

XV. COMMERCIAL TUNA FISHING

BLUEFIN TUNA SIZE CLASSES

BLUEFIN TUNA SIZE CLASS CATEGORIES ²⁵⁶			
Size Class	Curved Fork Length (inches)	Pectoral Fin Curved Fork Length (inches)	Round Weight (approximate pounds)
Young School	less than 27	less than 20	less than 14
School	27 – less than 47	20 – less than 35	14 – less than 66
Large School	47 – less than 59	35 – less than 44	66 – less than 135
Small Medium	59 – less than 73	44 – less than 54	135 – less than 235
Large Medium	73 – less than 81	54 – less than 60	235 – less than 310
Giant	81 or longer	60 or longer	310 or greater

PERMITS

A vessel permit is required to fish for, retain, possess, or sell Atlantic bluefin tuna, or BAYS tunas in Federal and most state waters²⁵⁷ of the Atlantic, Gulf of Mexico, or Caribbean Sea.²⁵⁸ Check with the states of Maine, Connecticut, and Mississippi for more information on additional state requirements.

DIRECTED FISHING FOR BLUEFIN TUNA IN THE GULF OF MEXICO IS PROHIBITED.²⁵⁹

A permit in only one permit category may be issued to a vessel per year (except as described under “Changing Permit Category” section below); therefore, fishermen must choose between a commercial Atlantic tunas permit (described on the following pages) or the HMS Charter/Headboat permit (Section XVII) to commercially fish for Atlantic tunas.

Both the Atlantic tunas General category and HMS Charter/Headboat permits also authorize vessels to fish recreationally for all HMS in registered HMS fishing tournaments and HMS Charter/Headboat permitted vessels may fish recreationally for all HMS regardless of participation in a registered HMS fishing tournament.

Atlantic tunas Longline and Purse Seine category permits are limited access permits.

A vessel owner may transfer an Atlantic tunas Purse Seine category permit to another purse seine vessel that he or she owns. NOAA Fisheries will issue no more than 5 Atlantic tunas Purse Seine category permits.²⁶⁰

For more information on how to apply for a permit, or for permit renewal and transfers, please visit hmspermits.noaa.gov or contact the Atlantic Tunas Information line at (888) 872-8862 or (978) 281-9260. A customer service representative may be reached by dialing “0” from the main menu. For information on how to apply for an HMS Commercial Caribbean Small Boat permit or an Atlantic Tunas Longline Category permit, please contact the Southeast Regional Permit Office at (727) 824-5326.

Fishing Permit Category Regulations

Regardless of the duration of a fishing trip (e.g., whether a vessel takes a two-day trip or makes two trips in one day), no more than a single day's daily retention limit may be possessed, retained, or landed. For example, under a three-fish retention limit, whether a vessel fishing under the General category limit takes a two-day trip or makes two trips in one day, no more than three fish may be possessed, retained, or landed in a single day.

Atlantic Tunas General category permit holders may retain bluefin tuna subject to the current retention limits.²⁶¹ Vessel operators should check the web site at hmspermits.noaa.gov or telephone information lines at (888) 872-8862 to verify the bluefin tuna retention limit on any given day. There is no daily retention limit on BAYS tunas; however, yellowfin and bigeye tuna must be greater than 27 inches curved fork length.²⁶²

General category permit holders may participate in a registered HMS recreational fishing tournament. During a registered tournament, General category vessels must follow HMS Angling category regulations for sharks, swordfish, and billfish, and must follow General category regulations for all Atlantic tunas. Check the list of registered HMS tournaments at <http://go.usa.gov/33m39> if you would like to participate.

Atlantic tunas Harpoon category permit holders may retain 2 large medium bluefin tuna per vessel per day (greater than 73" CFL and less than 81" CFL), unless otherwise specified by NOAA Fisheries. NOAA Fisheries may modify the default limit of 2 bluefin, and increase or decrease the daily retention limit within a range from 2 to 4 fish. There is no limit for giant bluefin tuna that may be kept, as long as the Harpoon category season is still open.²⁶³ There is no retention limit on BAYS tunas; however, yellowfin and bigeye tuna must be greater than 27 inches curved fork length.²⁶⁴

Atlantic tunas Purse Seine category permit holders may retain large medium bluefin tuna in amounts not exceeding 15 percent, by weight, of the total amount of giant bluefin allocated for a fishing year.²⁶⁵ When fishing for skipjack or yellowfin tuna, purse seine vessels may land bluefin tuna smaller than 73 inches CFL if the weight of the bluefin tuna is less than 1 percent of the total weight of the skipjack and yellowfin tuna combined. Landings of bluefin tuna smaller than the large medium size class may not be sold and are counted against the Purse Seine allocations.²⁶⁶ There is no retention limit on BAYS tunas; however, yellowfin and bigeye tuna must be greater than 27 inches curved fork length.²⁶⁷

Atlantic tunas Longline category permit holders must also possess a valid swordfish limited access permit (directed or incidental only) and a shark limited access permit.²⁶⁸ Please see Section VII for additional restrictions that apply to the use of pelagic longline gear including those related to hook and bait type, mainline length, and additional required gear. Vessels issued an Atlantic tunas Longline category permit may not target bluefin tuna.²⁶⁹ Such vessels must land all incidentally caught bluefin tuna that are both 73 inches CFL and dead at haulback. All bluefin tuna less than 73 inches CFL that are discarded dead must also be accounted for under the vessel IBQ. Effective in 2016, the minimum IBQ required in order to depart on a pelagic longline trip is either 0.25 mt ww (approximately 551 lb) if fishing in the Gulf of Mexico, or 0.125 mt ww (approximately 276 lb) if fishing in the Atlantic, (including the NED). Bluefin catch in the NED would only count against the vessel's IBQ after the 25 mt NED set-aside is caught. These catch requirements and retention limits apply in all areas.²⁷⁰ Longline fishermen should visit the HMS Management Division's website at <http://www.nmfs.noaa.gov/sfa/hms/> for updates. There is no retention limit for BAYS tunas; however, yellowfin and bigeye tuna must be greater than 27 inches curved fork length.²⁷¹

Atlantic tunas Trap category permit holders may retain one large medium or giant bluefin tuna per vessel per year. No other Atlantic tunas taken incidentally may be retained.²⁷²

HMS Commercial Caribbean Small Boat permit is valid only in the U.S. Caribbean region (around Puerto Rico and the U.S. Virgin Islands) and permit holders may retain up to 10 BAYS tunas per

vessel per trip.²⁷³ Yellowfin and bigeye tuna must be greater than 27 inches curved fork length.²⁷⁴ No bluefin tuna may be retained.²⁷⁵ The HMS Commercial Caribbean Small Boat permit may only be issued to vessels 45 feet or less in length overall.²⁷⁶

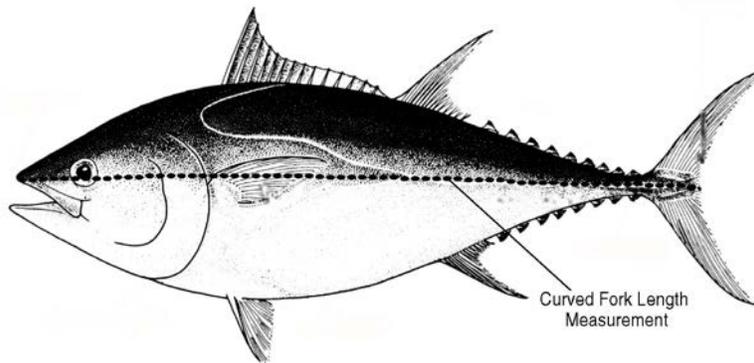
Regulations pertaining to the **General** category and **HMS Charter/Headboat** category (when fishing commercially) require that all fishing for any species must cease and the vessel must immediately return to port to off-load when the large medium or giant bluefin tuna bag limit is retained or possessed. Regardless of the length of the trip, the **daily** limit applies upon landing.²⁷⁷

Changing permit category

The owner of a vessel issued an Atlantic tunas General, Harpoon, Trap, Charter/Headboat, or Angling permit may change the category only once **within 45 calendar days** of issuance of the permit, provided the vessel has not landed bluefin tuna as verified via landings data. A 45-calendar-day period is provided for all permit holders to correct permit errors (e.g., if a permit is issued July 1, then corrections to the permit category must be made by August 15). Once this 45-calendar day period has passed, a vessel owner cannot change the permit category until the following fishing season.²⁷⁸ To make a permit category change within the 45-calendar-day period, call the information line at (888) 872-8862 and press “0” from the main menu to reach a Customer Service representative. **Changes to permits are not allowed after 45 calendar days of the purchase date, unless purchasing an HMS Commercial Caribbean Small Boat permit.**²⁷⁹

MINIMUM SIZES

Whole tunas



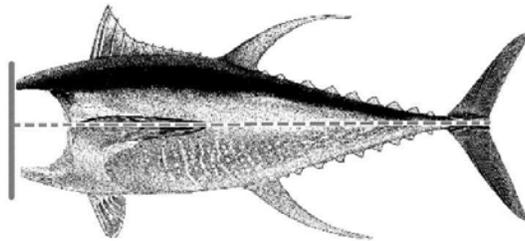
For enforcement purposes, total curved fork length (CFL) is the sole criterion for determining the size class of whole (with head) Atlantic tunas.²⁸⁰ CFL is measured by tracing the contour of the body from the tip of the upper jaw to the fork of the tail in a line that runs along the top of the pectoral fin and the top of the caudal keel.²⁸¹

Permit Category	Commercial Size Classes (Minimum Sizes) for Bluefin Tuna ²⁸²
General	Large medium/Giant (73 inches CFL)
Harpoon	Giant (81 inches CFL), with allowance per trip of 2 to 4 Large medium (73 inches to 81 inches)
Longline	Large medium/Giant (73 inches CFL)
Purse Seine	Giant (81 inches CFL), with 15 percent per fishing year total landings allowance of Large medium (73 inches to 81 inches), and a 1 percent per fishing year incidental harvest of Young school, School, Large school, and Small medium (less than 73 inches) per trip which cannot be sold

Tunas with heads removed

For **bluefin tunas** with heads removed, pectoral fin curved fork length (PFCFL) may be taken and multiplied by 1.35 to obtain total curved fork length.²⁸³ Measurements must be taken from the dorsal insertion of the pectoral fin, tracing the contour of the body, to the fork of the tail. **THE MEASURING TAPE MUST TOUCH THE TOP PORTION OF THE PECTORAL FIN.**²⁸⁴ Commercial permit holders cannot retain or possess, with the intent to sell, bluefin tuna that is less than 54 inches (137 cm) PFCFL with the head removed.

No person may remove the head of a **bigeye tuna** or **yellowfin tuna** if the remaining portion would be less than 27 inches (69 cm) from the forward edge of the cut to the fork of the tail.



Forward edge of the cut

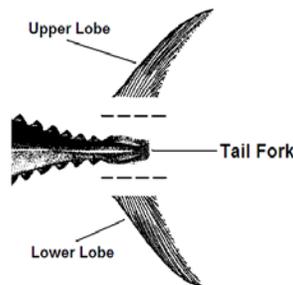
Fork of the tail

LANDING RESTRICTIONS

Bluefin and BAYS tunas may be landed round with fins intact, or eviscerated with the head and fins removed, provided at least one pectoral fin and the tail remain attached. The fish must remain within the specified minimum size.²⁸⁵

Tail trimming

The upper and lower lobes of the tuna tail may be removed for storage purposes as long as the fork of the tail remains intact.²⁸⁶



TRANSFER AT SEA

Persons may not transfer Atlantic tuna at sea or in port, regardless of where the tuna was harvested. Transfer includes moving or attempting to move an Atlantic tuna that is on fishing or other gear in the water from one vessel to another vessel.

An owner or operator of a vessel for which an Atlantic tunas Purse Seine category permit has been issued may transfer large medium and giant bluefin tuna at sea from the net of the catching vessel to another vessel for which a Purse Seine category Atlantic Tunas permit has been issued, provided the amount transferred does not cause the receiving vessel to exceed its currently authorized vessel allocation, including incidental catch limits.²⁸⁷

FISHING SEASONS AND CLOSURE DATES

BAYS tunas

The current season for BAYS tunas is January 1 through December 31st.²⁸⁸

Bluefin tuna

The current seasons for commercial bluefin tuna are based on permit category. See the following table for information on seasonal openings/closings. For categories that specify "or when quota is filled," the season closes either when the quota is filled or on the specified date, *whichever is sooner*.

Commercial Seasons for Bluefin Tuna		
Permit Category	Open	Close ²⁸⁹
General	January 1	March 31, or when quota (or subquota) is filled ²⁹⁰
	June 1	August 31, or when quota (or subquota) is filled ²⁹¹
	September 1	September 30, or when quota (or subquota) is filled ²⁹²
	October 1	November 30, or when quota (or subquota) is filled ²⁹³
	December 1	December 31, or when quota is filled ²⁹⁴
Longline	January 1	December 31, or when quota is filled ²⁹⁵
Trap	January 1	December 31, or when quota is filled ²⁹⁶
Purse Seine	*Annual determination ²⁹⁷	December 31, or when quota is filled ²⁹⁸
Harpoon	June 1	November 15, or when quota is filled ²⁹⁹

*NMFS annually publishes a notice in the Federal Register announcing the start of the Purse Seine category fishery, within a range from June 1 through August 15.

TIME/AREA CLOSURES

For **General category permit** holders, NOAA Fisheries can set “days off,” or restricted fishing days (RFDs), to moderate landings when catch rates are high. When used, the number and dates of RFDs vary and are set by NOAA Fisheries each year through a notice published in the Federal Register. On RFDs, vessels with General category permits are prohibited from fishing for bluefin tuna. To find out whether NOAA Fisheries has instituted RFDs this year, and to keep up with adjustments, visit hmspermits.noaa.gov, or call (888) 872-8862 or (978) 281-9260 for more information.³⁰⁰

There are time and area closures that affect all gears. For information on existing time and area closures, refer to Sections VI through X of this guide, or call the HMS Management Division at (301) 427-8503.

SELLING TUNAS

Atlantic tunas may be sold only by fishermen permitted in commercial Atlantic tunas categories and only to federally-permitted dealers, with the exception of BAYS tunas landed by HMS Commercial Caribbean Small Boat permit holders.³⁰¹ BAYS tunas landed by HMS Commercial Caribbean Small Boat permit holders may be sold to dealers and non-dealers.³⁰² Dealers can obtain a tuna dealer permit by contacting the Northeast Region Permit Office at (978) 281-9370.

REPORTING REQUIREMENTS

Bluefin Tuna

Atlantic Tunas General, Harpoon, and HMS Charter/Headboat categories

Vessel owners/operators are required to report the number and length of all bluefin tuna retained or discarded dead within 24 hours of the landing(s) or end of each trip.³⁰³ Bluefin tuna landings and dead discards must be reported via:

<https://hmspermits.noaa.gov/catchReports>

Atlantic Tunas Longline category

In addition to the logbook reporting below, vessel owners/operators fishing with pelagic longline gear must report through VMS within 12 hours of completion of each pelagic longline set the following: date the set was made; area in which the set was made; the number of hooks in the set; and the approximate length of all bluefin tuna retained, discarded dead, or released alive (by standardized size ranges³⁰⁴). Because any BFT caught in the Northeast Distant Area (NED) is counted against the ICCAT-allocated NED quota until that quota is filled,³⁰⁵ each vessel that is fishing in the NED or fishing both inside and outside of the NED on the same trip (straddle trip) needs to ensure the VMS BFT catch reports for each set notes the location of the catch. See “All Vessel Operators” below.

Atlantic Tunas Purse Seine category

Atlantic Tunas Purse Seine vessels fishing with purse seine gear must report through VMS within 12 hours of completion of each set the following: date the set was made; area in which the set was made; and the approximate length of all bluefin tuna retained, discarded dead, or released alive (by standardized size ranges). See “All Vessel Operators” below.

All Vessel Operators

Vessel operators must also coordinate with the Federal dealer purchasing their bluefin and other HMS catch to verify the weight of all bluefin retained and enter the number and length of all bluefin discarded dead on the trip in the IBQ online system. After the information is put into the system, the vessel operator needs to validate the dealer transaction report by entering their unique Personal Identification Number (PIN) for the vessel account.³⁰⁶ The IBQ system will automatically use formulas to convert the fish lengths to weight and then estimate the equivalent amount of whole fish (pounds) that will be deducted from the account’s bluefin quota allocation.

Dealer Reporting

All commercially-landed bluefin tuna must be tagged by a federally-permitted tuna dealer.³⁰⁷ If sold, the landings of large medium and giant bluefin tuna must be reported by a licensed dealer on landing cards faxed to the NOAA Fisheries HMS Gloucester Office.³⁰⁸

Bluefin tuna retained, but not sold

Commercial permit holders must report bluefin retained, but not sold, to the nearest NOAA Fisheries Enforcement office upon landing.³⁰⁹

Logbooks

NOAA Fisheries may send a letter notifying fishermen that they have been selected to complete logbook reports. If selected, fishermen must complete a logbook within 48 hours of each day’s fishing activities for multi-day trips, or before offloading for one-day trips, and submit the logbook within 7 days of offloading.³¹⁰ Fishermen landing BAYS tunas on a vessel that also holds a permit issued by the Northeast Regional Office should record their landings on the Vessel Trip Report (VTR) form provided by the Northeast Regional Office. Fishermen that do not hold a Northeast Regional permit simultaneously with an HMS tunas permit are not currently required to complete VTRs.

Logbook reports must include weighout slips showing the dealer to whom the fish were transferred, the date they were transferred, and the carcass weight of each fish for which individual weights are normally recorded. For fish that are not individually weighed, a weighout slip must record total weights by species and market category.

NOAA Fisheries may also send a letter requiring that fishermen complete the cost-earnings section of the logbook. Fishermen must then complete and submit that section of the logbook within 30 days of offloading. This section must be completed in addition to the other logbook reporting requirements. The “annual expenditures” report form must be submitted by the date specified on the form. The economic data section must be completed in addition to the other logbook requirements.³¹¹

HMS Commercial Caribbean Small Boat Permit

Fishermen holding an HMS Commercial Caribbean Small Boat permit must abide by their respective territorial reporting requirements and other applicable territorial commercial fishing requirements.

NOAA Fisheries Observer Program³¹²

Vessels may be required to carry NOAA Fisheries observers. See Section XVIII for observer requirements.

ANNUAL BLUEFIN QUOTAS

The overall U.S. bluefin tuna quota is negotiated at ICCAT, usually specified as an annual quota, although other specifications may be made through negotiations. For example, we receive 25 mt in addition to the annual quota for catch in the NED Restricted Area. This quota usually is negotiated during years that coincide with updated stock assessment. NOAA Fisheries then allocates the quota among the different permit categories, including the Reserve category, domestically while also considering the most recent estimate of dead discards and over- and/or under-harvests.

For up-to-date information on quota allocations, please contact the HMS Gloucester office at (978) 281-9260. Any quota adjustments will be posted on the HMS website under “Breaking News,” and will also be published in the Federal Register and sent to the *Atlantic HMS News* listserv.

ANNUAL NORTHERN ALBACORE QUOTA³¹³

There is a U.S. annual quota of northern albacore tuna recommended by ICCAT, and provisions for the accounting for overharvest and underharvest of the quotas. Carry-forward of unused quota from one year to the next is limited to 25 percent of the initial quota. The codified U.S. northern albacore tuna quota will be adjusted as appropriate for prior year catch (up or down), including delayed adjustment (that would skip a year) or adjustments over several years.

VMS REQUIREMENTS

Vessels with an Atlantic Tunas Longline category permit that have longline gear onboard and vessels with an Atlantic Tunas Purse Seine category permit and purse seine gear onboard are required to install and use an E-MTU VMS unit.³¹⁴ See Section 0 for a full description of the E-MTU requirements.

ELECTRONIC MONITORING SYSTEM REQUIREMENTS

Vessels with an Atlantic Tunas Longline category permit that have pelagic longline gear onboard are required to install and operate an electronic monitoring system, as further described in Section XI.³¹⁵