

## XI. CHARTER/HEADBOAT FISHING

### PERMITS

Owners of vessels that carry passengers for-hire and fish for, possess, or retain Atlantic HMS (tunas, billfish, swordfish, and sharks) **must** obtain an annual HMS CHB permit. NMFS defines a “for-hire” trip as a trip carrying a fee-paying passenger; or having more than three persons for a vessel licensed to carry six or fewer; or having more persons aboard than the number of crew specified on the vessel’s Certificate of Inspection for U.S. Coast Guard inspected vessels. The number of persons aboard includes the operator and crew and the retention limits would also apply to the operator and crew.

NMFS issues permits for the HMS Charter/Headboat (CHB) fishery and manages the fleet as a unique sector due to its unique mix of commercial and recreational operations. Atlantic HMS CHB permits are available by logging onto [www.hmspermits.gov](http://www.hmspermits.gov), or by calling (888) 872-8862. Only **one** type of permit (HMS Angling, Charter/Headboat, or Atlantic tunas permit) may be issued to a vessel.

NMFS defines Charter and Headboat vessels as the following:

**Charter**: A vessel less than 100 gross tons (90.8 mt) that meets the requirements of the U.S. Coast Guard to carry six or fewer passengers for-hire.

**Headboat**: A vessel that holds a valid Certificate of Inspection issued by the U.S. Coast Guard to carry passengers for-hire.

While fishing for, or possessing, Atlantic HMS, the vessel operator **must** have a valid Merchant Marine License or Uninspected Passenger Vessel License. Because size and retention limits apply to Atlantic HMS harvested from the management unit regardless of where caught, charter/headboat vessels that catch, retain, possess, or land billfish should have an HMS Charter/Headboat permit.

### AUTHORIZED GEAR TYPES

**Billfish** – Rod & Reel (including downriggers)

**Swordfish** – Rod & Reel (including downriggers); Handline

**Sharks** – Rod & Reel (including downriggers); Handline

**Tunas** – Bluefin: Rod & Reel (including downriggers); Handline; Green-stick; Bandit Gear

BAYS: Rod & Reel (including downriggers); Handline; Green-stick; Bandit Gear;

Speargun\*

\* Speargun gear for recreational fishing only

Secondary gears, including dart harpoons, gaffs, flying gaffs, tail ropes, etc., may be used at boat side in subduing or bringing onboard Atlantic HMS that have been caught using the primary gears described above. However, these secondary gears may **not** be used to capture, or attempt to capture, free-swimming or undersized HMS. Also, all handlines **must** remain attached to, or in contact with, the vessel.

See 50 CFR part 635 for the current Atlantic HMS regulations and 50 CFR part 300 subpart M for the ITP regulations. Regulations may change, and if disparities with this guide exist, the regulations prevail.

## MINIMUM SIZE AND RETENTION LIMITS

HMS retention limits vary by trip type (for-hire vs. non-for-hire).

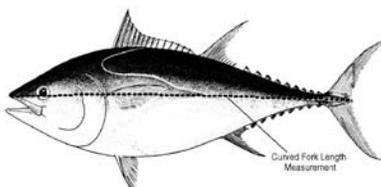
Limits for for-hire HMS CHB trips		
Species	Minimum Size*	Retention Limits
Blue Marlin	99" (LJFL)	N/A
White Marlin	66" (LJFL)	N/A
Roundscale Spearfish	66" (LJFL)	N/A
Sailfish	63" (LJFL)	N/A
Longbill Spearfish	Prohibited	0
Swordfish	Charter Vessels	47" (LJFL) or, 29" (CK)
	Headboat Vessels	47" (LJFL) or, 29" (CK)
Bigeye Tuna	27" (CFL)	N/A
Albacore Tuna	N/A	N/A
Yellowfin Tuna	27" (CFL)	3 per person per day
Skipjack Tuna	N/A	N/A
Bluefin Tuna	Angling Cat.	27" - <73" (CFL) slotted in size cats
	General Cat.	>73" (CFL)
Sharks (excluding prohibited species) ***	54" (FL)**	1 per vessel per trip**

\* If state regulations are more restrictive, then those regulations will apply.

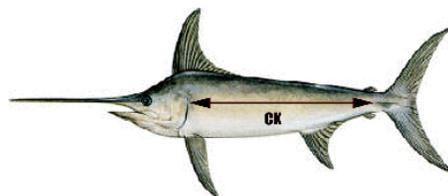
\*\* With an allowance for one bonnethead and one Atlantic sharpnose shark per person per trip with no minimum size.

\*\*\* The retention of hammerhead (great, smooth, and scalloped) and oceanic whitetip sharks is prohibited for Charter/Headboat permit holders that simultaneously retain tunas, swordfish, and/or billfish

LJFL – lower jaw fork length; CK – cleithrum to caudal keel; CFL – curved fork length; FL – fork length

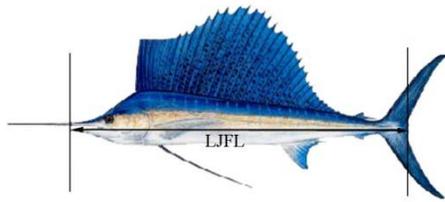


Curved Fork Length (CFL)

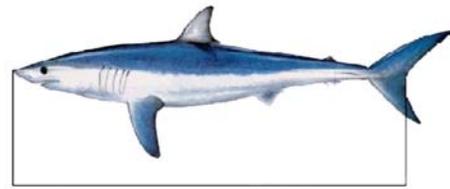


Cleithrum to Caudal Keel (CK)

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Lower Jaw Fork Length (LJFL)



Fork Length (FL)

## **SALE OF FISH**

### **Sharks**

On **for-hire trips**, Atlantic HMS CHB vessels that also possess a shark limited access permit are subject to recreational shark retention limits. On **non-for-hire trips**, HMS CHB vessels that also possess a shark limited access permit are subject to commercial retention limits and may retain sharks under the commercial regulations while the commercial shark fishery is open. The retained sharks may be sold **only** if the commercial fishery is open and the vessel has been issued a valid limited access shark permit, otherwise no sale is allowed.

### **Swordfish**

On **for-hire trips**, Atlantic HMS CHB vessel permit holders that also possess a swordfish limited access handgear permit are subject to recreational swordfish retention limits. On **non-for-hire trips**, Atlantic HMS CHB vessel permit holders that also possess a swordfish limited access handgear permit may retain swordfish under commercial limits if the commercial fishery is open. The retained swordfish may be sold **only** if the commercial fishery is open and the vessel has been issued a valid swordfish handgear limited access permit, otherwise no sale is allowed.

### **Bluefin tuna**

Owners/operators of vessels that possess the Atlantic HMS CHB permit must abide by the Angling category retention limits when fishing **recreationally** for bluefin tuna, or the General category retention limits when fishing **commercially** for bluefin tuna, provided quota is still available and the fishery is open.

The size category of the first bluefin tuna retained will determine the fishing category applicable to the vessel that day. HMS CHB permit holders may sell bluefin tuna > 73" CFL when fishing under the General category regulations. CHB vessels may not sell bluefin tuna < 73" CFL. Vessel operators should check the web site [www.hmspermits.gov](http://www.hmspermits.gov) or call (888) 872-8862 to verify the commercial or recreational bluefin tuna retention limits on any given day.

For HMS CHB vessels fishing in the **Gulf of Mexico**, no directed bluefin tuna fishing is allowed. However, HMS CHB vessels may land one incidentally caught recreational "trophy" size class ( $\geq 73$ " ) bluefin tuna per vessel per year. No sale is allowed.

CHB vessels may sell bluefin tuna (except in the Gulf of Mexico) if they meet the commercial minimum size and retention limits and the vessel does not have any recreational sized bluefin tuna onboard the vessel (*i.e.*, < 73 inches CFL).

### **BAYS tunas**

On **for-hire trips**, Atlantic HMS CHB permit holders may sell up to the recreational limits of BAYS tunas, however no recreationally caught bluefin tuna may be sold. On **non-for-hire trips**, there are no limits on the number of BAYS tunas that may be retained and sold.

See 50 CFR part 635 for the current Atlantic HMS regulations and 50 CFR part 300 subpart M for the ITP regulations. Regulations may change, and if disparities with this guide exist, the regulations prevail.

### **Billfish**

The sale of all Atlantic billfish is **prohibited** regardless of permit type. However, CHB vessels can retain billfish when engaged in a non for-hire trip if no commercial limits of HMS are on board. Except for longbill spearfish (which is prohibited), persons who have been issued HMS Charter/Headboat permits may possess or retain Atlantic billfish (blue marlin, white marlin, roundscale spearfish, and sailfish) when engaged on a non-for-hire trip.

Federally-permitted vessels must sell Atlantic HMS only to federally-permitted dealers.

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## **REPORTING REQUIREMENTS**

### **Commercial reporting requirements**

#### **Billfish**

No commercial landings of billfish are allowed.

#### **Swordfish, Sharks, and Tunas**

If a vessel owner issued an HMS Charter/Headboat permit also has a permit issued in a NMFS fishery that is required to report (*e.g.*, NMFS Northeast Region Multispecies vessel trip report (VTR) or NMFS Southeast Region Snapper/Grouper logbook), then any commercial landings must be reported under the appropriate NMFS Regional vessel logbook program. If the vessel owner only holds an HMS Charter/Headboat permit, that owner is required to report commercial landings in the appropriate NMFS logbook program, if selected.

#### **HMS Logbook and NMFS Observer Program**

In addition, if selected by NMFS, HMS CHB permit holders must complete a logbook and submit cost earnings information to NMFS. You are not required to carry a fishery observer on board, but you may participate in a voluntary Charter/Headboat observer program. If you are interested in participating in the voluntary observer program, please contact the HMS Management Division at (301) 427-8503.

### **Recreational reporting requirements**

#### **Non-tournament Landings**

All HMS Charter/Headboat vessel owners/operators must report all **non-tournament landings** (*i.e.*, fish kept) of Atlantic bluefin tuna, blue marlin, white marlin, roundscale spearfish, sailfish, and swordfish to NMFS within 24 hours of landing at the dock (with the exception of fish landed in Maryland or North Carolina\*). Non-tournament recreational landings of all **bluefin tuna** must be reported to NMFS by logging onto [www.hmspermits.gov](http://www.hmspermits.gov), or by calling (888) 872-8862. Non-tournament recreational landings of all **billfish** and **swordfish** must be reported to NMFS by logging onto [www.hmspermits.gov](http://www.hmspermits.gov), or by calling (800) 894-5528.

\* In Maryland and North Carolina, HMS Charter/Headboat vessel owners must report their HMS landings at state-operated reporting stations (not via the web or phone number reported above). For additional information on these states' reporting stations, please call (410) 213-1531 (MD) or (800) 338-7804 (NC).

#### **HMS Tournament Landings**

Atlantic bluefin tuna, billfish and swordfish that are **landed in a registered HMS tournament** do not need to be reported by the vessel owners if the tournament operator reports them. However, a vessel owner is responsible for reporting these landings if the tournament operator does not.

#### **NMFS Recreational Surveys**

Recreational anglers may be contacted on the dock or by phone and asked to participate in the Large Pelagic Survey (LPS) or Marine Recreational Information Program (MRIP, formerly MRFSS). If contacted, anglers must participate in these surveys to facilitate scientific research and catch monitoring on these species. Participation in the LPS or MRIP does not fulfill non-tournament reporting obligations.

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