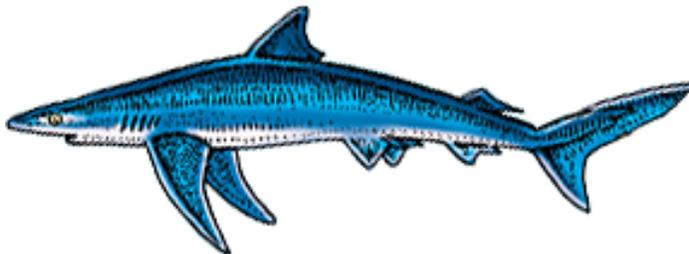


Science, Service, Stewardship

2009 Commercial Compliance Guide

Guide for Complying with the
Atlantic Tunas, Swordfish,
Sharks, and Billfish
Regulations

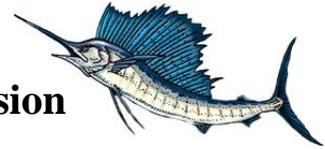
Office of Sustainable Fisheries
Highly Migratory Species
Management Division



(As of November 20, 2008)



Introduction to the Atlantic Highly Migratory Species (HMS) Management Division



Atlantic highly migratory species (HMS) including tunas, swordfish, sharks, and billfish are managed by the National Marine Fisheries Service (NMFS) under the authority of the Secretary of Commerce, with consideration for the domestic and international aspects of these fisheries.

The *Consolidated Atlantic Highly Migratory Species Fishery Management Plan* (HMS FMP) was developed for the integrated management of HMS within the Atlantic Ocean, which includes the Caribbean Sea, and Gulf of Mexico. Consistent with the HMS FMP, NMFS recently updated and amended several regulations. Important regulatory changes from the previous Compliance Guide (October 2007) include, **but are not limited to**, the following sections:

- IV. Gear Definitions
- VII. Commercial Fishing Permits
- VIII. Commercial Shark Fishing
- IX. Commercial Tuna Fishing

This 2008 Commercial Compliance Guide amends all previous guides and is produced in compliance with section 212 of the Small Business Regulatory Enforcement Fairness Act. This guide is intended to provide a plain-language summary of how to comply with the regulations for Atlantic tunas, swordfish, sharks, and billfish.

Commercial fishermen must hold a permit in order to commercially harvest and sell Atlantic sharks, tunas, and swordfish. Harvest of billfish (*i.e.*, white or blue marlin, and spearfish) is **prohibited**, except when possessing a valid Charter/Headboat permit, or valid Atlantic tunas General category permit **and** participating in a registered Atlantic HMS tournament. Please see the appropriate section(s) of this guide for more information on permitting and reporting requirements. NMFS **does not** facilitate the transfer of permits between vessels.

Atlantic HMS permit holders must abide by all applicable Federal regulations, regardless of where fishing occurs, including in state waters. However, when fishing in the waters of a state with more restrictive regulations, vessels must abide by the more restrictive state regulations.

Since fishery rules frequently change, it is ***your responsibility as a fisherman*** to become familiar with the latest regulatory updates and to comply with the current official regulations. For a comprehensive list of updated Atlantic HMS regulations, please refer to the ELECTRONIC CODE OF FEDERAL REGULATIONS (http://www.access.gpo.gov/su_docs/). **If there is a discrepancy between this summary and the regulations in 50 CFR part 635, the regulations will take precedence.**

For updates on **Atlantic sharks** or **swordfish** you may visit the HMS webpage at <http://www.nmfs.noaa.gov/sfa/hms/> or call the HMS Management Division located in Silver Spring, Maryland at (301) 713-2347. For updates on **Atlantic tunas**, such as bluefin tuna quota monitoring or retention limits, visit <http://www.hmspermits.gov> or call the Atlantic Tunas Information Line at (888) 872-8862. For more detailed information on tunas, contact the HMS Management Division located in Gloucester, Massachusetts at (978) 281-9260.

To request a copy of a particular rule or for current updates, call the NMFS HMS Management Division at (301) 713-2347 or view the HMS website at www.nmfs.noaa.gov/sfa/hms. To stay up-to-date on HMS regulations, sign-up for the HMS email newsletter and listserv *Atlantic HMS News* at <http://www.nmfs.noaa.gov/sfa/hms/newslist/>.

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Please see 50 CFR part 635 for the current Atlantic HMS regulations, as regulations are subject to change. October 2008