

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 XII.³⁵²

XVII. 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 Charter/Headboat permit**.³⁵³ A “for-hire” trip is a trip carrying a fee-paying passenger; or having more than three persons aboard 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.³⁵⁴

The HMS Charter/Headboat fishery is managed as a unique sector due to its unique mix of commercial and recreational operations. Atlantic HMS Charter/Headboat permits are available at hmspermits.noaa.gov, or by calling (888) 872-8862. A vessel issued an HMS Charter/Headboat permit may not also hold an HMS Angling, Atlantic Tunas, or Swordfish General Commercial permit.³⁵⁵

Definitions

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.³⁵⁶

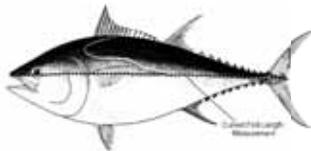
Headboat: A vessel that holds a valid Certificate of Inspection issued by the U.S. Coast Guard to carry passengers for-hire.³⁵⁷

While fishing for, or possessing, Atlantic HMS, the vessel operator *must* have a valid Merchant Marine License or Uninspected Passenger Vessel License.³⁵⁸

AUTHORIZED GEAR TYPES³⁵⁹

Billfish	Rod & reel
Swordfish	Rod & reel; Handline
Sharks	Rod & reel; Handline
Tunas	Bluefin Rod & reel (including downriggers); Handline; Green-stick; Bandit gear
	BAYS Rod & reel (including downriggers); Handline; Green-stick; Bandit gear; Speargun (speargun is authorized for recreational BAYS fishing only)

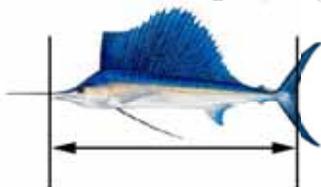
MINIMUM SIZE AND RETENTION LIMITS



Curved Fork Length (CFL)



Cleithrum to Caudal Keel (CK)



Lower Jaw Fork Length (LJFL)



Fork Length (FL)

The following table indicates the minimum sizes and retention limits that apply to those persons who hold an HMS Charter/Headboat permit when on a for-hire trip. Restrictions may change depending on the mix of HMS permits held and whether it is a for-hire trip (see for-hire and non-for-hire descriptions under “Sale of Fish” in the following paragraphs).

HMS CHARTER/HEADBOAT FOR-HIRE TRIP LIMITS*		
Species	Minimum Size	Retention Limits
Blue marlin	99 inches LJFL ³⁶⁰	N/A
White marlin	66 inches LJFL ³⁶¹	N/A
Roundscale spearfish	66 inches LJFL ³⁶²	N/A
Sailfish	63 inches LJFL ³⁶³	N/A
Longbill spearfish	Prohibited ³⁶⁴	0
Swordfish	Charter Vessels	47 inches LJFL or 25 inches CK ³⁶⁵
	Headboat Vessels	47 inches LJFL or 25 inches CK ³⁶⁷
Bigeye tuna	27 inches CFL ³⁶⁹	N/A
Albacore tuna	N/A	N/A
Yellowfin tuna	27 inches CFL ³⁷⁰	3 per person per day ³⁷¹
Skipjack tuna	N/A	N/A
Bluefin tuna	Angling category (recreational)	School (27 – less than 47 inches CFL) ³⁷²
		Large school (47 – less than 59 inches CFL) Small medium (59 – less than 73 inches CFL)
	General category (commercial)	Large medium/Giant (73 inches CFL or more)
		1 per vessel per year (“trophy” fish)
		May vary by season and/or size class
		May vary in season
Sharks (excluding prohibited species)**	Atlantic sharpnose	N/A
	Bonnethead	N/A
	Smoothhound sharks***	N/A
	Hammerheads (Great, Smooth, and Scalloped)	78 inches FL ³⁷⁶
	All other sharks	54 inches FL ³⁷⁸
		1 per person per trip ³⁷⁴
		1 per person per trip ³⁷⁵
		N/A
		1 per vessel per trip ³⁷⁷

* If state regulations are more restrictive, then those regulations apply.³⁷⁹

** The retention of hammerhead (great, smooth, and scalloped), oceanic whitetip, and silky sharks is prohibited for Charter/Headboat permit holders that simultaneously retain tunas, swordfish, and/or billfish.³⁸⁰

*** Effective March 15, 2016.

SALE OF FISH

Commercially-harvested Atlantic HMS may only be sold by vessels with valid federal permits. Atlantic HMS may only be sold to federally-permitted dealers, unless sold by a Commercial Caribbean Small Boat permit (only valid in the U.S. Caribbean) holder.³⁸¹

Sharks

On **for-hire trips** when a commercial shark quota is closed, Atlantic HMS Charter/Headboat vessels that also possess a commercial shark vessel permit may fish recreationally for sharks and are subject to recreational shark retention limits.³⁸²

On **non-for-hire trips**, HMS Charter/Headboat vessels that also possess a commercial shark vessel permit are subject to commercial retention limits and may retain sharks under the commercial regulations while the commercial shark fishery is open.³⁸³ The retained sharks may be sold **only** if the commercial fishery is open and the vessel has been issued a valid commercial shark vessel permit; otherwise, no sale is allowed.³⁸⁴

Swordfish

On **for-hire trips**, Atlantic HMS Charter/Headboat vessel permit holders that also possess a swordfish limited access Handgear permit may retain (but may NOT sell) swordfish up to the recreational retention limit.³⁸⁵

On **non-for-hire trips**, Atlantic HMS Charter/Headboat vessel permit holders may commercially fish for swordfish, applying the Swordfish General Commercial permit retention limits specified for the region in which the vessel is located (see map in Section 0) if the commercial fishery is open.³⁸⁶

Atlantic HMS Charter/Headboat vessel permit holders that *also* possess a swordfish limited access handgear permit may retain and sell swordfish under swordfish handgear commercial limits if the swordfish handgear commercial fishery is open.³⁸⁷

Bluefin Tuna

Owners/operators of vessels that possess the Atlantic HMS Charter/Headboat 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 Charter/Headboat permit holders may sell bluefin tuna > 73 inches CFL when fishing under the General category regulations. CHB vessels may not sell bluefin tuna < 73 inches CFL.³⁸⁸

Vessel operators should check the web site hmspermits.noaa.gov or call (888) 872-8862 to verify the commercial or recreational bluefin tuna retention limits on any given day.

For HMS Charter/Headboat vessels fishing in the **Gulf of Mexico**, no directed bluefin tuna fishing is allowed. However, HMS Charter/Headboat vessels may land one incidentally caught recreational “trophy” size class (≥ 73 inches CFL) bluefin tuna per vessel per year if the Gulf of Mexico Bluefin tuna trophy fishery is open. No sale is allowed.³⁸⁹

HMS Charter/Headboat vessels may sell bluefin tuna³⁹⁰ (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 (i.e., < 73 inches CFL).³⁹¹

BAYS Tunas

On **for-hire trips**, Atlantic HMS Charter/Headboat permit holders may sell up to the recreational limits of BAYS tunas.³⁹² On **non-for-hire trips**, there are no limits on the number of BAYS tunas that may be retained and sold.

Billfish

The sale of billfish is **prohibited** regardless of permit type.³⁹³

REPORTING REQUIREMENTS

Bluefin Tuna

Landings and dead discards of all bluefin tuna must be reported. HMS Charter/Headboat permitted vessels are required to report the number and length of all bluefin tuna retained or discarded dead within 24 hours of landing or end of each trip.³⁹⁴ Bluefin tuna landings and dead discards must be reported via: <https://hmspermits.noaa.gov/permitidlandings.asp>

Logbooks and NOAA Fisheries Observer programs

If the vessel owner only holds an HMS Charter/Headboat permit, that owner is required to report catch in the appropriate NOAA Fisheries logbook program, if selected.³⁹⁵

If a vessel owner issued an HMS Charter/Headboat permit also has a permit issued in a non-HMS fishery that is required to report, any landings should be reported, as required, under the appropriate NOAA Fisheries Regional vessel logbook program (e.g., NOAA Fisheries Northeast Region Multispecies-permitted vessels are generally required to report via a vessel trip report (VTR) and NOAA Fisheries Southeast Region Snapper/Grouper-permitted vessels are generally required to report in a logbook).

An HMS Charter/Headboat vessel is not required to carry a fishery observer on board, but may participate in a voluntary Charter/Headboat observer program.³⁹⁶ Vessel owners interested in participating in the voluntary observer program may contact the HMS Management Division at (301) 427-8503.

Recreational Landings

All HMS Charter/Headboat vessel owners/operators must report **all recreational landings** (i.e., fish kept) of Atlantic billfish (blue marlin, white marlin, roundscale spearfish, and sailfish), swordfish, and bluefin tuna (including bluefin tuna dead discards) to NOAA Fisheries within 24 hours of landing at the dock (with the exception of fish landed in Maryland or North Carolina*³⁹⁷).

Billfishes and **swordfish** recreational landings (unless entered in a registered HMS tournament; see below) must be reported to NOAA Fisheries at hmspermits.noaa.gov, or by calling (800) 894-5528.

Bluefin tuna recreational landings and dead discards must be reported to NOAA Fisheries at hmspermits.noaa.gov, or by calling (888) 872-8862.³⁹⁸

* 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 (Maryland) or (800) 338-7804 (North Carolina).

HMS Tournament Landings

A vessel owner does not need to report billfishes or swordfish to NOAA Fisheries if they are landed and entered (**reported to the tournament operator**) in a registered HMS tournament. However, a vessel owner is responsible for reporting these landings to NOAA Fisheries if they are not reported to the operator of the tournament.³⁹⁹

NOAA Fisheries 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.⁴⁰⁰ **Participation in the LPS or MRIP does not fulfill recreational reporting obligations.**