessel operators throughout the Atlantic pelagic longline fishery are strongly encouraged to maintain daily communications with other local vessel captains regarding protected species interactions, with the goal of identifying and exchanging information relevant to avoiding protected species bycatch. For this to be effective, the exchange of information must be timely, involve cooperation, and intended to result in an action being taken to either avoid or reduce bycatch (*e.g.*, Captains can share information about locations of protected species to avoid, as well as share best practices for safe handling and release). *This measure relies on the fishing industry.*

Additional Information

This guide is intended to provide practical information; however, any inadvertent difference between this guide and the regulations will be resolved by following the regulatory language found at 50 CFR 229.36. All Atlantic HMS Pelagic Longline permit holders are encouraged to obtain a copy of the complete regulations. Copies of the Final Rule Amending the PLTRP and Environmental Assessment, Regulatory Impact Review and Regulatory Flexibility Analysis, are available on the PLTRT Website (below) or by phoning NOAA Fisheries Southeast Regional Office at 727-824-5312. Additionally, all commercial fishing vessels must monitor and report serious injuries and mortalities to marine mammals that occur during fishing.

Important Contacts

For more information on the PLTRP:

<https://www.fisheries.noaa.gov/national/marine-mammal-protection/pelagic-longline-take-reduction-plan>

Serious Injury & Mortality Reporting:

<https://www.fisheries.noaa.gov/national/marine-mammal-protection/marine-mammal-authorization-program#reporting-a-death-or-injury-of-a-marine-mammal-during-commercial-fishing-operations>

Additional Placards: Available from the NOAA Fisheries Southeast Regional Office at (727) 824-5312.

Code of Federal Regulations: <https://www.ecfr.gov/>