Science, Service, Stewardship

HMS Commercial Compliance Guide

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

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Office of Sustainable Fisheries
Highly Migratory Species
Management Division

U.S. Department of Commerce | National Oceanic and Atmospheric Administration
National Marine Fisheries Service

Introduction to Atlantic Highly Migratory Species Management

Atlantic highly migratory species (HMS) include tunas, swordfish, sharks, and billfishes. These species are managed in the Atlantic Ocean, including the Caribbean Sea and Gulf of Mexico, by the National Marine Fisheries Service (NOAA Fisheries) under the authority of the Secretary of Commerce, with consideration for the domestic and international aspects of these fisheries. Management of these species is outlined in the 2006 Consolidated Atlantic Highly Migratory Species Fishery Management Plan (2006 Consolidated HMS FMP) and its amendments. NOAA Fisheries frequently modifies the regulations to meet fishery management goals and requirements. This guide is intended to provide a plain-language summary of how to comply with the HMS regulations for Atlantic tunas, swordfish, sharks, and billfishes.

Important regulatory changes and corrections since previous versions of the Compliance Guide were published include, *but are not limited to*:

Effective Date	Description of Change
March 2016	**Smoothhound Shark/VMS Regulations:** Federal management of smoothhound sharks is in effect. Fishermen intending to target, retain, and sell smoothhound sharks must obtain a commercial smoothhound shark open access permit from NMFS. Dealers wishing to purchase smoothhound sharks must obtain an Atlantic shark dealer permit. There are now regional smoothhound shark commercial quotas in the Atlantic and Gulf of Mexico. In limited circumstances, smooth dogfish fins may be removed at sea, only if certain criteria are met. Please see Section XIV for details. Atlantic shark and smoothhound shark permit holders using gillnet gear must limit soak times to 24 hours when using sink gillnet gear and conduct a net check at least every 2 hours when using drift gillnet gear. Fishermen with a federal directed Atlantic shark limited access permit and gillnet gear on board are now required to use a vessel monitoring system only in the vicinity of the Southeast U.S. Monitoring Area.
August 2015	**Shark Regulations:** The default commercial shark retention limit for directed shark limited access permit holders is 45 large coastal sharks (LCS), other than sandbar sharks, per trip. Sandbar sharks still may only be retained with a shark research permit. NMFS can adjust the trip limit from zero to 55 LCS (other than sandbar sharks) per trip throughout the year. NMFS established a management boundary line in the Atlantic region, modified the quota linkage between blacknose and non-blacknose small coastal shark (SCS) management groups along 34° 00’ N. latitude, and prohibited the retention of blacknose north of that management boundary. The Gulf of Mexico regional aggregated LCS, blacktip, and hammerhead shark commercial quotas were split into western and eastern sub-regional quotas along 88° 00’ W longitude. The retention of blacknose sharks is prohibited in the Gulf of Mexico region. NMFS eliminated the vessel upgrading restrictions for shark limited access permit holders.

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. Check http://go.usa.gov/3qjTV to make sure you have the most recent version of this guide. This version of the

Commercial Compliance Guide replaces all previous versions and is produced in compliance with section 212 of the Small Business Regulatory Enforcement Fairness Act.

Official Regulations
For the Atlantic HMS regulations, please refer to the Code of Federal Regulations (CFR), at 50 CFR part 635 (available electronically at http://www.ecfr.gov/). **If there is a discrepancy between the summary in this document and the regulations in the CFR, the regulations take precedence**.

Endnotes ([1, 2, 3,] etc.) are in the final chapter of this guide, and refer to the locations of the regulations in the CFR at Title 50 (Wildlife and Fisheries). In the PDF version of this guide, clicking the endnote hyperlinks in the final chapter will open your internet browser to the section containing the regulation in the electronic CFR.

Permits
Commercial fishermen must hold the appropriate **federal vessel permit** in order to harvest and sell Atlantic sharks, tunas, and swordfish.[1] The owner of a vessel with an HMS vessel permit agrees, as a condition of the permit, to **comply with 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, the **more restrictive state regulations must be followed**.[2] NOAA Fisheries does not broker limited access permits; new entrants in limited access fisheries are responsible for finding permit holders who are interested in selling and transferring their permits.

Billfish and Recreational Fishing
Harvest of **billfishes** (i.e., white or blue marlin, sailfish, roundscale spearfish, and longbill spearfish) for commercial purposes is **prohibited**.[3] Limited recreational landings of white or blue marlin, sailfish, and roundscale spearfish are permitted **only** when the vessel has a valid HMS Charter/Headboat permit or HMS Angling permit. Recreational landings of white or blue marlin, sailfish, and roundscale spearfish are permitted for a vessel with an Atlantic tunas General category permit and/or Swordfish General Commercial permit **only** when participating in a registered Atlantic HMS tournament.[4] See the HMS Recreational Compliance Guide for more details.

Regulatory Updates
Atlantic sharks, **swordfish**, and **tunas:**
http://www.nmfs.noaa.gov/sfa/hms/
HMS Management Division (Silver Spring, MD) phone: (301) 427-8503

Atlantic tunas, such as bluefin tuna quota status or retention limits:
http://hmspermits.noaa.gov
Atlantic Tunas Information Line: (888) 872-8862
More detailed information on tunas:
HMS Management Division (Gloucester, MA) phone: (978) 281-9260

Sign up for **Atlantic HMS News**, an electronic newsletter:
http://www.nmfs.noaa.gov/sfa/hms/news/news_list/index.html

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I. QUICK REFERENCE: ATLANTIC SHARK REGULATIONS

AUTHORIZED SPECIES[5,6]				
Large Coastal Sharks (LCS) [I]		**Small Coastal Sharks (SCS)** [I]	**Pelagic Sharks**	**Smoothhound Sharks** [V]
Blacktip Bull Hammerhead, great [II] Hammerhead, scalloped [II] Hammerhead, smooth [II] Lemon	Nurse Sandbar [III] Silky [II] Spinner Tiger	Atlantic sharpnose Blacknose [IV] Bonnethead Finetooth	Blue Common thresher Oceanic whitetip[II] Porbeagle Shortfin mako	Smooth dogfish Florida smoothhound Gulf smoothhound

[I] These species are divided into regional management groups (Section XIV).

[II] These sharks may not be possessed, retained, transshipped, landed, stored, or sold by vessels with pelagic longline gear onboard. [7] Charter/headboat vessels may not possess these sharks while in possession of tunas, swordfish, or billfishes.[8]

[III] Sandbar sharks can only be retained by vessels selected to participate in the shark research fishery (Section XIV), subject to the retention limits established by NOAA Fisheries and only when a NOAA Fisheries-approved observer is onboard (Section XVIII).[9]

[IV] Blacknose sharks may only be harvested in the Atlantic region south of 34° 00’ N. latitude.[10]

[V] Effective March 15, 2016.

PROHIBITED SPECIES [11,12]

The following sharks may **not** be possessed or retained in any form.[13] If one of these species is caught, it must be released immediately with minimal injury, without removing it from the water, and in a manner that maximizes its chances of survival.[14]

Atlantic angel Basking Bigeye sand tiger Bigeye sixgill Bigeye thresher	Bignose Caribbean reef Caribbean sharpnose Dusky Galapagos	Longfin mako Narrowtooth Night Sand tiger Sevengill	Sixgill Smalltail Whale White

PERMITS [15,16]

To commercially harvest Atlantic sharks, vessel owners must obtain a valid Atlantic shark **Directed** or **Incidental** limited access permit or a **Smoothhound Shark** open access permit (as of March 15, 2016).

When the relevant retention limit allows, an open access **HMS Commercial Caribbean Small Boat permit** may be used to harvest Atlantic sharks. The shark retention limit is set at zero for this permit at this time.[17]

Requirements for these permits are described in Sections V and XIV.

RETENTION LIMITS [18] (per vessel per trip)				
	LCS*	**SCS**	**Pelagic Sharks**	**Smoothhound Sharks****
Directed permit	45	No limit		0 (smoothhound shark permit required for retention; smoothhound permit may be held in conjunction with a limited access permit)
Incidental permit	3	16 (combined SCS and pelagic)		
HMS Commercial Caribbean Small Boat permit	0 (no shark retention; the Caribbean Small Boat permit cannot be held in conjunction with any other commercial shark permit)			
Smoothhound shark permit	0 (shark limited access permit required for retention of LCS, SCS, and pelagic sharks; smoothhound permit can be held in conjunction with limited access permit)			No limit (except when caught with trawl gear where retained catch cannot exceed 25% of total catch)

* NMFS may adjust the above default retention limits for LCS during the fishing year.[19] Visit http://www.nmfs.noaa.gov/sfa/hms/ or call 301-427-8503 for more information. ** Effective March 15, 2016.

Note: The commercial fishing year is January 1 through December 31. Open fishing seasons vary depending on available quota and other factors.[20] [21] Specified shark fishing seasons will close when 80% of quota is reached or projected to be reached, with 5 days' notice (details in Section XIV).[22]

AUTHORIZED GEARS [23]	
Shark Directed or Incidental permit	Bottom longline (Section IX) or pelagic longline (Section VII)
	Handgear: rod and reel, handline, and bandit gear
	Gillnet (Section X)
HMS Commercial Caribbean Small Boat permit	Rod and reel, handline, and bandit gear.
Smoothhound shark permit	Bottom longline (Section IX) or pelagic longline (Section VII)
	Handgear: rod and reel, handline, and bandit gear
	Gillnet (Section X)
	Trawl gear, provided retained smoothhound shark catch does not exceed 25 % of total catch (Section XIV)

MINIMUM SIZES

At this time, there is no commercial minimum size for Atlantic sharks.

LANDING RESTRICTIONS

All sharks must have their fins naturally attached through offloading, with the limited exception of some smooth dogfish under limited circumstances, as outlined below**.** Fins may be cut as long as they remain naturally attached to the carcass by at least a small flap of uncut skin through offloading. Shark carcasses must otherwise remain intact except that sharks may be eviscerated and the heads may be removed. Sharks cannot be filleted or cut into pieces at sea (details in Section XIV).[24]

Smooth dogfish fins may be removed at sea only if the following conditions are met: 1) vessel holds a Federal commercial smoothhound shark permit, 2) fisherman/vessel holds a state commercial fishing permit valid for smooth dogfish fishing, 3) smooth dogfish are caught within 50 nm of shore from Maine through the boundary in Florida at 25° 20.4’ N. lat., proceeding due east, 4) at least 25 % of the retained catch, by weight, is smooth dogfish, 5) weight of smooth dogfish fins on board does not exceed 12 % of the smooth dogfish carcass weight.[25]

II. QUICK REFERENCE: ATLANTIC TUNAS REGULATIONS

AUTHORIZED SPECIES

Atlantic Bluefin tuna | Bigeye, Albacore, Yellowfin, and Skipjack (BAYS) tunas[26]

PERMITS

To commercially harvest Atlantic tunas within Federal and state waters (excluding Maine, Connecticut, and Mississippi state waters), [27] vessel owners must obtain one of the **Atlantic tunas permits**, an **Atlantic HMS Charter/Headboat permit**, or an **HMS Commercial Caribbean Small Boat permit** (valid only in the U.S. Caribbean Region[28]).[29,30] Only one type of these permits (i.e., Atlantic tunas, HMS Charter/Headboat, or Commercial Caribbean Small boat permit) may be issued to a vessel per year.

RETENTION LIMITS

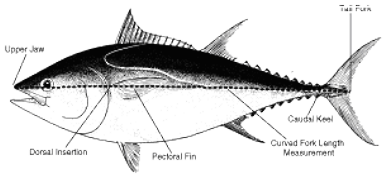
There are regional and seasonal differences in the number of tunas that may be kept for some permit types. More detailed descriptions of retention limits and fishing seasons for each permit type are in Section XV. Visit http://hmspermits.noaa.gov or call the Atlantic Tunas Information Line at (888) 872-8862 or (978) 281-9260 to check that a permit category season is still open for these species before a trip.

	Bluefin tuna	**BAYS tunas**
HMS Charter/Headboat	Varies	Yellowfin tuna: 3 per person per day Other: no limit
General category	Varies	No limit
Harpoon category	Varies	No limit
Trap category	1 large medium or giant per year	0
Purse Seine category	Based on many factors	No limit
Longline category	Based on many factors	No limit
Commercial Caribbean Small Boat permit	0	10 per vessel per trip[31]

AUTHORIZED GEARS[32]

	Bluefin tuna*	**BAYS tunas**
HMS Charter/Headboat (see Section XVII)	Rod and reel (incl. downriggers), bandit, green-stick, handline	Rod and reel, bandit, green-stick, handline, speargun (speargun only authorized for recreational harvest)
General category	Rod and reel (incl. downriggers), bandit, green-stick, handline, harpoon	
Harpoon category	Harpoon	Harpoon, rod and reel, bandit, green-stick, handline
Trap category	Pound net, fish weir	Not authorized
Purse Seine category (see Section VIII)	Purse seine (mesh and inspection restrictions apply; see Section 0)	Purse seine (inspection restrictions apply; see Section 0), rod and reel, bandit, green-stick, handline, harpoon
Longline category (see Sections VII and IX)	Longline (incidental ONLY) and green-stick	Longline, green-stick, rod and reel, bandit, green-stick, handline, harpoon
Commercial Caribbean Small Boat permit[33 34]	Not authorized	Rod and reel, bandit, green-stick, handline, harpoon, buoy gear

*A person that fishes for, retains, or possesses an Atlantic bluefin tuna may not have on board or use any primary gear other than those authorized for the category for which the Atlantic tunas or HMS permit has been issued for that vessel.[35]

MINIMUM SIZES	
Curved fork length (CFL) - line tracing the contour of the body from the tip of the upper jaw to the fork of the tail.[36]  Curved Fork Length (CFL)	
Bluefin tuna	73 inches (185 cm) CFL[37], with some additional restrictions by permit type (Section XV)
Bigeye tuna	27 inches (69 cm) CFL[38]
Yellowfin tuna	27 inches (69 cm) CFL[39]
Albacore and skipjack tunas	No minimum size

LANDING RESTRICTIONS

Atlantic tunas may be landed round with fins intact, or eviscerated with the head and fins removed as long as one pectoral fin and the tail remain attached. They cannot be filleted or cut into pieces at sea. The upper and lower lobes of the tail may be removed from tunas for storage purposes but the fork of the tail must remain intact.[40]

Commercial permit holders cannot retain or possess bluefin tuna intended for sale with the head removed that is less than 54 inches (137 cm) pectoral fin curved fork length.[41]

Commercial permit holders may *not* remove the head of a bigeye tuna or yellowfin tuna if the remaining portion would be less than 27 inches (69 cm) from the fork of the tail to the forward edge of the cut.[42]

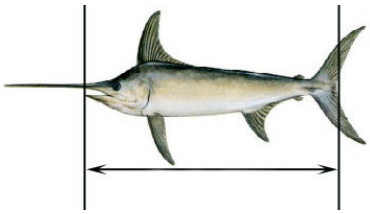
See Section XV for details.

III. QUICK REFERENCE: ATLANTIC SWORDFISH REGULATIONS

PERMITS	
Vessel owners must obtain a valid swordfish limited access permit (**Directed**, **Incidental**, or **Handgear**), an open access **HMS Commercial Caribbean Small Boat permit** (valid only in the U.S. Caribbean Region[43]), an open access **Swordfish General Commercial permit**, or an **HMS Charter/Headboat permit** (valid on non-for-hire trips only)[44] for the vessel they are using to commercially harvest Atlantic swordfish. An **Incidental HMS Squid Trawl permit** may be obtained by valid *Illex* squid moratorium permit holders and authorizes the retention of swordfish caught incidentally using trawl gear, subject to target catch requirements.[45]	
RETENTION LIMITS (per vessel per trip)	
North Atlantic Swordfish (north of 5° N latitude)	
Directed permit	No trip limit (when the directed fishery closes, vessels may retain 15 per pelagic longline trip, 2 per handgear trip, and no swordfish per harpoon trip)[46]
Incidental permit[47]	30
Handgear permit	No trip limit (when the directed fishery is closed, fishermen may retain two swordfish per handgear trip, and no swordfish per harpoon trip)[48]
HMS Commercial Caribbean Small Boat permit[49]	2
Swordfish General Commercial permit	Default regional retention limits are listed below and may be adjusted during the fishing season. Visit http://www.nmfs.noaa.gov/sfa/hms/ or call 301-427-8503 or 727-824-5399 for more information. [50]
HMS Charter/Headboat permit (on non-for-hire trip)	Northwest Atlantic: 3 U.S. Caribbean: 2 Gulf of Mexico: 3 Florida Swordfish Mgmt. Area: 0 (Map on page 7)
Incidental HMS Squid Trawl permit	15, including during a directed fishery closure (provided squid constitute not less than 75 percent of the total catch on board and trawl gear is the only gear onboard the vessel)[51]
South Atlantic Swordfish (south of 5° N latitude; only vessels fishing with pelagic longline gear may retain swordfish)[52]	
Directed permit	No trip limit (when the directed fishery closes, no swordfish may be retained)[53]
Incidental permit	No retention allowed[54]
AUTHORIZED GEARS[55]	
North Atlantic Swordfish	
Directed permit	Bandit, handline, harpoon, rod and reel, buoy gear, longline
Incidental permit	Bandit, handline, harpoon, rod and reel, longline
Handgear permit	Bandit, handline, harpoon, rod and reel, buoy gear

HMS Commercial Caribbean Small Boat permit	Bandit, handline, harpoon, rod and reel, buoy gear
Swordfish General Commercial permit	Bandit, handline, harpoon, rod and reel, green-stick
HMS Charter/Headboat permit (on non-for-hire trip)	Handline, rod and reel
Incidental HMS Squid Trawl permit	Squid trawl
South Atlantic Swordfish may only be taken with pelagic longline.[56]	
Other Gear Notes: **You cannot retain or possess any swordfish when gillnet is onboard**; if gillnet is onboard, it will be assumed that any swordfish onboard, or offloaded from, the vessel were caught using gillnet gear.[57] See Sections VII and IX for longline restrictions.	

MINIMUM SIZES

	
Cleithrum to Caudal Keel (CK) - a curved measurement, from the point on the cleithrum that provides the shortest possible measurement along the body contour to the anterior portion of the caudal keel.[58]	**Lower Jaw Fork Length (LJFL)** - a straight line measurement, not following the body contour, from the tip of the lower jaw to the fork of the caudal fin.[59]

North and South Atlantic Swordfish	
Head (or any portion of head) removed[60]	25 inches (63 cm) CK[61]
Head attached	47 inches (119 cm) LJFL.[62] The bill of the swordfish may be removed forward of the anterior tip of the lower jaw.[63]
Shark-bitten	A swordfish that has been damaged by shark bites may be retained only if the remainder of the carcass meets the appropriate minimum size.[64]

LANDING RESTRICTIONS

Swordfish must be kept in whole or dressed form through landing.[65] **Dressed** indicates a fish with the head, guts, and fins removed but does not include removing the backbone, halving or otherwise reducing the carcass.[66] Swordfish cannot be filleted or cut into pieces at sea.[67]

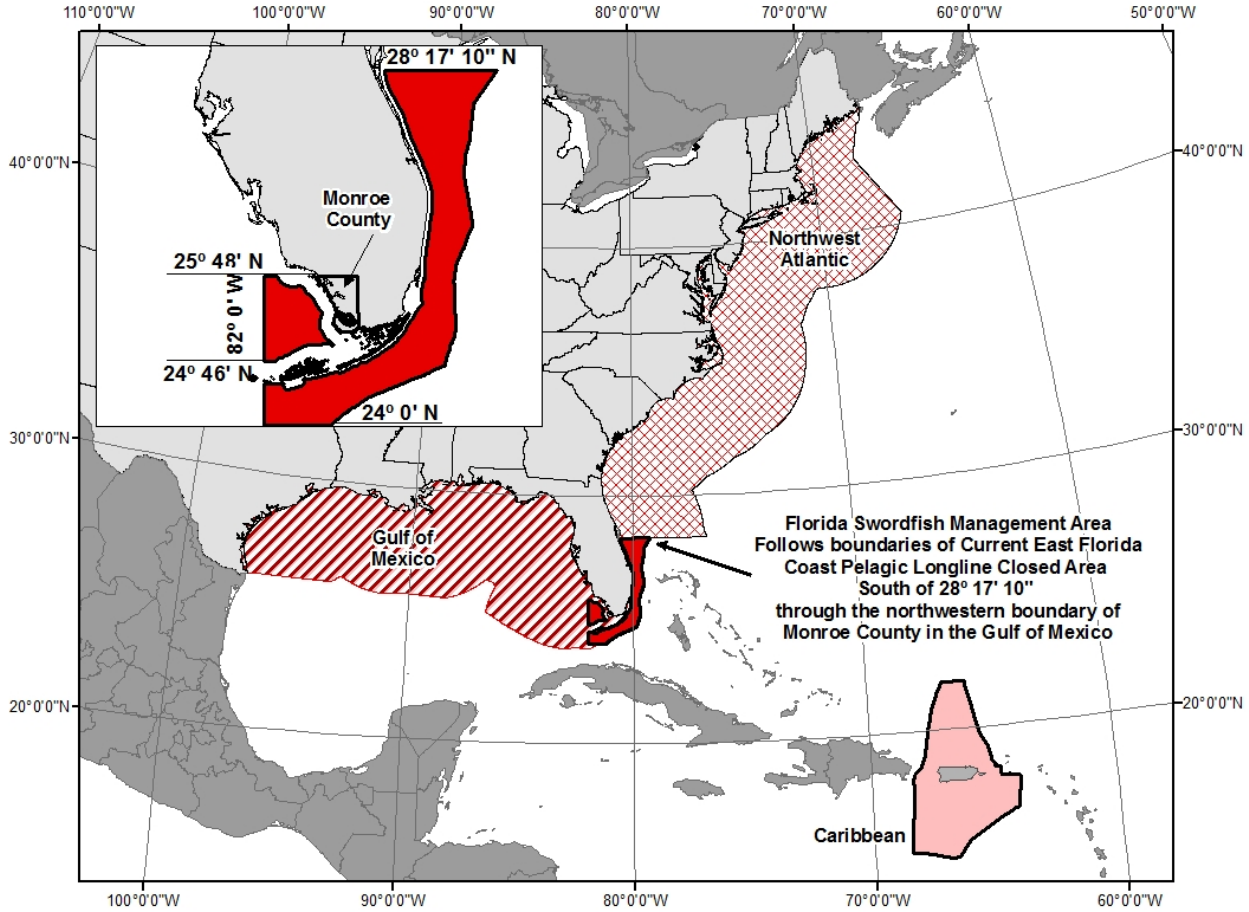


Figure 1 Swordfish Management Regions for Vessels Issued a Swordfish General Commercial Permit or an HMS Charter/Headboat Permit (on a non-for-hire trip)

For vessels issued a Swordfish General Commercial permit or an HMS Charter/Headboat permit (on a non-for-hire trip), retention limits are established regionally. The regions are: the Florida Swordfish Management Area; the Northwest Atlantic region (federal waters along the entire Atlantic coast of the United States north of 28°17′10″ N. latitude); the Gulf of Mexico region (any water located in the EEZ in the entire Gulf of Mexico west of 82° W. longitude); and the Caribbean region (the U.S. territorial waters within the Caribbean).[68] The regional retention limits may be adjusted in-season using pre-established criteria.[69]

IV. GEAR TYPES AND AUTHORIZATIONS

The gear type authorized for an activity depends upon three things: (1) the type of fishing being conducted (commercial or recreational), (2) the species being targeted, and (3) the type of permit which is being used for that activity. Please see the tables below and the appropriate sections in this guide to determine which gear types may be used. NOTE: Except for the use of secondary gears and vessels with an HMS Caribbean Small Boat permit, a vessel using or having onboard any unauthorized gear may not possess any Atlantic HMS.[70]

Gear Type [71]	Sharks [72]	Bluefin tuna [73]	BAYS tunas [74]	Swordfish [75]
Bandit	X	X	X	X
Bottom Longline	X	X	X	X
Buoy Gear			X	X
Gillnet	X			
Green-stick		X	X	X
Handline	X	X	X	X
Harpoon		X	X	X
Pelagic Longline	X	X	X	X
Purse Seine		X	X	
Rod and Reel	X	X	X	X
Speargun			X	
Trap		X		

This table is provided only as a quick reference for gears that could be used to catch HMS. The appropriate permit or combination of permits must be obtained before use of these gears is authorized to fish for HMS. This table does not reflect all of these permutations or specify all of the applicable restrictions. Consult Section V for these details.

PRIMARY GEARS

Circle hook – a hook originally designed and manufactured so that the point is turned perpendicularly back toward the shank of the hook to form a generally circular or oval shape.[76]

Offset circle hook – a circle hook originally designed and manufactured so that the barbed end of the hook is displaced relative to the parallel plane of the eyed-end, or shank, of the hook when laid on its side.[77]

Fish weir – a large catching arrangement with a collecting chamber that is made of non-textile material (wood, wicker) instead of netting as in a pound net.[78]

Gillnet – a panel of netting suspended vertically in the water with floats along the top (see Gear Marking at the end of this section) and weights along the bottom, to entangle fish that attempt to pass through it.[79] Shark gillnets must remain attached to the vessel at one end except when conducting net checks. Net checks must be done at least once every two hours. Gillnets may not be longer than 1.5 miles (2.5 km).[80] See Section X for shark gillnet gear restrictions.

Sink gillnet – a gillnet that is designed to be or is fished on or near the bottom in the lower third of the water column by means of a weight line or enough weights and/or anchors that the bottom of the gillnet sinks to, on, or near the ocean bottom.[81]

Drift gillnet – a gillnet that is floating unattached to the ocean bottom and not anchored, secured, or weighted to the ocean bottom.[82]

Green-stick gear – an actively trolled mainline attached to a vessel and elevated or suspended above the surface of the water with no more than 10 hooks or gangions attached to the mainline. The suspended line, attached gangions and/or hooks, and catch may be retrieved collectively by hand or mechanical means. Green-stick does not constitute a pelagic longline or a bottom longline.[83]

Handgear – includes handline, harpoon, rod and reel, buoy gear, bandit gear, or speargun gear.[84]

Handline – fishing gear that is attached to, or in contact with, a vessel; that consists of a mainline to which no more than two gangions or hooks may be attached. A handline is released and retrieved by hand (not mechanical means).[85] If floats area attached to the handline, see Gear Marking requirements at the end of this section.

Buoy gear – one or more floatation devices supporting a single mainline to which no more than two hooks or gangions are attached.[86] This gear may be free-floating and is not required to be attached to, or in contact with, a vessel; however, it must be released and retrieved by hand. Vessels utilizing buoy gear are limited to possessing or deploying no more than 35 floatation devices. Fishermen must mark each floatation device (high flyer and buoy) with (1) the vessel's name, and (2) the vessel registration number, USCG documentation number, or HMS permit number.[87] Monitoring equipment such as radar reflectors, beeper devices, lights, or reflective tape must be attached. If only reflective tape is used, the vessel deploying buoy gear must possess on board an operable spotlight capable of illuminating the deployed gear. Individual buoy gears must not be attached to one another.[88]

Floatation device – any positively buoyant object rigged to be attached to a fishing gear.[89]

Harpoon – a pointed dart or iron attached to the end of a line several hundred feet in length, the other end of which is attached to a floatation device (see also Gear Marking requirements at the end of this section). Harpoon gear is attached to a pole that is propelled only by hand and not by mechanical means.

Rod and reel – a handheld fishing rod, including rod holder, with a manually or electronically operated reel attached.

Downrigger – a piece of equipment attached to a vessel with a weight on a cable that is in turn attached to hook-and-line gear to maintain lures or bait at depth while trolling. The downrigger has a release system to retrieve the weight by rod and reel or by manual, electric, or hydraulic winch after a fish strike on the hook and line gear.[90]

Hook and line – one or more hooks attached to one or more lines (can include a troll).[91]

Bandit gear – a vertical hook and line with rods that are attached to the vessel when in use. Lines are payed out from and retrieved on the reel manually, electrically, or hydraulically.[92]

Longline gear – Longline gear is set horizontally, either anchored, floating, or attached to a vessel, and consists of a mainline or groundline with three or more leaders (gangions) or hooks. This gear can be retrieved by hand or by mechanical means.[93] Gear must be marked appropriately (see gear marking requirements at the end of this section).

Pelagic longline gear – A longline that is suspended by floats in the water column and that is not fixed to or in contact with the ocean bottom.[94] A vessel is considered to have pelagic longline gear on board when the following equipment is on board:

1. A power-operated longline hauler,
2. A mainline,
3. Floats capable of supporting the mainline, and
4. Leaders (gangions) with hooks.

Removing any one of these four elements from the vessel constitutes removal of pelagic longline gear. See Section VII for pelagic longline gear restrictions.

Bottom longline gear – A longline that is deployed with enough weights and/or anchors to maintain contact with the ocean bottom.[95] A vessel is considered to have bottom longline gear on board when the following equipment is on board:

1. A power-operated longline hauler,
2. A mainline,
3. Weight and/or anchor capable of maintaining contact between mainline and ocean bottom, and
4. Leaders (gangions) with hooks.

Removing any one of these four elements from the vessel constitutes removal of bottom longline gear. Bottom longline vessels may have a limited number of floats and/or high-flyers onboard for the purposes of marking the location of the gear but removal of these floats does not constitute removal of bottom longline gear. See Section IX for bottom longline gear restrictions.

Purse seine – a floated and weighted encircling net that is closed ("pursed") by means of a drawstring threaded through rings attached to the bottom of the net.[96] A purse seine used in directed fishing for bluefin tuna must have a mesh size equal to or smaller than 4.5 inches (11.4 cm) in the main body (stretched when wet) and must have at least 24-count thread throughout the net.[97]

Atlantic Tunas purse seine vessels must have their fishing gear inspected for mesh size by a NMFS enforcement agent prior to fishing for the season in any fishery that may result in the harvest of Atlantic tunas. Inspection must be requested at least 24 hours before the first fishing trip of the season. If NMFS does not inspect the vessel within 24 hours of notification, the inspection requirement is waived. In addition, at least 24 hours before offloading any bluefin tuna after a fishing trip, an inspection of the vessel and catch must be requested from NMFS. If, after notification by the vessel, NMFS does not arrange to inspect the vessel and catch at offloading, the inspection requirement is waived.[98]

Speargun–a muscle-powered speargun equipped with a trigger mechanism, a spear with a tip designed to penetrate and retain fish, and terminal gear. Terminal gear may include, but is not limited to, trailing lines, reels, and floats. The term "muscle-powered speargun" means a speargun that stores potential energy provided from the operator's muscles, and that releases only the amount of energy that the operator has provided to it from his or her own muscles. Common energy storing methods for muscle-powered spearguns include compressing air and springs, and the stretching of rubber bands[99]

Speargun fishing gear is only authorized for the recreational harvest of BAYS tunas (no sale). No other HMS may be taken with speargun fishing gear. BAYS tunas must be free-swimming and cannot be restricted by fishing lines or other means when using a speargun. Persons using speargun gear must be physically in the water when the speargun is fired or discharged, and may freedive, use SCUBA, or other underwater breathing devices. "Powerheads" may not be used.[100]

Trap – (a.k.a. "pot") a portable, enclosed device with one or more gates or entrances and one or more lines attached to surface floats.[101]

GEAR MARKING

Fishermen deploying handline, buoy gear, harpoon, longline, and gillnet gear must mark each float and high-flyer (if applicable) with (1) the vessel name and (2) either the vessel registration number or the Atlantic tunas or HMS Charter/Headboat permit number. The name and number must be at least 1 inch in height in block letters or Arabic numerals in a color that contrasts with the background color of the float or high flyer.[102]

SECONDARY GEARS

Secondary, or "cockpit," gears may be used only at boatside to aid and assist in subduing or bringing onboard a vessel Atlantic HMS that have first been caught or captured using primary authorized gears. Secondary gears include, but are not limited to, dart harpoons, gaffs, tail ropes, etc. Secondary gears may not be used to capture, or attempt to capture, free-swimming or undersized HMS.[103]

V. COMMERCIAL FISHING PERMITS

The type of permit(s) required to commercially harvest and sell HMS depends upon the species being targeted and the gear being used. See the table below and the appropriate section(s) in this guide to determine which permit(s) are required. Federal commercial HMS permit holders may also need a state permit in order to sell HMS. Contact information for state marine fisheries management offices and for purchasing, transferring, or renewing an HMS permit is in Section XX of this guide.

LIMITED ACCESS PERMITS

The Directed and Incidental Swordfish and Shark permits, Swordfish Handgear permit, Atlantic Tunas Lonline permit, and the Purse Seine permit are limited access permits. NOAA Fisheries is not issuing any new limited access permits. Persons wishing to enter these fisheries may only obtain these permits by transferring the permit, subject to the vessel upgrading restrictions, from a permit holder who is leaving the fishery.[104] All permits must be renewed annually.[105] Only persons holding shark and swordfish limited access permits that did not expire in the preceding year are eligible to renew those permits.[106]

Prior to renewing or obtaining a commercial swordfish or shark limited access permit, both the vessel owner and the vessel operator must attend a Protected Species Safe Handling, Release, and Identification workshop and obtain a certificate.[107] A copy of the workshop certificate must be included in the permit application package. For more information on workshops, see Section XIX.

VESSEL UPGRADING RESTRICTIONS[108]

In general, an owner may upgrade a vessel with a swordfish Directed, Atlantic tunas Longline, or swordfish Handgear limited access permit, or transfer the permit to another vessel, only if the upgrade or transfer does not result in an increase in horsepower of more than 20 percent or an increase of more than 10 percent in length overall, gross registered tonnage, or net tonnage from the original qualifying vessel's specifications. However, some limited access permits qualify for less restrictive vessel upgrading limitations as described in the next paragraph.

Vessel upgrading restrictions may differ, depending upon whether a vessel was concurrently issued, or was eligible to renew, each of the following three limited access permits on August 6, 2007: (1) incidental or directed swordfish permit; (2) incidental or directed shark permit; and (3) an Atlantic tunas Longline category permit. Vessels that were concurrently issued, or eligible to renew, these three permits on August 6, 2007, are eligible for vessel upgrades, or permit transfers to other vessels, only if the upgrade or permit transfer does not result in an increase of more than 35 percent in length overall, gross registered tonnage, or net tonnage, as measured relative to the original qualifying vessel's specifications. Horsepower is not restricted for these vessels.

Swordfish Incidental limited access permits and both Directed and Incidental shark limited access permits are not subject to vessel upgrading restrictions.

Species	Gears[109]	Permit(s) Needed
Swordfish	Longline or Handgear (not including speargun)[110]	1. Shark Limited Access Permit: Directed (allows for targeting of sharks) **or** Incidental (limited number of sharks allowed per trip) **AND** 2. Swordfish Limited Access Permit: Directed (authorizes targeting of swordfish; authorizes use of buoy gear) **or** Incidental (authorizes limited number of swordfish per trip; does not authorize use of buoy gear) **AND** 3. Atlantic Tunas Longline category Permit (allows targeting of tunas other than bluefin). NOTE: An Atlantic Tunas General category permit may not be substituted for the tuna Longline category permit.[111]
	Handgear **only**[112] (Handline, Buoy gear, Harpoon, Rod and reel, or Bandit gear only; not including Speargun[113])	1. Swordfish Handgear Limited Access Permit **OR** 2. HMS Commercial Caribbean Small Boat permit[114]
	Rod and reel, Handline, Harpoon, Bandit gear, or Green-stick	Swordfish General Commercial permit[115]
	Rod and reel or Handline	HMS Charter/Headboat permit (non-for-hire trips only)[116]
	Trawl	Incidental HMS Squid Trawl Permit (available to all valid *Illex* squid moratorium permit holders)[117]
Sharks	Longline or Gillnet	1. Shark Limited Access Permit: Directed (allows for targeting of sharks) **or** Incidental (limited number of sharks allowed per trip)[118] **OR** 2. Smoothhound Shark Open Access Permit *
	Rod and reel, Handline, or Bandit gear	1. Shark Limited Access Permit: Directed (allows for targeting of sharks) **or** Incidental (limited number of sharks allowed per trip) **OR** 2. HMS Commercial Caribbean Small Boat permit (shark retention limit set at zero at this time) **OR** 3. Smoothhound Shark Open Access Permit [119] *

Continued on next page

* Effective March 15, 2016.

Species	Gears	Permit(s) Needed
Bluefin tuna	Rod and reel, Handline, and Bandit gear	1. Atlantic Tunas General category vessel permit **OR** 2. HMS Charter/Headboat permit[120]
	Green-stick	1. Atlantic Tunas General category permit **OR** 2. HMS Charter/Headboat permit **OR** 3. Atlantic Tunas Longline category permit (allows retention of incidentally-caught bluefin tuna, subject to retention restrictions)
	Purse seine	Atlantic tunas Purse Seine permit
	Harpoon	1. Atlantic Tunas Harpoon category permit **OR** **2.** Atlantic Tunas General category permit
	Pound net / Fish weir	Atlantic Tunas Trap category permit – Incidental only[121]
	Longline	1. Shark Limited Access Permit: Directed (allows for targeting of sharks within quota or a limited number, depending on the species) **or** Incidental (limited number of sharks allowed per trip) **AND** 2. Swordfish Limited Access Permit: Directed (allows for targeting of swordfish) **or** Incidental (limited number of swordfish allowed per trip) **AND** 3. Atlantic Tunas Longline category Permit (allows for targeting of tunas other than bluefin). NOTE: An Atlantic Tunas General category permit may not be substituted for the tuna Longline category permit.

Continued on next page

Species	Gears	Permit(s) Needed
Bigeye, Albacore, Yellowfin, and Skipjack (BAYS) tunas	Harpoon	1. Atlantic Tunas Harpoon category permit **OR** 2. Atlantic Tunas General category permit **OR** 3. HMS Commercial Caribbean Small Boat permit
	Green-stick[122]	1. Atlantic Tunas General category permit **OR** 2. HMS Charter/Headboat permit **OR** 3. Atlantic Tunas Longline category permit **OR** 4. HMS Commercial Caribbean Small Boat permit
	Handgear (Rod and reel, Handline, and Bandit gear)	1. Atlantic Tunas General category permit **OR** 2. HMS Charter/Headboat permit (including speargun for recreational use only) **OR** 3. Atlantic Tunas Harpoon category permit **OR** 4. HMS Commercial Caribbean Small Boat permit (including buoy gear)
	Purse seine	Atlantic Tunas Purse Seine category
	Longline	1. Shark Limited Access Permit: Directed (allows for targeting of sharks within quota or a limited number, depending on the species) **or** Incidental (limited number of shark allowed per trip) **AND** 2. Swordfish Limited Access Permit: Directed (allows for targeting of swordfish) **or** Incidental (limited number of swordfish allowed per trip) **AND** 3. Atlantic Tunas Longline category Permit (allows for targeting of tunas other than bluefin). NOTE: An Atlantic Tunas General category permit may not be substituted for the Tunas Longline category permit.

VI. GENERAL RESTRICTIONS

TIME/AREA CLOSURES

Certain marine sanctuaries, special management zones, and time/area closures in the Atlantic Ocean, Gulf of Mexico, and Caribbean Sea restrict the use of all HMS gear (see Figure 2) Additional time/area closures and gear restricted areas exist for specified HMS gears and are addressed in sections related to those gears, below (see Figure 3 (pelagic longline gear), Figure 4 (bottom longline gear), and Figure 5 (gillnet gear)).

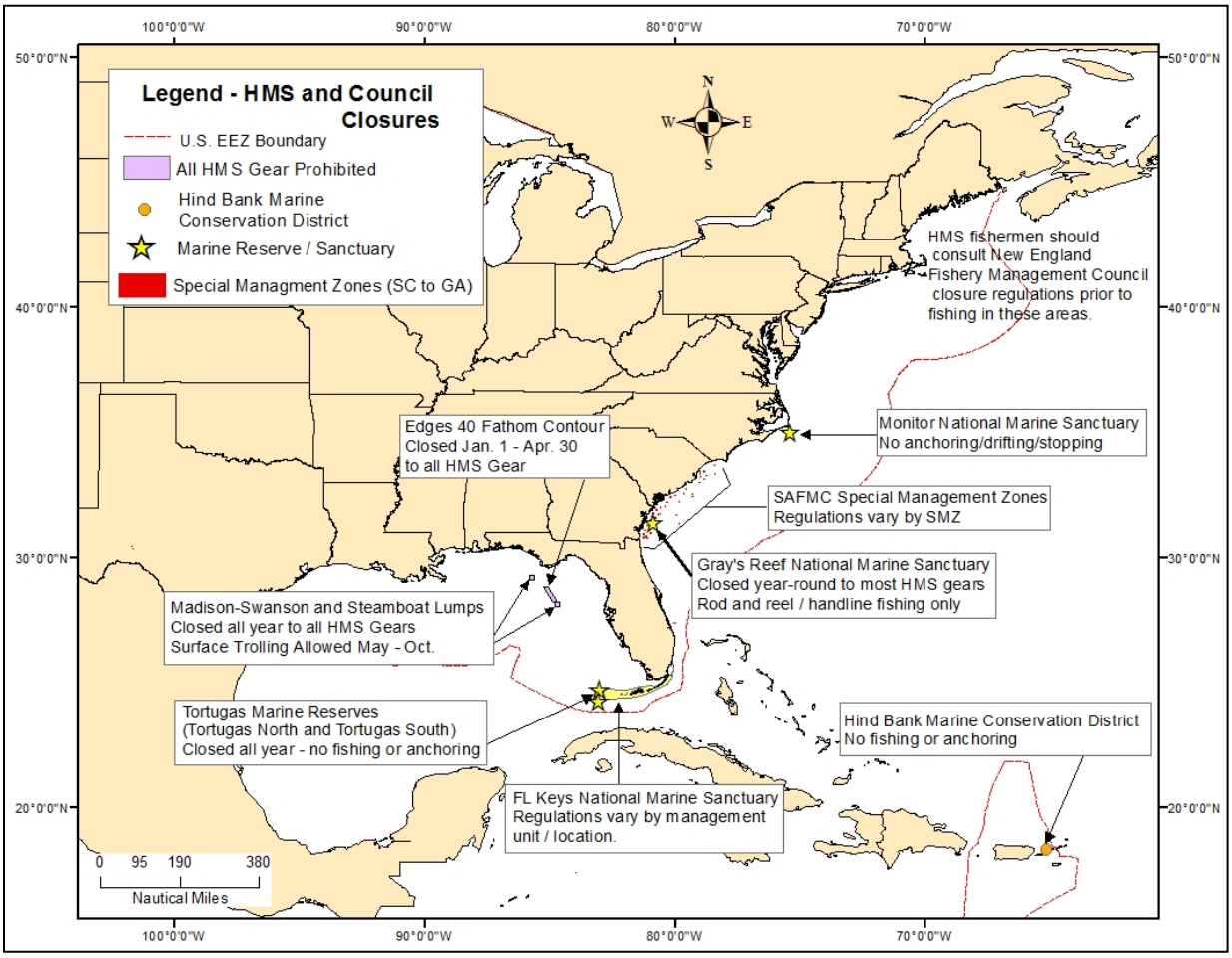


Figure 2 Marine sanctuaries, special management zones, and time/area closures that restrict use of all HMS gear in the Atlantic Ocean, Gulf of Mexico, and Caribbean Sea.

The Tortugas Marine Reserves: Fishing for any species and bottom anchoring by fishing vessels is prohibited in the EEZ portions of Tortugas North and Tortugas South. The Tortugas North area is bounded by 24°40'00" N. lat., 83°06'00" W. long.; 24°46'00" N. lat., 83°06'00" W. long.; 24°46'00" N. lat., 83°00'00" W. long.; thence along the line denoting the seaward limit of Florida's waters, as shown on the current edition of NOAA chart 11438 to 24°40'00" N. lat., 83°06'00" W. long. Tortugas South is bounded by 24°33'00" N. lat., 83°09'00" W. long.; 24°33'00" N. lat., 83°05'00" W. long.; 24°18'00" N. lat., 83°05'00" W. long.; 24°18'00" N. lat., 83°09'00" W. long.; 24°33'00" N. lat., 83°09'00" W. long.[123]

Madison-Swanson and Steamboat Lumps closed areas: These areas are closed to all HMS fishing gears

year-round, except for surface trolling from May through October.[124] The coordinates for the Madison-Swanson closed area are: 29°17' N. lat., 85°50' W. long. .; 29°17' N. lat., 85°38 W. long.; 29°06' N. lat., 85°38' W. long.; 29°06' N. lat., 85°50' W. long. The coordinates for the Steamboat Lumps closed area are: 28°14' N. lat., 84°48' W. long.; 28°14' N. lat., 84°37' W. long.; 28°03' N. lat., 84°37' W. long.; 28°03' N. lat., 84°48' W. long.[125] Surface trolling is defined as fishing with lines trailing behind a vessel which is in constant motion at speeds in excess of four knots with a visible wake. Such trolling may not involve the use of downriggers, wire lines, planers, or similar devices.[126]

Edges 40 Fathom Contour closed area: This area is closed to all HMS fishing gears from January through April.[127] Its coordinates are: 28°51' N. lat., 85°16' W. Long.; 28°51' N. lat., 85°04' W. long.; 28°14' N. lat., 84°42' W. long.; 28°14' N. lat., 84°54' W. long.[128]

Other marine protected areas: Throughout the United States, there are a number of marine protected areas in which fishing activities may be further restricted. More information on marine protected areas can be found at http://marineprotectedareas.noaa.gov/.

RELEASING HMS

An Atlantic HMS that is caught and not retained must be released in a manner that will ensure maximum probability of survival without removing the fish from the water.[129] If a billfish is caught, the fish must be released by cutting the line near the hook or by using a dehooking device; in either case, without removing the fish from the water.[130]

VESSEL IDENTIFICATION

Each vessel must display the vessel number on the port and starboard sides of the deckhouse or hull and on an appropriate weather deck, so as to be clearly visible from an enforcement vessel or aircraft. The vessel number is the vessel's official number issued by either the U.S. Coast Guard or the appropriate state agency. The number must be in block Arabic numerals permanently affixed to or painted on the vessel in contrasting color to the background, and must be at least 18 inches (45.7 cm) in height for vessels over 65 feet (19.8 m) in length; at least 10 inches (25.4 cm) in height for all vessels over 25 feet (7.6 m) in length; and at least 3 inches (7.6 cm) in height for vessels 25 feet (7.6 m) in length or less. The vessel's number must be kept clearly legible and in good repair and no part of the vessel, its rigging, its fishing gear, or any other material on board may obstruct the view of the vessel's number from an enforcement vessel or aircraft.[131]

HIGH SEAS FISHING

In addition to the appropriate HMS permit, a High Seas Fishing permit is required for all U.S. vessels commercially fishing on the high seas.[132] If you have questions about the High Seas Fishing Compliance Act, please contact the Office of International Affairs at (301) 427-8350. More information on the High Seas Permit, including an application and information on where to send the application, can be found at: http://www.nmfs.noaa.gov/ia/permits/highseas.html. NOTE: Generally, U.S. flagged vessels must comply with U.S. domestic regulations that pertain to Atlantic HMS while fishing outside the exclusive economic zone (EEZ) in the Atlantic. Some U.S. citizens, even on foreign-flagged vessels, may need an exempted fishing permit.

FISHING FOR HMS IN STATE WATERS

Both the Atlantic Tunas Convention Act and the Magnuson-Stevens Fishery Conservation and Management Act have provisions that allow NOAA Fisheries to apply federal regulations to state waters. In general, Atlantic HMS permit holders must comply with all applicable federal regulations, regardless of where fishing occurs, including in state waters. When fishing in the waters of a state with more restrictive regulations, vessels must abide by the more restrictive state regulations.[133] However, as

reflected in this guide, the regulations are species-and situation-specific.

TRANSFER AT SEA

No Atlantic tunas, blue marlin, white marlin, roundscale spearfish, sailfish, swordfish, or sharks may be transferred at sea or in port, regardless of where the fish was harvested.[134]

VII. PELAGIC LONGLINE RESTRICTIONS

Vessels fishing with pelagic longline gear must possess valid Protected Species Safe Handling, Release, and Identification Workshop certificates onboard for both the owner and operator.[135]

PERMIT REQUIREMENTS FOR USE OF PELAGIC LONGLINE GEAR

To harvest swordfish and tunas with pelagic longline gear, fishermen must possess **all three*** of the following limited access permits:[136]

1. Directed or incidental **swordfish** permit (a swordfish handgear or swordfish general commercial permit is not acceptable);
2. Directed or incidental **shark** permit; **and**
3. Atlantic **tunas** Longline category permit (an Atlantic tunas General category permit is not acceptable).

* Fishermen may harvest sharks with pelagic longline gear if they possess only a federal limited access shark permit or an open access Smoothhound Shark permit;[137] however, they must discard all swordfish and tunas caught.[138]

Prior to renewing or obtaining a commercial swordfish or shark limited access permit, both the vessel owner and the vessel operator must attend a Protected Species Safe Handling, Release, and Identification workshop and obtain a certificate.[139] A copy of the workshop certificate must be included in the permit application package. For more information on workshops, see Section XIX.

TIME/AREA CLOSURES AND GEAR RESTRICTED AREAS FOR USE OF PELAGIC LONGLINE GEAR

To reduce bycatch, NOAA Fisheries has closed or restricted access to a number of areas to fishermen with HMS permits who have pelagic longline gear onboard their vessel.

To determine compliance with the closed or restricted area regulations, the NOAA Fisheries Office of Law Enforcement and the U.S. Coast Guard use the definitions for pelagic and bottom longline gear (see Section IV) to determine if a vessel is fishing with pelagic or bottom longline gear.

Stowing Longline Gear

If a vessel is in an area closed to pelagic longline gear or that restricts access to vessels using pelagic longline gear, it is a rebuttable presumption that fish on board that vessel were taken with pelagic longline gear in the closed or restricted area unless the vessel is transiting the area with all the fishing gear stowed appropriately. Longline gear is stowed appropriately if:

- All gangions and hooks are removed 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).[140]
- When transiting the Cape Hatteras Special Research Area, vessels must also cover, with a tarp, the drum and all other components stowed securely on deck. [141]

Indicator Species for Longline Fishing

Pelagic longline vessels fishing in areas closed to bottom longline fishing may not possess or land demersal species in a quantity that exceeds 5 percent of the total weight of all indicator species (demersal and pelagic) possessed or landed (see Section IX for bottom longline closed areas and the list of demersal species).[142] Conversely, bottom longline vessels fishing in areas closed to pelagic longline gear may not possess or land pelagic species in a quantity that exceeds 5 percent of the total weight of all indicator species (demersal and pelagic) possessed or landed.[143] The species that qualify as pelagic indicator species are:

PELAGIC INDICATOR SPECIES[144]	
DOLPHIN (FISH)	TUNA, ALBACORE
SHARK, BLUE	TUNA, BIGEYE
SHARK, OCEANIC WHITETIP	TUNA, BLUEFIN
SHARK, PORBEAGLE	TUNA, SKIPJACK
SHARK, SHORTFIN MAKO	TUNA, YELLOWFIN
SHARK, THRESHER	WAHOO
SWORDFISH	

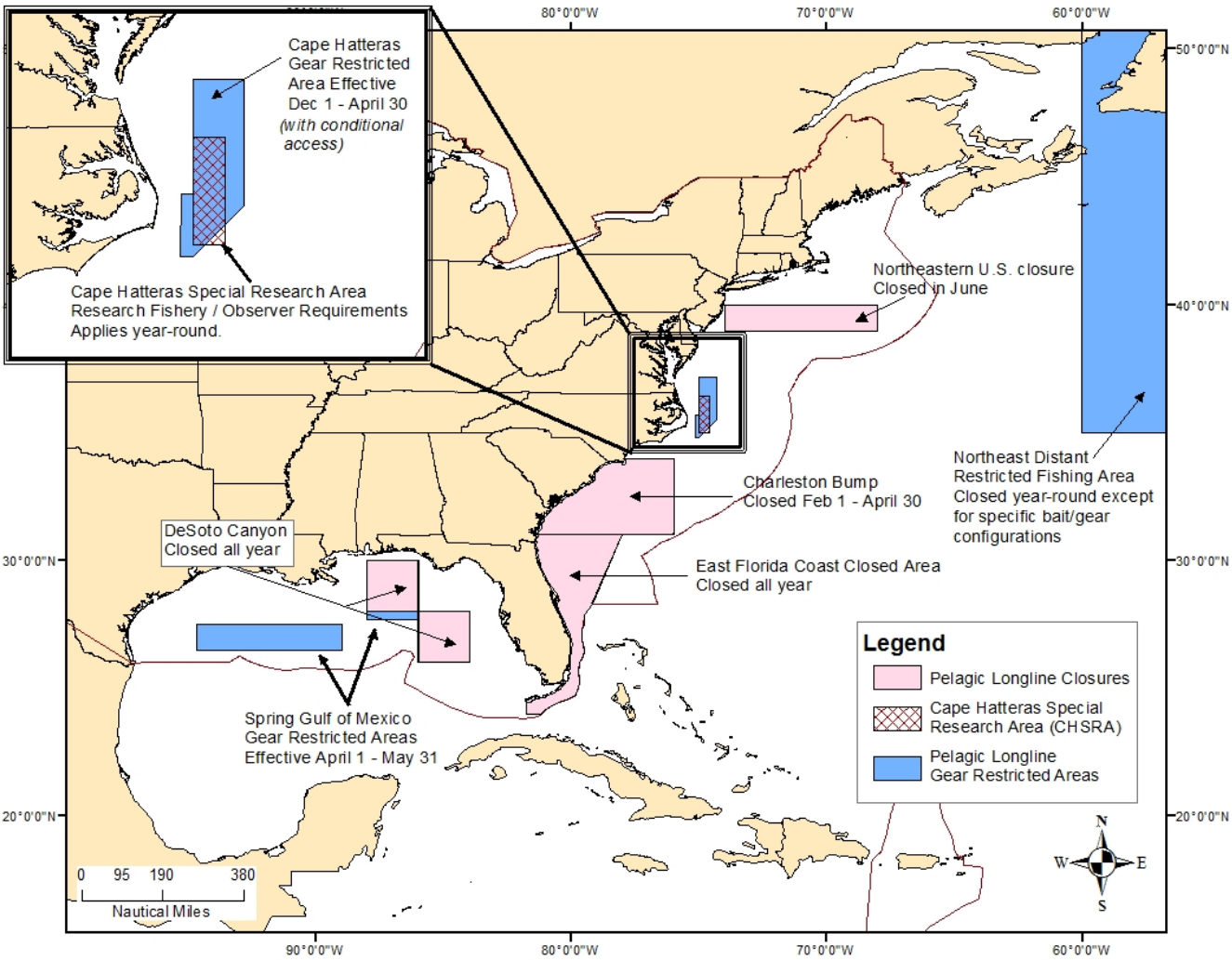


Figure 3 Time/area closures and gear restricted areas in the Atlantic Ocean, Gulf of Mexico, and Caribbean Sea that limit use of pelagic longline gear. Additional closures applicable to all gears, including pelagic longline gear, are presented in Figure 2.

The pelagic longline closures and gear restricted areas shown in Figure 3 and described in the following paragraphs were implemented to reduce bycatch by longline gear, including interactions with bluefin tuna. See also: Tortugas Marine Reserves, Madison-Swanson closed area, Steamboat Lumps closed area, and Edges 40 Fathom closed area descriptions in Section VI and Figure 2, which pertain to all HMS gears, including pelagic longline.

The Northeastern United States Closed Area: This area is closed to vessels with pelagic longline gear onboard during the month of June each year.[145]This area is bounded by straight lines connecting the following coordinates, in the order given: 40°00' N. lat., 74°00' W. long.; 40°00' N. lat., 68°00' W. long.; 39°00' N. lat., 68°00' W. long.; 39°00' N. lat., 74°00' W. long.[146]

The Cape Hatteras Gear Restricted Area, with Conditional Access: Access is limited to this area for vessels fishing with pelagic longline gear during the 5-month period from December through April[147] to reduce interactions with bluefin tuna. NMFS has established criteria to allow certain vessels access to the area if they have demonstrated an ability to avoid bluefin and comply with reporting and monitoring requirements. Atlantic Tunas Longline permit holders with eligible vessels may be granted conditional access to the Cape Hatteras Gear Restricted Area based on: (1) The ratio of bluefin interactions to designated species landings; (2) Compliance with the Pelagic Observer Program requirements; and (3) Compliance with HMS logbook reporting requirements.[148] **Permit holders will be notified annually of the status of access for each of their vessels.[149]**

When accessing the Cape Hatteras Gear Restricted Area, qualified permit holders should have on board the letter from NMFS stating that their vessel is qualified to access the Gear Restricted Area. Coordinates for this area are as follows clockwise from the southernmost shoreward point, starting at 34°50’ N. lat., 75°10’ W. long.; 35°40’N. lat., 75°10’ W. long.; 35°40’ N. lat., 75°00’ W. long.; 37°10’N. lat., 75°00’ W. long.; 37°10’ N. lat., 74°20’ W. long.; 35°30’ N. lat., 74°20’ W. long.; 34°50’ N. lat., 75°00’ W. long; 34°50’ N. lat., 75°10’ W. long.150

The Cape Hatteras Special Research Area: To protect pilot whales and Risso’s dolphins, pelagic longline vessel operators fishing in the Cape Hatteras Special Research Area must contact NOAA Fisheries at least 48 hours prior to a trip, and carry observers if requested.[151] Vessels may transit the area without stopping and without contacting NOAA Fisheries if the gear is stowed appropriately. The area is bounded by straight lines connecting the following coordinates, in the order given: 36°25' N. lat., 75°0' W. long.; 36°25' N. lat., 74°35' W. long.; 35°0' N. lat., 74°35' W. long.; 35°0' N. lat., 75°0' W. long.

The Charleston Bump Closed Area: This area is closed to vessels with pelagic longline gear onboard from February 1 through April 30 each year.[152] The area is defined as: the Atlantic Ocean seaward of the inner boundary of the U.S. EEZ from a point intersecting the inner boundary of the U.S. EEZ at 34°00' N. lat. near Wilmington Beach, North Carolina, and proceeding due east to connect by straight lines the following coordinates in the order stated: 34°00' N. lat., 76°00' W. long.; 31°00' N. lat., 76°00' W. long.; then proceeding due west to intersect the inner boundary of the U.S. EEZ at 31°00' N. lat. near Jekyll Island, Georgia.[153]

The East Florida Coast Closed Area: This area is closed to vessels with pelagic longline gear onboard year-round.[154] The area is defined as: the Atlantic Ocean seaward of the inner boundary of the U.S. EEZ from a point intersecting the inner boundary of the U.S. EEZ at 31°00' N. lat. near Jekyll Island, Georgia, and proceeding due east to connect by straight lines the following

coordinates in the order stated: 31°00' N. lat., 78°00' W. long.; 28°17' 10" N. lat., 79°11' 24" W. long.; then proceeding along the outer boundary of the EEZ to the intersection of the EEZ with 24°00' N. lat.; then proceeding due west to the following coordinates: 24°00' N. lat., 81°47' W. long.; then proceeding due north to intersect the inner boundary of the U.S. EEZ at 81°47' W. long. near Key West, Florida.[155]

The DeSoto Canyon Closed Area: This area is closed to pelagic longline gear year-round[156] and consists of two squares offshore of the west coast of Florida. The area is bounded by straight lines connecting the following coordinates, in the order given: 30°00' N. lat., 88°00' W. long.; 30°00' N. lat., 86°00' W. long.; 28°00' N. lat., 86°00' W. long.; 28°00' N. lat., 84°00' W. long.; 26°00' N. lat., 84°00' W. long.; 26°00' N. lat., 86°00' W. long.; 28°00' N. lat., 86°00' W. long.; 28°00' N. lat., 88°00' W. long.; 30°00' N. lat., 88°00' W. long.[157]

Spring Gulf of Mexico (GOM) Gear Restricted Areas: Vessels fishing with pelagic longline gear or with pelagic longline gear onboard are prohibited from fishing in these two areas during the months of April and May each year[158] to reduce interactions with bluefin tuna during the spawning season. Coordinates are as follows for both areas, the first area from the southernmost seaward point clockwise are: 26°30’ N. lat., 94°40’ W. long.; 27°30’ N. lat., 94°40’ W. long.; 27°30’ N. lat., 89° W. long.; 26°30’ N. lat., 89° W. long.; 26°30’N. lat., 94°40’ W. long. The second area from the southernmost seaward point clockwise are: 27°40’ N. lat., 88° W. long.; 28° N. lat., 88° W. long.; 28° N. lat., 86° W. long.; 27°40’ N. lat., 86° W. long.; 27°40’N. lat., 88° W. long. Other authorized gear types (e.g., buoy gear, green-stick gear, or rod and reel) are allowed in these areas, provided the vessel abides by any rules/regulations that apply to those gear types and pelagic longline gear is not onboard the vessel.[159]

The Northeast Distant Gear Restricted Area (NED): In addition to other gear and bait restrictions described below, vessels in this area with pelagic longline gear onboard must use 18/0 or larger circle hooks with an offset not to exceed 10 degrees and can only use whole Atlantic mackerel and/or squid bait.[160] The area is bounded by straight lines connecting the following coordinates, in the order given: 35°00' N. lat., 60°00' W. long.; 55°00' N. lat., 60°00' W. long.; 55°00' N. lat., 20°00' W. long.; 35°00' N. lat., 20°00' W. long.[161]

INDIVIDUAL BLUEFIN TUNA QUOTA (IBQ) PROGRAM[162]

The IBQ program requires vessels fishing with pelagic longline gear or purse seine gear to **account for incidental bluefin tuna landings *and dead discards*** on an individual vessel basis, using quota derived from Individual Bluefin Quota (IBQ) shares or purse seine vessel quota being traded through the IBQ system.

SOURCES OF BLUEFIN TUNA QUOTA FOR INDIVIDUAL VESSELS

Gear	Region	Accounting areas*
Pelagic longline IBQ allocation (PLL)	Gulf of Mexico (GOM) allocation	Atlantic or Gulf of Mexico
	Atlantic (ATL) allocation	Atlantic only
Purse seine fishery participant quota (Purse Seine Gear (PSG))	Atlantic (ATL)	Atlantic only

*****The area(s) in which quota may be used to account for bluefin tuna landings or dead discards. **Atlantic allocation (PLL ATL or PSG ATL) may not be used to account for bluefin landings or discards in the Gulf of Mexico.** [163]

Mandatory Retention of Legal-Sized Bluefin Tuna

Pelagic longline vessels must retain all legal-sized commercial bluefin tuna (73 inches CFL or longer) that are dead at haul-back.[164]

PLL IBQ PROGRAM REQUIREMENTS IN 2015

As of January 1, 2015, all bluefin tuna catch (dead discards and landings, by weight) by vessels fishing with pelagic longline gear will be accounted for through the electronic IBQ system (as explained further below) and deducted from the vessel's IBQ account balance.

If the amount of bluefin tuna catch for a particular trip exceeds the amount of quota available to the vessel, the permitted vessel has "quota debt" equal to the difference between the catch and the vessel's available quota balance. For example, if a vessel has an account balance of 0.40 mt (882 lb), and catches 0.50 mt (1,102 lb) of bluefin tuna on a trip, that vessel would have a quota debt of 0.10 mt (220 lb).

If a vessel has quota debt, it may continue to fish and complete the trip, and will be responsible for resolving all quota debt.

During 2015 only, a vessel may depart on subsequent fishing trips with pelagic longline gear even when it has quota debt; however, quota debt will accrue throughout the 2015 fishing year, and a vessel will be responsible for accounting for its entire balance at the end of the year.

If, at the end of 2015, a permitted vessel does not have an adequate quota balance to settle its quota debt, the vessel's allocation for the next year will be reduced in the amount equal to the quota debt in the subsequent year or years until the quota debt is fully accounted for. If a vessel was ineligible for quota share and does not get an annual allocation, it will have to lease quota to account for its quota debt. In 2016, a vessel will not be allowed to fish with pelagic longline gear onboard if it has outstanding quota debt and it must have the minimum required departure quota as well.

Therefore, if a vessel accrues quota debt on a trip during 2015, NMFS *strongly recommends* that the vessel resolve that debt by acquiring additional quota through leasing prior to departing on a subsequent fishing trip with pelagic longline gear, or as soon as possible before year's end.

MINIMUM IBQ ALLOCATIONS REQUIRED TO DEPART ON A TRIP AS OF 2016[165]

To depart on a fishing trip, a vessel with an Atlantic Tunas Longline category permit that fishes with or has pelagic longline gear onboard must have the minimum quota allocation to depart on a trip in either the Gulf of Mexico (0.25 mt) or Atlantic (0.125 mt), depending on fishing location.

FISHING IN THE NORTHEAST DISTANT AREA (NED) IN THE IBQ PROGRAM

Vessels fishing with pelagic longline gear may fish in the NED. NMFS will account for all dead discards and landings within the 25 mt NED specifically allocated to the United States for that area by ICCAT. Individual vessels do not have to use individual quota to account for such fish *provided the 25 mt NED quota has not been caught. Vessels do, however, have to have the minimum quota allocation amount required to depart on a trip in the Atlantic using pelagic longline gear (0.125 mt of ATL PLL quota) to fish in the NED.*[166]

When the NED quota has been caught category-wide, vessels may continue to fish with pelagic longline gear in the NED but must in addition to having the 0.125 mt minimum quota allocation amount required to depart on a fishing trip, account for all catch (dead discards and retained bluefin) using IBQ allocation, consistent with the IBQ accounting rules.

PLL FISHING UNDER THE IBQ PROGRAM

Before Departing on a Trip:

- Make sure you have an active IBQ account in the online IBQ system;
- Check your IBQ allocation balance using the online IBQ system. Note: During 2015, there is flexibility to fish with "quota debt," but in 2016, you will need to resolve any debt AND have the minimum amount of IBQ allocation before departing the dock to fish);
- Hail in using VMS and make sure your VMS software is up to date;
- Check your Electronic Monitoring System to make sure it has hard drives installed, has power, and is functioning properly (*required as of June 1, 2015*).

During the Trip:

- Report bluefin tuna catch and fishing effort through VMS;
- Ensure that all fish caught are handled in a manner that enables the video system to record such fish; make sure the electronic monitoring system remains powered on for the duration of each fishing trip; and clean cameras.

End of the Trip:

- Hail out of the trip using VMS;
- Provide bluefin landings and/or dead discard information to the dealer;
- Validate the dealer transaction report by entering the unique Personal Identification Number (PIN) for the vessel account;
- Check your balance of IBQ allocation to determine if you are in "quota debt," and obtain more IBQ allocation if necessary;
- Within 48 hours of completing a fishing trip, mail the removable electronic monitoring system hard drive(s) containing all data to NMFS or the NMFS-approved contractor;
- Submit your written logbooks, as required prior to the IBQ program.

HOOK AND BAIT RESTRICTIONS

Pelagic longline vessels that are permitted to fish for tunas and swordfish are limited, at all times, to:

- Possessing and/or using only corrodible (i.e., non-stainless steel) 18/0 or larger circle hooks with an offset not to exceed 10 degrees, or 16/0 or larger non-offset circle hooks.
- Using only whole finfish and/or squid bait.

If green-stick gear is onboard, a vessel may:

- Possess up to 20 J-hooks no smaller than 1.5 inch (38.1 mm) when measured in a straight line over the longest distance from the eye to any other part of the hook.[167]
- J-hooks may be used only with green-stick gear, and no more than 10 hooks may be used at one time with green-stick gear.

HOOK AND BAIT RESTRICTIONS WHEN FISHING IN THE NED

In addition to other restrictions, when fishing in the NED Restricted Area, pelagic longline vessels are limited to:

- Possessing onboard and/or using only 18/0 or larger circle hooks with an offset not to exceed 10 degrees.
- Only whole Atlantic mackerel and/or squid baits may be possessed and/or utilized with the allowed hooks.

HOOK AND BAIT RESTRICTIONS WHEN FISHING IN THE GULF OF MEXICO

In addition to other restrictions, vessels in the Gulf of Mexico with pelagic longline gear onboard:

- May only possess, use, or deploy circle hooks that are constructed of round wire stock which is no larger than 3.65 mm in diameter ("weak hooks").[168] Two circle hook models that meet this requirement are Mustad Model 39988D – 16/0 and Eagle Claw Model L2048LM – 16/0.

- May not use live bait. In addition, no person aboard a vessel with pelagic longline gear onboard may maintain live baitfish in any tank or well onboard the vessel, possess live baitfish, or set up an aeration device onboard the vessel.[169]

OTHER RESTRICTIONS FOR PELAGIC LONGLINE GEAR

Vessels fishing with pelagic longline gear:

- Must retain all legal-sized (73 inches CFL or larger) bluefin tuna that are dead at haul-back.[170]
- May not possess any billfish.[171]
- Must possess and use sea turtle handling and release gear in compliance with NOAA Fisheries' careful release protocols. The required handling and release gears are fully described in the document titled "NMFS Approved Models for Equipment needed for the Careful Release of Sea Turtles Caught in Hook and Line Fisheries." The list of approved models is available on the HMS Management Division website at (http://www.nmfs.noaa.gov/sfa/hms/) and upon request from the HMS St. Petersburg Office. Also, the Technical Memorandum (NMFS-SEFSC-580) titled "Careful Release Protocols for Sea Turtle Release with Minimal Injury," and placard titled "Handling/Release Guidelines," must be placed inside the wheelhouse.[172] These materials are available on the HMS Management Division website, or you can call (301) 427-8503 to request a waterproof copy.
- If the total length of any gangion plus the length of any floatline is less than 100 meters, then the length of all gangions must be at least 10 percent longer than the length of the floatlines.[173]
- Must possess and use only corrodible (i.e., non-stainless steel) circle hooks (as described above).[174]
- Must immediately release any marine mammal or sea turtle that is hooked or entangled, retrieve the pelagic longline gear, and move at least 1 nmi from the location of the incident before resuming fishing. Reports of marine mammal entanglements must be submitted to NOAA Fisheries consistent with the marine mammal regulations.[175] The marine mammal mortality/injury reporting form is online at http://www.nmfs.noaa.gov/pr/pdfs/interactions/mmap_reporting_form.pdf or by calling (301) 713-2322.
- Cannot deploy a pelagic longline that exceeds 20 nmi in length in the mid-Atlantic Bight (MAB).[176]
- Must display the plastic placard "Marine Mammal Handling/Release Guidelines: A Quick Reference Guide for Atlantic Pelagic Longline Gear" in both the wheelhouse and on the working deck.[177]
- Cannot retain, transship, land, store, or sell silky, oceanic whitetip, great hammerhead, scalloped hammerhead, or smooth hammerhead sharks.[178]
- Must install and use a NOAA Fisheries-approved enhanced mobile transmitting unit (E-MTU) vessel monitoring system (VMS) as instructed including whenever the vessel is away from port.[179] Additional information on the VMS requirements is provided in Section 0.

VIII. ATLANTIC TUNAS PURSE SEINE RESTRICTIONS

INDIVIDUAL BLUEFIN QUOTA (IBQ) ELECTRONIC SYSTEM

The IBQ electronic system is a web based program that allows Atlantic Tunas Purse Seine category participants to lease quota allocation among purse seine participants or to pelagic longline permit holders, and are required to participate in the program in order to report their bluefin catch. The IBQ electronic system is managed through NMFS's Southeast Regional Office Individual Fishing Quota (IFQ) program webpage (https://ifq.sero.nmfs.noaa.gov/ifqgt/main.html). Atlantic Tunas Purse Seine category participants will be issued a percentage of the overall Purse Seine category quota, which is 184.3 mt under the current ICCAT U.S. total allowable catch (TAC). For each fishing year, purse seine participants will be allocated quota based on the Amendment 7 "Annual quota reallocation" ormula. As of 2015, all dead discards, as well as landings of bluefin tuna will count against a vessel's quota. Once the total amount of quota allocation is utilized, participants must either lease additional quota or stop fishing until more quota is disbursed. Purse Seine quota is designated for use in the Atlantic (named "PSG ATL" in the IBQ system). Atlantic allocation may only be used for bluefin landings and dead discards in the Atlantic.

VESSEL MONITORING SYSTEM (VMS) REQUIREMENTS

- Vessels with an Atlantic Tunas Purse Seine category permit must have an approved Enhanced Mobile Transmitting Unit (E-MTU) VMS unit installed by a qualified marine electrician in order to fish with purse seine gear. The VMS hardware and communications service provider must be on the VMS type approval lists for use in HMS fisheries, which is available at http://www.nmfs.noaa.gov/ole/docs/2014/noaa_fisheries_service_type_final_020514.pdf.
    - Vessels must follow the procedures for installation and activation provided by NMFS and submit to NMFS the completed checklist and compliance certification statement.
- The VMS unit must submit automatic position reports every hour, 24 hours a day, unless a valid power down exemption has been granted by NMFS law enforcement.
    - Purse Seine category participants may request a documented power down exemption from NMFS law enforcement if the vessel will not be fishing for an extended period of time. The request must describe:
        - the reason an exemption is being requested;
        - the location of the vessel during the time an exemption is sought;
        - the exact time period for which an exemption is needed; and
        - sufficient information to determine that a power down exemption is appropriate.
- If a vessel operator is aware that transmission of automatic position reports has been interrupted, or is notified by NMFS that such reports are not being received, the vessel operator must contact NMFS and follow the instructions given.
    - After a fishing trip during which interruption of automatic position reports has occurred, the vessel's owner or operator must have a qualified marine electrician replace or repair the VMS unit prior to the vessel's next trip.
- As a condition of obtaining an HMS limited access permit, the vessel owners or operators must allow NMFS, the USCG, or their designees access to the vessel's position data. On each trip to fish for Atlantic tunas with purse seine gear:
- Hail out: Prior to departing on a trip, vessels must submit a "Highly Migratory Species Trip Declaration Form" through E-MTU VMS to: o declare their intent to fish for Atlantic tunas with purse seine gear, and o note their HMS target species.

- Catch reports: Vessels must submit through VMS, a "Highly Migratory Species Bluefin Tuna Catch Report," for each set. Specifically, such vessels must: o report the number of all bluefin discarded dead or retained (by standardized size ranges) within 12 hours of completion of each set (including reporting of zero bluefin on a set).
- Hail in: At least three hours and no more than 12 hours in advance of landing , the vessel operator must provide advanced notice of landing, by submitted the "Highly Migratory Species Pre-Landing Notification Form" with information on the time and location of landing.
- Declare out: If a vessel operator decides not to fish for or retain HMS for two or more trips, the operator may choose to "declare out" of the fishery, according to instructions provided by NMFS, and would not be subject to the HMS hail in / hail out requirements during trips for which they are declared out of the HMS fishery.
- NMFS Office of Law Enforcement (OLE) will provide vessel owners with instructions regarding the detailed methods of reporting such information using their VMS units.
- For questions regarding VMS, please contact OLE Southeast Division at 1-800-758-4833 or 727-824-5334.

IX. BOTTOM LONGLINE RESTRICTIONS

Vessels fishing with bottom longline gear must possess valid Protected Species Safe Handling, Release, and Identification Workshop certificates onboard for both the owner and operator.[180]

PERMIT REQUIREMENTS FOR USE OF BOTTOM LONGLINE GEAR

Generally, in HMS fisheries, only commercial shark fishermen use bottom longline gear because tunas and swordfish are found in the water column while many species of sharks are found on the bottom.

- Shark fishermen need a commercial shark (**Directed** or **Incidental**) limited access permit or, as of March 15, 2016, a **Smoothhound Shark** open access permit to harvest sharks.[181] Fishermen holding all three limited access permits listed in the pelagic longline section (VII) may also use bottom longline gear.[182]

Prior to renewing or obtaining a shark limited access permit, both the owner and operator must attend a Protected Species Safe Handling, Release, and Identification Workshop and obtain a certificate. A copy of the workshop certificate must be included in the permit application package.[183] For more information on workshops, see Section XIX.

TIME/AREA CLOSURES FOR USE OF BOTTOM LONGLINE GEAR

To reduce bycatch, NOAA Fisheries has closed a number of areas to fishermen with HMS permits who have bottom longline gear onboard.

To determine compliance with the closed area restrictions, NMFS Office of Law Enforcement and the U.S. Coast Guard use the definitions for pelagic and bottom longline gear (see Section 0) to determine if a vessel is fishing with pelagic or bottom longline gear.

Stowing Longline Gear

If a vessel is in an area closed to bottom longline gear and has bottom longline gear onboard, it is a rebuttable presumption that fish on board that vessel were taken with bottom longline gear in the closed area unless the vessel is transiting a closed or gear restricted area with all fishing gear stowed appropriately. Longline gear is stowed appropriately if:

- All gangions and hooks are removed 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).[184]

Indicator Species for Longline Fishing

The species composition of the catch onboard the vessel or landed can also be used to differentiate between longline gear types. Bottom longline vessels fishing in areas closed to pelagic longline gear may not possess or land pelagic species in a quantity that exceeds 5 percent of the total weight of all indicator species (demersal and pelagic) possessed or landed (see Section VI Pelagic Longline Restrictions for closed areas and list of pelagic species).[185] Conversely, pelagic longline vessels fishing in areas closed to bottom longline fishing may not possess or land demersal species in a quantity that exceeds 5 percent of the total weight of all indicator species (demersal and pelagic) possessed or landed.[186] The species that qualify as demersal indicator species are:

DEMERSAL INDICATOR SPECIES[187]		
GROUPER, BLACK	SHARK, BLACKNOSE	SNAPPER, MANGROVE
GROUPER, GAG	SHARK, BLACKTIP	SNAPPER, LANE
GROUPER, MARBLED	SHARK, BONNETHEAD	SNAPPER, MUTTON
GROUPER, MISTY	SHARK, BULL	SNAPPER, QUEEN
GROUPER, RED	SHARK, FINETOOTH	SNAPPER, RED
GROUPER, SNOWY	SHARK, LEMON	SNAPPER, SCHOOLMASTER
GROUPER, WARSAW	SHARK, NURSE	SNAPPER, SILK
GROUPER, YELLOWEDGE	SHARK, SANDBAR	SNAPPER, VERMILION
GROUPER, YELLOWFIN	SHARK, SPINNER	SNAPPER, YELLOWTAIL
HIND, RED	SHARK, TIGER	TILEFISH
HIND, ROCK	SNAPPER, BLACKFIN	TILEFISH, BLUELINE
HIND, SPECKLED	SNAPPER, CUBERA	TILEFISH, SAND
SHARK, ATL. SHARPNOSE	SNAPPER, DOG	

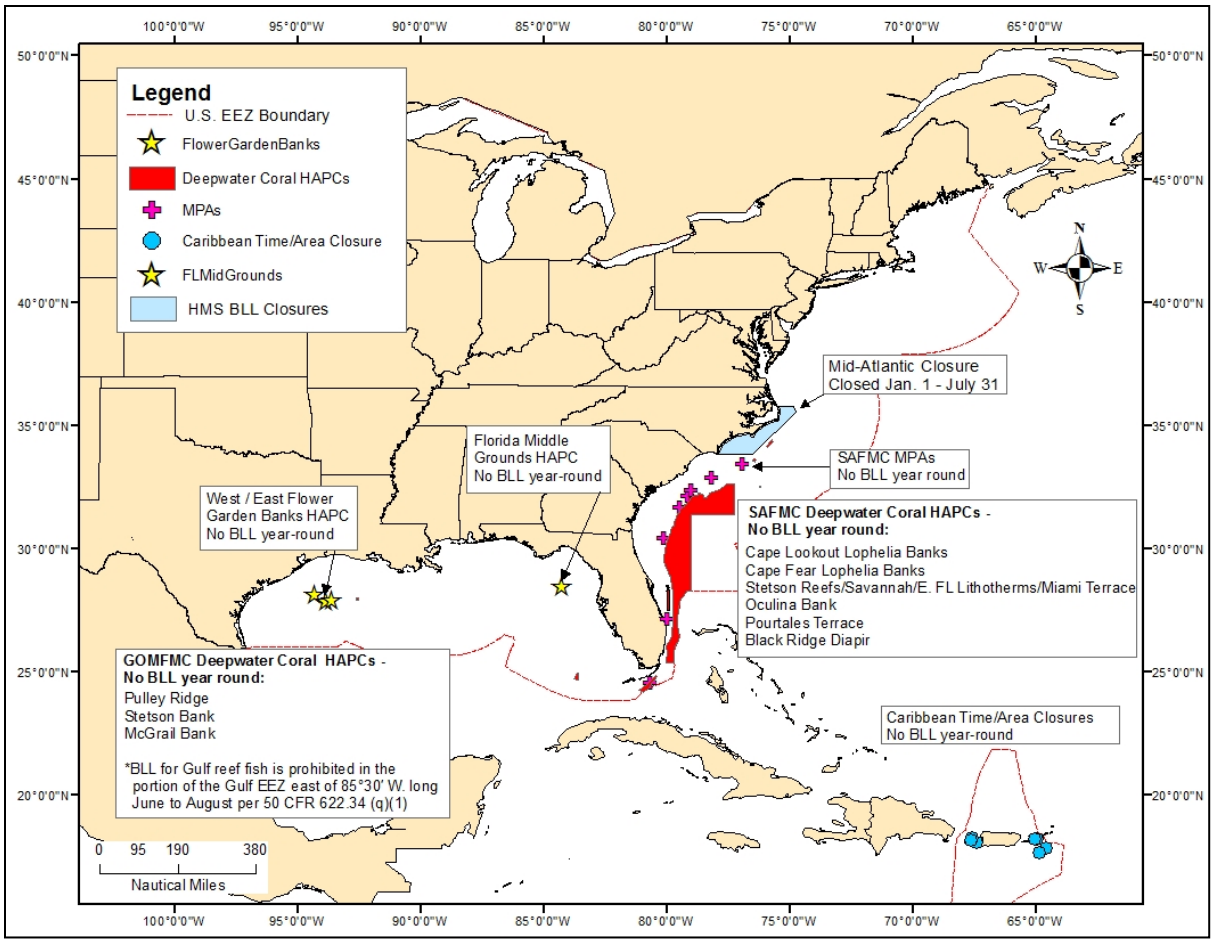


Figure 4 Marine Protected Areas (MPAs), Habitat Areas of Particular Concern (HAPCs), and time/area closures that restrict use of bottom longline (BLL) gear in the Atlantic Ocean, Gulf of Mexico, and Caribbean Sea. Additional closures for all gears are presented in Figure 2.

The bottom longline closures shown in Figure 4 and described in the following paragraphs were implemented to reduce bycatch by longline gear. See also: Tortugas Marine Reserves, Madison-Swanson closed area, Steamboat Lumps closed area, and Edges 40 Fathom closed area descriptions in Section 0, which pertain to all HMS gears, including bottom longline.

The Mid-Atlantic Shark Area: This area includes Essential Fish Habitat and Habitat Areas of Particular Concern for sandbar and dusky sharks, serving as nursery and pupping areas for these species. The area is closed to vessels using bottom longline gear from January 1 through July 31.[188] "Mid-Atlantic shark closed area" means the Atlantic Ocean area seaward of the inner boundary of the U.S. EEZ at 35°41' N. lat. just south of Oregon Inlet, North Carolina, and connecting by straight lines the following coordinates in the order stated: 35°41' N. lat., 75°25' W. long. proceeding due east to 35°41' N. lat., 74°51' W. long.; then proceeding southeast to 35°30' N. lat., 74°46' W. long.; then proceeding southwest, roughly following the 55 fathom mark, to 33°51' N. lat., 76°24' W. long.; then proceeding due west to intersect the inner boundary of the U.S. EEZ at 33°51' N. lat., 77°53' W. long. near Cape Fear, North Carolina.[189]

Caribbean closed areas: Fishing for HMS with bottom longline gear is prohibited year-round in several distinct areas off the U.S. Virgin Islands and Puerto Rico.[190]

(A) Mutton Snapper Spawning Aggregation Area

Point	North latitude	West longitude
A	17°37.8’	64°53.0’
B	17°39.0’	64°53.0’
C	17°39.0’	64°50.5’
D	17°38.1’	64°50.5’
E	17°37.8’	64°52.5’
A	17°37.8’	64°53.0’

(B) Red Hind Spawning Aggregation Areas(i) East of St. Croix

Point	N. lat.	W. long.
A	17°50.2’	64°27.9’
B	17°50.1’	64°26.1’
C	17°49.2’	64°25.8’
D	17°48.6’	64°25.8’
E	17°48.1’	64°26.1’
F	17°47.5’	64°26.9’
A	17°50.2’	64°27.9’

(ii) Tourmaline Bank

Point	N. lat.	W. long.
A	18°11.2’	67°22.4’
B	18°11.2’	67°19.2’
C	18°08.2’	67°19.2’
D	18°08.2’	67°50.5’
E	18°08.2’	64°52.5’

(iii) Abrir La Sierra Bank

Point	N. lat.	W. long.
A	18°06.5’	67°26.9’
B	18°06.5’	67°23.9’
C	18°03.5’	67°23.9’
D	18°03.5’	67°26.9’
E	18°06.5’	64°26.9’

(C) Grammanik Bank

Point	North latitude	West longitude
A	18°11.898’	64°56.328’
B	18°11.645’	64°56.225’
C	18°11.058’	64°57.810’
D	18°11.311’	64°57.913’
E	18°11.898’	64°56.328’

South Atlantic Marine Protected Areas (MPAs): Fishing with bottom longline gear is prohibited in the following areas:[191]

(A) Snowy Grouper Wreck. Bounded by rhumb lines connecting, in order, the following points:

Point	North latitude	West longitude
A	33°25’	77°04.75’
B	33°34.75’	76°51.3’
C	33°25.5’	76°46.5’
D	33°15.75’	77°00.0’
A	33°25’	77°04.75’

(B) Northern South Carolina: Bounded on the north by 32° 53.5’ N. lat.; on the south by 32° 48.5’ N. lat.; on the east by 78° 04.75’ W. long.; and on the west by 78° 16.75’ W. long.

(C) Edisto: Bounded on the north by 32° 24’ N. lat.; on the south by 32° 18.5’ N. lat.; on the east by 78° 54.0’ W. long.; and on the west by 79° 06.0’ W. long.

(D) Charleston Deep Artificial Reef: Bounded by rhumb lines connecting, in order, the following points:

Point	North latitude	West longitude
A	32°04’	79°12’
B	32°08.5’	79°07.5’
C	32°06’	79°05’
D	32°01.5’	79°09.3’
A	32°04’	79°12’

(E) Georgia: Bounded by rhumb lines connecting, in order, the following points:

Point	North latitude	West longitude
A	31°43’	79°31’
B	31°43’	79°21’
C	31°34’	79°29’
D	31°34’	79°39’
A	31°43’	79°31’

(F) North Florida: Bounded on the north by 30° 29’ N. lat.; on the south by 30° 19’ N. lat.; on the east by 80° 02’ W. long.; and on the west by 80° 14’ W. long.

(G) St. Lucie Hump: Bounded on the north by 27° 08’ N. lat.; on the south by 27° 04’ N. lat.; on the east by 79° 58’ W. long.; and on the west by 80° 00’ W. long.

(H) East Hump: Bounded by rhumb lines connecting, in order, the following points:

Point	North latitude	West longitude
A	24°36.5’	80°45.5’
B	24°32’	80°36’
C	24°27.5’	80°38.5’
D	24°32.5’	80°48’
A	24°36.5’	80°45.5’

Florida Middle Grounds HAPC: Fishing with a bottom longline is prohibited year round in the area bounded by rhumb lines connecting, in order, the following points:[192]

Point	North latitude	West longitude
A	28º42.5’	84º24.8’
B	28º42.5’	84º16.3’
C	28º11.0’	84º00.0’
D	28º11.0’	84º07.0’
E	28º26.6’	84º24.8’
A	28º42.5’	84º24.8’

West and East Flower Garden Banks HAPC: The following activities are prohibited year-round in the HAPC: Fishing with a bottom longline, bottom trawl, buoy gear, dredge, pot, or trap and bottom anchoring by fishing vessels.[193]

(A) West Flower Garden Bank:
Bounded by rhumb lines connecting, in order, the following points:

Point	N lat.	W long.
A	27°55’22.8”	93°53’09.6”
B	27°55’22.8”	93°46’46.0”
C	27°49’03.0”	93°46’46.0”
D	27°49’03.0”	93°53’09.6”
A	27°55’22.8”	93°53’09.6”

(B) East Flower Garden Bank:
Bounded by rhumb lines connecting, in order, the following points:

Point	N lat.	W long.
A	27°59’14.4”	93°38’58.2”
B	27°59’14.4”	93°34’03.5”
C	27°52’36.5”	93°34’03.5”
D	27°52’36.5”	93°38’58.2”
A	27°59’14.4”	93°38’58.2”

OTHER RESTRICTIONS FOR BOTTOM LONGLINE GEAR

Vessels fishing with bottom longline gear:

- Must deploy or possess only corrodible (i.e., non-stainless steel) hooks.[194] At this time, there are no hook size or bait restrictions.
- May not possess any billfish.[195]
- Must possess and use sea turtle handling and release gear in compliance with NOAA Fisheries’ careful release protocols. The required handling and release gears are fully described in the document titled “NMFS Approved Models for Equipment needed for the Careful Release of Sea Turtles Caught in Hook and Line Fisheries.” The list of approved models is available on the HMS Management Division website at http://www.nmfs.noaa.gov/sfa/hms/ and upon request from the HMS St. Petersburg Office. Also, a Technical Memorandum (NMFS-SEFSC-580) titled “Careful Release Protocols for Sea Turtle Release with Minimal Injury,” and a placard titled “Handling/Release Guidelines,” must be posted inside the wheelhouse.[196] These materials are available on the HMS Management Division website, or you can call (301) 427-8503 to request a waterproof copy.
- Must use the sea turtle handling and release gear to handle, release, and disentangle hooked or entangled sea turtles, prohibited sharks, or smalltooth sawfish.[197]
- If a smalltooth sawfish is caught, the fish should be kept in the water while maintaining water flow over the gills and the fish should be examined for research tags. All smalltooth sawfish must be released in a manner that will ensure maximum probability of survival, but without removing the fish from the water or any research tags from the fish.[198]
- Must immediately release any marine mammal, sea turtle, or smalltooth sawfish that is hooked or entangled, retrieve the bottom longline gear, and move at least 1 nmi from the location of the incident before resuming fishing. Reports of marine mammal entanglements must be submitted to NOAA Fisheries consistent with the marine mammal regulations.[199] The marine mammal mortality/injury reporting form is available at http://www.nmfs.noaa.gov/pr/pdfs/interactions/mmap_reporting_form.pdf or by calling (301) 713-2322.
- Must install and use a NOAA Fisheries-approved enhanced mobile transmitting unit (E-MTU) vessel monitoring system (VMS) as instructed, including whenever the vessel is away from port, if the vessel is between 33° 00’ N. lat. and 36° 30’ N. lat., and the Mid-Atlantic shark closed area is closed. Additional information on the VMS requirements is provided in Section 0.[200]

X. SHARK GILLNET GEAR RESTRICTIONS

PERMIT REQUIREMENTS FOR USE OF SHARK GILLNET GEAR

Only commercial shark fishermen may use gillnet gear in HMS fisheries.[201]

- These fishermen must possess a limited-access commercial (**Directed** or **Incidental**) federal shark limited access permit or, as of March 15, 2016, a **Smoothhound Shark** open access permit.[202]

Prior to renewing or obtaining a shark limited access permit, both the owner and operator must attend a Protected Species Safe Handling, Release, and Identification Workshop (Section XIX) and obtain a certificate. A copy of the workshop certificate must be included in the permit application package.[203]

- Vessels fishing with gillnet gear and holding a shark limited access permit must possess valid Protected Species Safe Handling, Release, and Identification Workshop certificates onboard for both the owner and operator.[204]

TIME/AREA CLOSURES FOR USE OF GILLNET GEAR

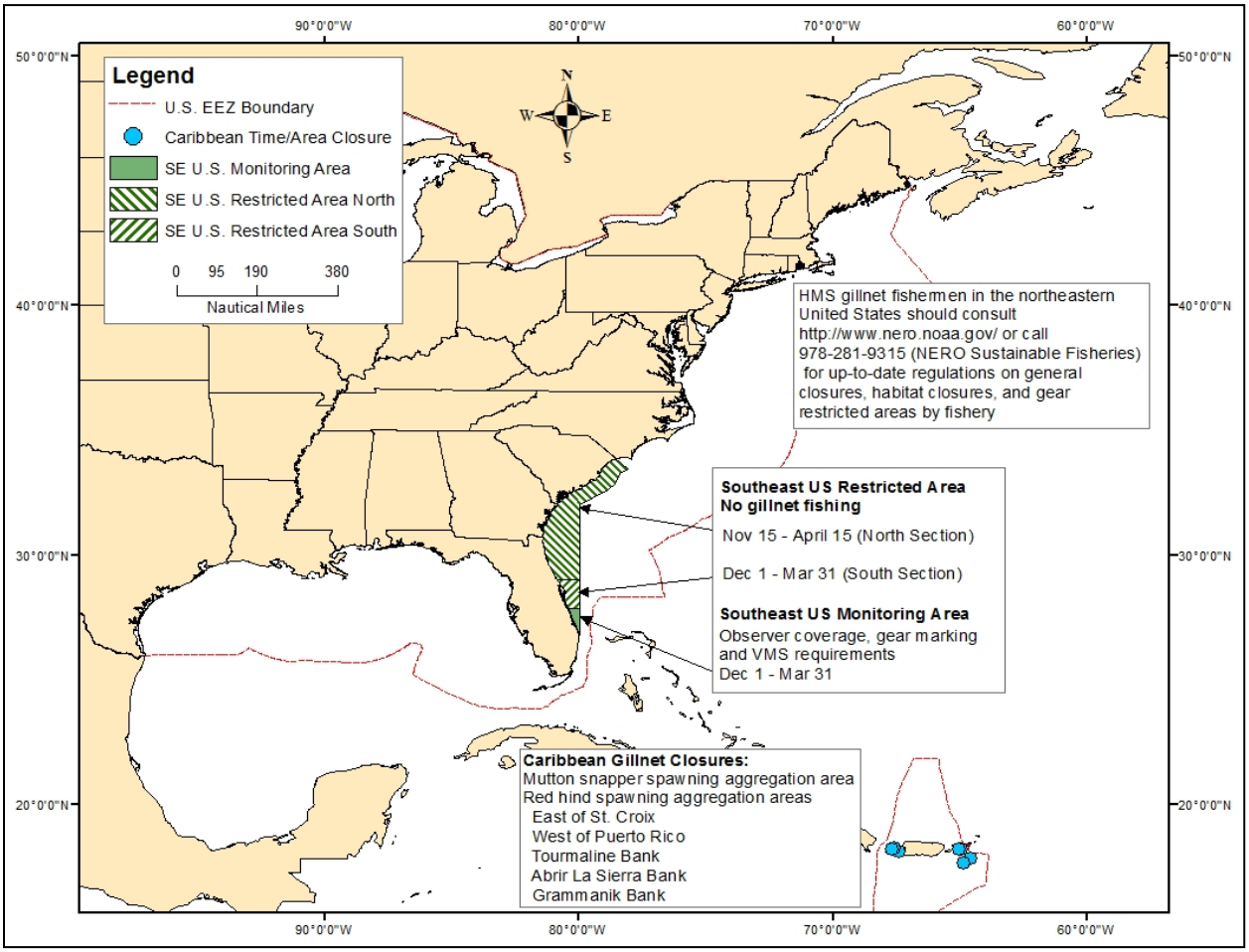


Figure 5 Time/area closures that restrict use of gillnet gear in the Atlantic Ocean, Gulf of Mexico, and Caribbean Sea. Additional closures for all gears are presented in Figure 2.

The gillnet time/area closures shown in Figure 5 are described in the following paragraphs. See also: Tortugas Marine Reserves, Madison-Swanson closed area, Steamboat Lumps closed area, and Edges 40

Fathom closed area descriptions in Section 0, which pertain to all HMS gears, including gillnet.

Southeast U.S. Restricted Area and Southeast U.S. Monitoring Area:[205] The Atlantic Large Whale Take Reduction Plan specifies a number of restrictions on fishermen using gillnet gear, including fishermen using shark gillnet gear (defined as gillnet gear with stretched mesh greater than or equal to 5 inches). Requirements in these areas include gear marking,[206] observer coverage, and vessel monitoring systems during times when the areas are not closed to gillnets. For more information, go to http://www.greateratlantic.fisheries.noaa.gov/Protected/whaletrp/ or call the Protected Resources Division at (978) 281-9328. The "Southeast Gillnet Gear Guide" is at http://www.greateratlantic.fisheries.noaa.gov/protected/whaletrp/outreach/index.html.

OTHER RESTRICTIONS FOR USE OF GILLNET GEAR

Vessels fishing with gillnet gear:

- Cannot fish for sharks with, or have on board, a gillnet with a total length of 2.5 km or more.[207]
- Until March 15, 2016, must keep the gillnet attached to at least one vessel at one end, except during net checks. A new rule becomes effective on March 15, 2016. As of that date, only drift gillnet gear will be required to be attached to the vessel; sink gillnet gear will NOT be required to be attached to the vessel.[208]
- Until March 15, 2016, must conduct net checks at least once every 2 hours to look for and remove any sea turtles, marine mammals, or smalltooth sawfish. A new rule becomes effective March 15, 2016. As of that date, vessels using drift gillnet gear will need to conduct net checks at least once every 2 hours to look for and remove any sea turtles, marine mammals, or smalltooth sawfish. Vessels using sink gillnet gear do not have to conduct net checks. [209]
- As of March 15, 2016, must limit soak times to 24 hours when using sink gillnet gear.[210]
- Cannot possess billfish, tuna, or swordfish.[211]
- If a listed whale is taken, the vessel operator must cease fishing operations immediately and contact NOAA Fisheries consistent with the marine mammal regulations.[212] The marine mammal mortality/injury reporting form is available online at http://www.nmfs.noaa.gov/pr/pdfs/interactions/mmap_reporting_form.pdf or by calling (301) 713-2322.
- Must keep smalltooth sawfish in the water while removing them from the gillnet.[213]
- Must install and use a NOAA Fisheries-approved enhanced mobile transmitting unit (E-MTU) vessel monitoring system (VMS) as instructed between December 1 and March 31, pursuant to the Atlantic large whale take reduction plan requirements for any vessel with a directed shark permit and gillnet gear onboard when in the vicinity of the Southeast U.S. Monitoring Area.[214]

XI. VESSEL MONITORING SYSTEM REQUIREMENTS

REQUIREMENTS TO INSTALL AND USE A VMS UNIT [215]

Pelagic longline vessels: All vessels with pelagic longline gear onboard.

Bottom longline vessels: All vessels with bottom longline gear onboard off South Carolina, North Carolina, and Virginia between 33°00'N and 36°30'N from January 1 through July 31.

Gillnet vessels: All vessels issued a directed shark limited access permit with gillnet gear onboard operating in the vicinity of the Southeast U.S. Monitoring Area from December 1 to March 31, pursuant to the requirements of the Atlantic large whale take reduction plan.

Purse Seine vessels: All vessels with purse seine gear onboard.

Vessel owners that are required to use a VMS in HMS fisheries may be eligible to receive reimbursement funds (up to $3,100/unit) for procuring Enhanced Mobile Transmitting Unit (E-MTU) VMS units. The reimbursement does not cover installation or communication costs. For more information, and to see if you are eligible, contact the VMS Support Center at (888) 219-9228 or the SE Office of Law Enforcement VMS Office at (800) 758-4833.

INSTALLATION, ACTIVATION, AND OPERATION

- The VMS hardware and communications service provider must be on the VMS type approval lists for use in HMS fisheries,[216] which is available at http://www.nmfs.noaa.gov/ole/about/our_programs/vessel_monitoring.html. All VMS units must be installed by a qualified marine electrician.[217]
- VMS units must always be on, operating, and reporting position data 24 hours and day, 7 days a week, and NMFS enforcement must receive these transmissions every hour without interruption. The only exception to this requirement is that vessel owners and/or operators that will not be fishing for extended periods of time, such as when placing the vessel in drydock for repairs or suspending all fishing activity for the off season, may apply for a documented power-down exemption for their vessel from NMFS Office of Law Enforcement.[218] The request must describe:
  - the reason an exemption is being requested;
  - the location of the vessel during the time an exemption is sought;
  - the exact time period for which an exemption is needed; and
  - sufficient information to determine that a power down exemption is appropriate.
- Vessel owners and/or operators experiencing unanticipated power outages or malfunctions in their VMS units should contact NMFS Office of Law Enforcement to notify them of the situation immediately and should not fish.[219] After a fishing trip during which interruption of automatic position reports has occurred, the vessel's owner or operator must have a qualified marine electrician replace or repair the VMS unit prior to the vessel's next trip.[220]
- Prior to leaving port for any trip, a vessel owner or operator must declare their target species and gear type(s) using the VMS terminal ("hail-out"). If the vessel is participating in multiple fisheries or switches to a different gear type or target species group, the vessel owner or operator must submit another declaration.[221]
- At least 3 hours, but no more than 12 hours, prior to landing, the vessel owner or operator must provide NOAA Fisheries advanced notice of landing ("hail-in") using the VMS terminal. For

trips that are expected to be completed in less than three hours, vessels have the option of making a hail-in declaration at the same time (or before) the "hail out" declaration (i.e., gear and target species declaration) is made.[222] After submission of the landing notification, a confirmation code is provided through the VMS. Please note that the confirmation code does not automatically give the fisherman permission to land and offload. It simply provides NMFS a confirmation that a landing notification was received by NMFS. The owner/operator is responsible for ensuring all regulations are followed.

- HMS permitted vessels that will not be targeting or retaining HMS for 2 or more consecutive fishing trips may "declare out" of the HMS fishery. Vessels that have declared out of the fishery will be exempted from hailing in and out for each trip so long as they continue to participate in non-HMS fisheries that do not also require VMS reporting. If the vessel is participating in a non-HMS fishery that requires VMS reporting, they will still be required to follow the VMS reporting requirements for the non-HMS fishery. HMS vessels that have declared out of the HMS fishery are still required to leave their VMS units on to provide hourly position reports, and are still required to follow all other HMS regulations (e.g., closed areas). Vessels that have declared out of the fishery may still land HMS if they catch them incidentally, but would have to first declare back into the HMS fishery by hailing out and hailing in at least three hours, and no more than twelve hours, before returning to port.[223]
- If the vessel operator is aware that transmission of the reports has been interrupted, the vessel operator must notify NOAA Fisheries and follow the instructions given. If a repair is needed, the vessel owner or operator must have a qualified marine electrician repair or replace the unit before the vessel's next trip.[224]

BLUEFIN CATCH REPORTING VIA VMS[225]

- *Vessels fishing with pelagic longline gear* must submit a "Highly Migratory Species Bluefin Tuna Catch Report" through VMS within 12 hours of completion of each pelagic longline set. Specifically, the report must include: 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 ranges), including reporting of zero bluefin on a set.
- *Vessels fishing with purse seine gear* must submit a "Highly Migratory Species Bluefin Tuna Catch Report" through VMS within 12 hours of completion of each purse seine set. Specifically, the report must include: 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), including reporting of zero bluefin on a set. [226]

XII. ELECTRONIC MONITORING (VIDEO CAMERA) SYSTEM REQUIREMENTS[227]

SCOPE OF ELECTRONIC MONITORING (EM) REQUIREMENT

As of June 1, 2015, a vessel with an Atlantic Tunas Longline permit may not depart on a fishing trip with pelagic longline gear onboard unless it has an installed, operable, and certified electronic monitoring (EM) system. An EM system consists of video cameras and related recording and sensing equipment (as explained under "Equipment" below).

- The requirement for an EM system includes any U.S. flagged vessel with an Atlantic Tunas Longline category permit with pelagic longline gear onboard, regardless of where it is fishing.
- A vessel with an Atlantic Tunas Longline category permit that does not have pelagic longline gear onboard is not required to install an electronic monitoring system.

INSTALLATION OF EM SYSTEMS

- Permit owner/operators (or their representatives) that intend to fish using an Atlantic Tunas Longline permit using pelagic longline gear must coordinate with NMFS or NMFS-approved contractors to install and test EM equipment.
- Permit owner/operators are required to make their vessel accessible to NMFS or NMFS-approved contractors to allow installation and testing, and certification of the EM equipment and training in the use of EM equipment. Permit owner/operators may be required to steam to a designated port within their geographic region to enable such installation.
- Vessel owners should call the NMFS-approved contractor, Saltwater Inc., at 1-800-770-3241 to schedule the date of installation and training at least one week in advance of the desired date of installation.
- Prior to the scheduled date of installation, vessel operators must purchase a fitting for the pressure side of the line of the drum hydraulic system. The fitting may be either "T" or inline, with a female ¼ inch threaded "National Pipe Thread" (NPT) port, to enable connection to the pressure transducer (a component of the EM system).
- NMFS may require vessel owners to make minor modifications to vessel equipment to facilitate installation and operation of the EM system. Such modifications might include, but are not limited to, installation of a fitting for the pressure side of the line of the drum hydraulic system, a power supply for the EM system and power switches/connections, additional lighting, or a mounting structure(s) for installation of the camera(s).
- The vessel owner and/or operator should provide information to the EM technician about the power supply and other vessel infrastructure, and other information as needed. A vessel assessment form is available from Saltwater Inc. at 1-800-770-3241 that includes all the information needed.
- Vessel operators need to be present during the entire day of installation to assist with camera placement; hydraulic fitting, skipper education, and certification.

FUNDING FOR INSTALLATION

If funds are available, owners of pelagic longline vessels may receive funding and/ or reimbursement for the some or all of the costs associated with installation of EM systems.

CERTIFICATION OF EM SYSTEM AND VESSEL MONITORING PLANS

- Unless authorized by NMFS, vessels may not depart on a fishing trip with pelagic longline gear onboard without a valid Certificate of Installation and Vessel Monitoring Plan on board.
- The NMFS-approved contractors will develop a written Vessel Monitoring Plan to document the standardized procedures relating to EM and facilitate communication of procedures to the vessel crew and to improve safety. The Vessel Monitoring Plan serves as a reference and instructional document on the vessel, and includes information on catch handling procedures that will result in capturing the required images; vessel-specific details on the installed equipment; and a log of any modifications made to the system and service and repair history.

RECORDING AND SUBMITTING DATA

- At the start of each trip, ensure the power is on, and check that it remains powered on through the duration of the trip. Cameras must be cleaned routinely and the EM components must not be tampered with.
- The permit owner/operator is responsible to ensure that all fish are handled in a safe manner that enables the electronic monitoring system to record such fish, and must identify a crew person or employee responsible for ensuring that all handling, retention, and sorting of bluefin tuna occurs in accordance with the regulations.
- The permit owner/operator must submit the electronic monitoring hard drives, according to instructions provided by NMFS or NMFS-approved contractors, within 48 hours of the completion of the trip.

EQUIPMENT

As explained in more detail below, vessels must, in accordance with instructions provided by NMFS or NMFS-approved contractors, install and maintain the following equipment, as components of an electronic monitoring system:

  - two to four video cameras
  - a recording device
  - video monitor
  - hydraulic pressure transducer
  - winch drum rotation sensor
  - system control box
  - GPS receiver, and
  - related support equipment needed to achieve the objectives (e.g., power supply, camera mounts, and lighting).
- Vessel owner/operators must allow inspection of the equipment by an authorized officer, or NMFS' designee.
- The EM system must include software to enable a test function so that the vessel operator may test the status of the system (i.e., whether it is fully functional) prior to each trip, and record the outcome of the test. A vessel operator may not depart on a pelagic longline trip unless the pre-trip test indicates that the system is fully functioning (unless authorized by NMFS).
- A fully functioning EM system must have cameras installed that provide a view of the area where the longline gear is retrieved and catch is removed from the hook (prior to placing in the hold or discarding boatside) and a requirement that the system be connected to the mechanical hauling device so that recording is initiated by gear retrieval.

Video Cameras:

- Video data are produced by digital IP (Internet protocol) video cameras at a resolution of no less than 720p (1280x720).

- The individual vessel systems must include no less than two cameras:
  - at least one camera to record clear, unobstructed, close-up images of the deck at the haul back station for species identification/length estimation, and
  - at least one camera to record activity along the side of the vessel at the water line of the haul back station to document animals that are caught and discarded but not brought aboard, as well as the disposition of that catch (released alive/dead).
- The frame rates of the footage will need to allow for ease of viewing. The cameras are not required to record audio.

GPS Receiver:

A GPS receiver is required to begin producing output at a rate of 1 Hz from the moment it receives power. This output, which includes location coordinates, velocity, and heading data, is directly logged by the control box.

Hydraulic & Drum Rotation Sensors:

- Hydraulic sensors are required to continuously monitor when the hydraulic pressure exceeds a specified threshold, thereby triggering a potential gear hauling state which would result in the video data being captured for later review.
- Drum rotation sensors must be used in a similar manner as the hydraulic pressure sensors. If the drum starts rotating, the system must trigger the video cameras to record.
- The combination of these two sensors must provide a mechanism to ensure that fishing activity, as instructed by NMFS, is captured on video.

EM Control Box & Monitor:

- The system must include a 'control box' to receive and store the raw data provided by the sensors. Removable hard drives with the capacity to store data must be maintained, as instructed by NMFS (e.g., adequate to store the data associated with a trip lasting approximately 30 days).
- A wheelhouse monitor must provide a graphical user interface for harvesters to monitor the state and performance of the control box and should include information such as: Current date and time synced via GPS, GPS coordinates, operational status of the external sensors (via red/green color-coding), presence of a data disk, percentage used of the data disk, and an estimate of recording time left, video recording status, etc.

Hydraulics:

- Vessels are required to have a hydraulic pressure transducer installed inline on the pressure side of the line drum hydraulic system.
- Vessels must install a hydraulic tee fitting with a ¼" National Pipe Thread (NPT) port prior to a scheduled EM installation so technicians can apply the transducer.

Power:

- Electronic monitoring systems are capable or being powered by both alternating current (AC) and direct current (DC) power. However, they are most efficiently and reliably powered through vessel DC circuits.
- If the EM system is to be powered by a DC circuit, free space on a 12-volt bus bar must be provided in the wheelhouse.
- If the EM systems are to be powered by AC circuits, vessels must provide an Uninterrupted Power Supply (UPS) in the wheelhouse.

Camera Mounts:

- In order to capture imagery of activity along the side of the vessel at the water line, cameras must be mounted outboard of the vessel rail.
- If determined during the vessel assessment that there are not suitable mounting structures onboard, vessels must provide a mount that allows a camera to be positioned to view the waterline outboard of the vessel rail.
- This mount must be fabricated prior to the scheduled install and made available at the time of install.

Lighting:

- Vessels must provide sufficient lighting for cameras to capture imagery on deck at the haul back station and along the vessel rail at the waterline.
- Vessels must clearly illuminate individual fish.

For technical questions regarding electronic monitoring systems, please call the NMFS-approved contractor, Saltwater Inc., at 1-800-770-3241.

XIII. PROTECTED SPECIES INTERACTIONS

Marine mammals, smalltooth sawfish, and sea turtles are all protected under the Marine Mammal Protection Act and/or the Endangered Species Act. Fishermen are prohibited from taking or harassing these animals and must follow certain requirements if one of these animals is incidentally caught or entangled in fishing gear. Pelagic longline, bottom longline, and gillnet vessels have specific actions and gear they are required to use to avoid interactions and release these animals if they are caught. For more information specific to those gears, see the appropriate section above.

MARINE MAMMALS

Pelagic longline fishermen are required to abide by the Pelagic Longline Take Reduction Plan regulations. These regulations are aimed at reducing interactions with long- and short-finned pilot whales and Risso's dolphins. The Plan includes a variety of regulations including a maximum mainline length of 20 nmi for all pelagic longline sets within the Mid-Atlantic Bight region and a requirement for all vessels fishing within the Cape Hatteras Special Research Area to be able to carry observers, participate in NOAA Fisheries-approved research, and maintain daily communications with other local vessel captains.[228] For additional information on the Pelagic Longline Take Reduction Plan, see http://www.nmfs.noaa.gov/pr/interactions/trt/pl-trt.htm

For large whales caught alive or dead and on the line, immediately contact the Atlantic Large Whale Disentanglement Network Hotline at: (800) 600-3622 or USCG VHF Channel 16 for instructions.

For small marine mammals, gently bring the mammal alongside the vessel and work the tangle off the mammal as quickly as possible. When a small marine mammal is hooked, if possible, cut off the barb of the hook with long handled bolt cutters, and then cut the line as close to the hook as possible. Do not use a tether, ninja sticks, or other devices designed for sea turtle dehooking or disentangling to control the animal. Marine mammal entanglements must be reported to NOAA Fisheries within 48 hours after the end of the trip. The reporting form is available from the Office of Protected Resources at (301) 713-2322 or at http://www.nmfs.noaa.gov/pr/pdfs/interactions/mmap_reporting_form.pdf.

SMALLTOOTH SAWFISH

All smalltooth sawfish must be released in a manner that will ensure maximum probability of survival, but without removing the fish from the water or any research tags from the fish. While attempting to dehook a smalltooth sawfish, the fish should be kept in the water while maintaining water flow over the gills and examined for research tags.[229] The animal should not be dehooked if the hook is in the rostrum; if the animal cannot be dehooked, cut the line as close to the hook as possible. If caught in a gillnet, smalltooth sawfish should not be removed from the water while removing from the gillnet.[230]

SEA TURTLES

Longline and gillnet vessels must possess and use sea turtle handling and release gear in compliance with NOAA Fisheries' careful release protocols. The required handling and release gears are fully described in the document titled "NMFS Approved Models for Equipment needed for the Careful Release of Sea Turtles Caught in Hook and Line Fisheries." The list of approved models of required gear is available on the HMS Management Division website at http://www.nmfs.noaa.gov/sfa/hms/ and upon request from the HMS St. Petersburg Office. Also, a Technical Memorandum (NMFS-SEFSC-580) titled "Careful Release Protocols for Sea Turtle Release with Minimal Injury," and a placard titled "Handling/Release Guidelines," must be posted inside the wheelhouse.[231] These materials are available on the HMS Management Division website, or you can call (301) 427-8503 to request a waterproof copy.

XIV. COMMERCIAL SHARK FISHING

REGIONAL MANAGEMENT GROUPS [232]

Sharks are divided into regional management groups (below) with separate quotas.[233] Call the HMS Management Division at (301) 427-8503 or visit http://www.nmfs.noaa.gov/sfa/hms/species/sharks/Landings/ for the current status of the regional shark quotas.

GULF OF MEXICO REGION
Aggregated Large Coastal Sharks (LCS): Bull, Lemon, Nurse, Silky, Spinner, Tiger, Sandbar **Blacktip Sharks** **Hammerhead Sharks**: Great hammerhead, Scalloped hammerhead, Smooth hammerhead **Non-Blacknose Small Coastal Sharks (SCS)**: Atlantic sharpnose, Bonnethead, Finetooth **Smoothhound Sharks**: smooth dogfish, Florida smoothhound, Gulf smoothhound
ATLANTIC REGION
Aggregated Large Coastal Sharks (LCS): Blacktip, Bull, Lemon, Nurse, Silky, Spinner, Tiger, Sandbar **Hammerhead Sharks**: Great hammerhead, Scalloped hammerhead, Smooth hammerhead **Non-Blacknose Small Coastal Sharks (SCS)**: Atlantic sharpnose, Bonnethead, Finetooth **Blacknose Sharks** (authorized south of 34° 00' N. latitude only) **Smoothhound Sharks**: smooth dogfish
ATLANTIC AND GULF OF MEXICO (COMBINED QUOTA)
Blue Sharks **Porbeagle Sharks** **Pelagic Sharks (other than Porbeagle or Blue)**: Common thresher, Oceanic whitetip, Shortfin mako

PERMITS

Generally, **directed shark permits** allow fishermen to target non-smoothhound sharks, while **incidental shark permits** allow fishermen who normally fish for other species to land a limited number of non-smoothhound sharks during the course of those operations.[234] See Section V for information about obtaining limited access permits.

As of March 15, 2016, the commercial **Smoothhound Shark permit** will allow fishermen to target and retain smoothhound sharks.[235] This permit is open access and may be held in combination with any other commercial HMS permit except the Commercial Caribbean Small Boat permit.

The **HMS Commercial Caribbean Small Boat permit** is open access, only valid in the U.S. Caribbean Region,[236] and may only be issued to vessels 45 feet or less in overall length.[237]

Fishermen who possess a shark limited access permit and use longline or gillnet gear must become certified at a Protected Species Safe Handling, Release, and Identification Workshop prior to obtaining or renewing a commercial shark limited access permit. Certificates expire, and must be renewed, every three years. Both the owner and operator of the vessel permitted for this fishery must have a workshop certificate onboard the vessel.[238] NOAA Fisheries also encourages commercial fishermen to attend an Atlantic Shark Identification Workshop to enhance identification of shark species (Section XIX).

SHARK RESEARCH FISHERY[239]

Each year, NOAA Fisheries accepts applications to participate in a shark research fishery. From the applications received, NOAA Fisheries randomly selects a small number of commercial vessels based

upon certain criteria to participate in the shark research fishery. Selected vessels are able to harvest sandbar sharks when a NOAA Fisheries-approved observer is onboard. Possession of sharks is subject to the modified retention limits for this research fishery. Commercial shark fishermen who are interested in participating in the shark research fishery need to submit a completed Shark Research Fishery Permit Application in order to be considered. For copies of the Shark Research Fishery Application during the application period announced each year, please visit http://www.nmfs.noaa.gov/sfa/hms/ or call the HMS Management Division at (301) 427-8503.

LANDING RESTRICTIONS

All sharks must have their fins, including the tail, naturally attached through offloading with the limited exception of smooth dogfish under certain limited conditions, as outlined below.[240] Fins may be cut as long as they remain naturally attached to the carcass with at least a small flap of uncut skin through landing and offloading. The fins and tail may be removed from the carcass once the shark has been landed and offloaded.[241]

Sharks may be eviscerated and have the heads removed at sea, but cannot have the backbone removed, be filleted, or cut into pieces at sea.[242] Once landed and offloaded, sharks that have been halved, quartered, filleted, cut up, or reduced in any manner may not be brought back onboard a vessel that has been issued or should have been issued a federal Atlantic commercial shark permit.[243]

As of March 15, 2016, smooth dogfish fins may be removed at sea provided the following conditions are met: 1) the vessel holds a Federal commercial smoothhound shark permit, 2) the fisherman/vessel holds a state commercial fishing permit valid for smooth dogfish fishing, 3) smooth dogfish are caught within 50 nm of shore from Maine through the boundary in Florida at 25º20.4' N. lat., proceeding due east, 4) at least 25 % of the retained catch, by weight, is smooth dogfish, 5) weight of smooth dogfish fins on board does not exceed 12 % of the smooth dogfish carcass weight.[244]

FISHING SEASONS AND CLOSURE DATES

The fishing year for shark fisheries starts on January 1 and continues through December 31 of every year.[245] The fishing seasons for specified shark fisheries are contingent on the available quotas and do not open until the date that NOAA Fisheries publishes in the Federal Register. Once NOAA Fisheries estimates that 80 percent of the quota of any unlinked management group (e.g., Gulf of Mexico blacktip or pelagic sharks) has been caught, the fishing season for that species/management group closes no fewer than five days after publication of filing a closure notice in the Federal Register. When landings of either of linked management groups reach, or are expected to reach, 80 percent of the quota, fishing for both management groups will close no fewer than five days after publication of filing a closure notice in the Federal Register. The following management groups are linked:

- Atlantic hammerhead sharks and Atlantic aggregated LCS;
- Eastern Gulf of Mexico hammerhead sharks and eastern Gulf of Mexico aggregated LCS;
- Western Gulf of Mexico hammerhead sharks and western Gulf of Mexico aggregated LCS; and
- Atlantic blacknose and Atlantic non-blacknose SCS south of 34°00' N. latitude.

Additionally, NOAA Fisheries may close the regional or sub-regional Gulf of Mexico blacktip shark management group before landings reach, or are expected to reach, 80 percent of the quota. NOAA Fisheries will send out a notice to the HMS listserv, and post the announcement on the website no fewer than five days ahead of the closure effective date. Regardless of the status of the available quota, all shark fisheries close on December 31 (the end of the fishing year) of every year until the opening date NOAA Fisheries publishes in the Federal Register. [246]

FISHING REGIONS

The commercial quotas for some shark management groups are split between two regions, the Gulf of Mexico and the Atlantic. The **boundary** between the Gulf of Mexico region and the Atlantic region is defined as a line beginning on the east coast of Florida at the mainland at 25º20.4' N. lat., proceeding due east.[247]

Gulf of Mexico

Any water and land to the south and west of 25º20.4' N. lat. This includes the U.S. Caribbean. The Gulf of Mexico region is split, along 88° 00' W. long., into western and eastern Gulf of Mexico sub-regions for all blacktip, aggregated LCS, and hammerhead sharks.

Atlantic

Any water and land to the north and east of 25º20.4' N. lat. Blacknose sharks may only be commercially harvested south of 34° 00' N. lat. (approximately at Wilmington, North Carolina).

The commercial quotas for other management groups are not split between regions.[248] When a region is closed for a particular species/management group, fishermen in that region cannot possess or sell that species/management group and dealers in that region cannot buy species in that group from federally-permitted fishermen.[249]

TIME/AREA CLOSURES

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 SHARKS

Atlantic sharks and legally landed shark fins from vessels with a federal shark limited access permit or, as of March 15, 2016, a smoothhound shark open access permit, may be sold **only** to federally-permitted shark dealers and only when the fishery for that species/management group is open.[250] Dealers may obtain an Atlantic shark dealer permit by contacting the Southeast Regional Permit Office at (727) 824-5326.

PUBLIC DISPLAY OF SHARKS

Please see the HMS website http://www.nmfs.noaa.gov/sfa/hms/ for more information on Exempted Fishing, Scientific Research, and Display permits. Dusky sharks are not authorized to be collected for public display.[251]

REPORTING REQUIREMENTS

Logbooks

Selected fishermen with a commercial shark permit must report fishing activities in an approved logbook within 48 hours of completing that day's fishing activities, or before offloading, whichever is sooner. Logbooks must be species-specific and must be postmarked within seven days of offloading. Logbook reports must include weighout slips that have all fin and carcass weights recorded and that show 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. A weighout slip for sharks prior to, or as part of, a commercial transaction involving shark carcasses or fins must record the weights of carcasses and any detached fins. All fins must be weighed in conjunction with the weighing of the carcasses at the vessel's first point of landing and must adhere to established allowable fin-to-carcass weight ratios. NOAA Fisheries requires the submission of a "No Fishing" reporting form if no trips occurred during the preceding month.[252]

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.[253]

All dealer reports must be species-specific and specify the total shark fin weight separately from the weight of the shark carcasses.[254] Dealer forms include a check box for Atlantic shark dealers to indicate whether fins were naturally attached to the carcass at landing and through offloading.

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. No retention of sharks is authorized under this permit at this time.

NOAA Fisheries Observer Program[255]

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

VMS REQUIREMENTS

Vessels with shark permits that use pelagic or bottom longline gear or gillnet gear may be required to install and use VMS (see Section 0).

RETENTION OF SMOOTHHOUND SHARKS CAUGHT INCIDENTALLY IN TRAWL GEAR

As of March 15, 2016, smoothhound sharks incidentally caught in trawl gear may be retained only if the total smoothhound catch on board or offloaded does not exceed 25 percent of the total catch by weight and the vessel has been issued a smoothhound shark permit.

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 waters[257] 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 www (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]

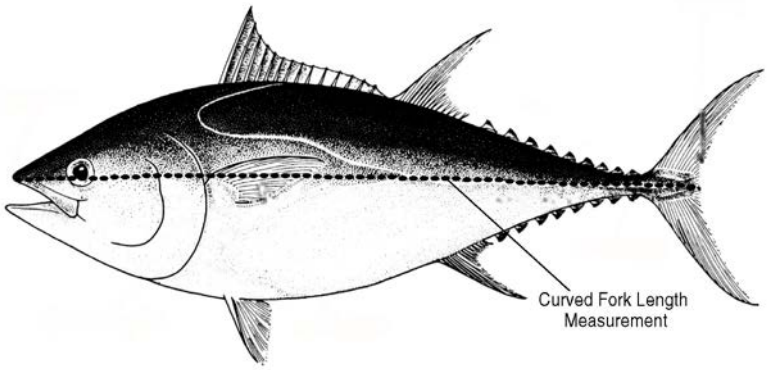
Regulations pertaining to the **General** category and **HMS Charter/Headboat** category (when fishing commercially) require that all fishing for any species must cease and the vessel must immediately return to port to off-load when the large medium or giant bluefin tuna bag limit is retained or possessed. 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 45calendar 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



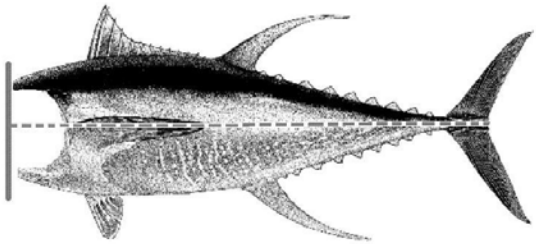
For enforcement purposes, total curved fork length (CFL) is the sole criterion for determining the size class of whole (with head) Atlantic tunas.[280] CFL is measured by tracing the contour of the body from the tip of the upper jaw to the fork of the tail in a line that runs along the top of the pectoral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



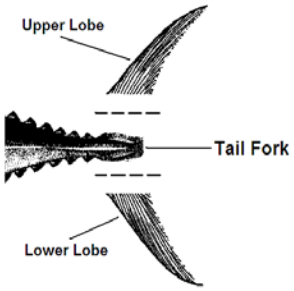
Forward edge of the cut Fork of the tail

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 ranges[304]). 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 Program[312]

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 QUOTA[313]

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]

XVI. COMMERCIAL SWORDFISH FISHING

PERMITS

Generally, **directed** or **handgear** swordfish permits allow fishermen to target swordfish while **incidental** permits allow fishermen who normally fish for other species to land a limited number of swordfish during the course of those operations..[316]

Limited Access Permits

A **Directed permit** allows fishermen to target swordfish using any authorized gear.[317] Directed permits are valid only when the permit holder also has both an Atlantic tunas Longline category permit and an Atlantic shark limited access permit.[318] There are no trip limits for swordfish when the directed fishery is open.*[319]

A **Handgear permit** allows fishermen to target swordfish using only handgear (handline, buoy gear, rod and reel, harpoon, bandit gear). If longline gear is onboard the vessel, any swordfish onboard the vessel will be deemed to have been harvested with longline gear.[320] No other permit is required to land swordfish.[321] There are no trip limits for swordfish when the directed fishery is open.*[322]

An **Incidental permit** allows fishermen to land swordfish incidental to the catch from other fishing activities.[323] Incidental permits are not subject to vessel upgrading restrictions.[324] Incidental swordfish permits are valid only when held in combination with both a valid Atlantic tunas Longline category permit and an Atlantic shark limited access permit.[325] The incidental limits are 30 fish per vessel per trip for most gear types.[326] Incidental permit holders may not possess or utilize buoy gear.[327]

Open Access Permits

A **Swordfish General Commercial permit** allows fishermen to fish for, retain, and sell a limited number of swordfish caught on rod and reel, handline, harpoon, green-stick, or bandit gear.[328] No other permit is required to land swordfish. Permit holders must comply with the regional retention limit (which may range from 0-6 swordfish) specified for the region in which the vessel is located.[329]

An **HMS Commercial Caribbean Small Boat permit** is valid only in the U.S. Caribbean and allows fishermen to retain 2 swordfish per vessel per trip.[330]

An **HMS Charter/Headboat permit** allows fishermen to fish for, retain, and sell a limited number of swordfish caught on rod and reel or handline, but only on non-for-hire trips.[331] No other permit is required to land swordfish. Permit holders must comply with the regional retention limits (ranging from 0-6 swordfish) specified for the region in which the vessel is located.[332]

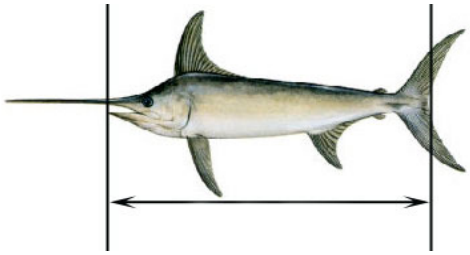
An **incidental HMS Squid Trawl permit** is available to all valid *Illex* squid moratorium permit holders.[333] The permit allows 15 North Atlantic swordfish to be retained per trip, provided that squid constitute 75 percent (by weight) of the total catch onboard and only trawl gear is on the vessel.[334]

Both the owner and operator of a vessel using longline gear must become certified at a Protected Species Safe Handling, Release, and Identification Workshop and obtain a certificate prior to renewing or obtaining a commercial swordfish directed or incidental limited access permit. Certificates are valid for three years. A copy of the valid workshop certificate must be included in the permit application package. For more information on workshops, see Section XIX.[335]

* When the directed North Atlantic fishery is closed, fishermen may keep 15 swordfish from the North Atlantic Ocean (north of 5° N lat.) per pelagic longline trip, two swordfish per trip for handgear (other than harpoon), and no swordfish per trip for harpoon trips. There are no retention limits for swordfish in the South Atlantic Ocean (south of 5° N lat.) when the directed fishery is open and pelagic longline gear is on board; however, when the South Atlantic fishery is closed, fishermen cannot keep any South Atlantic swordfish. Please check with the HMS Management Division at (301) 427-8503 to see if the fishery is closed or if retention limits have been adjusted.

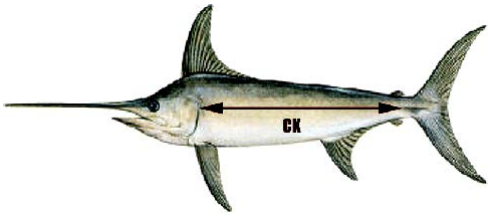
MINIMUM SIZE

There are two permissible ways to measure swordfish for the minimum size requirement. The type of measurement used to determine if a swordfish is of legal size depends on whether or not the head is naturally attached to the carcass.



Lower Jaw Fork Length (LJFL)

If the head is naturally attached (i.e., no portion of the head has been removed, except that the bill can be removed forward of the anterior tip of the lower jaw), **the fish must be at least 47 inches (119 cm) LJFL**.[336] LJFL is a straight-line measurement (not along the curve of the body) from the anterior tip of the lower jaw to the fork of the tail.[337] In the case of a swordfish that has been damaged by shark bites, but from which no portion of the head has been removed, the remainder of the carcass must be at least 47 inches LJFL.[338]



Cleithrum to Caudal Keel (CK)

If the head or any portion of the head has been removed, the fish must be at least 25 inches (63 cm) CK.[339] CK is a curved length measurement taken along the body contour from the cleithrum (the semicircular bony structure at the posterior edge of the gill opening) to the caudal keel.[340] In the case of a swordfish that has been damaged by shark bites, and from which any portion of the head has been removed, the remainder of the carcass must be at least equal to or greater than 25 inches CK.[341]

LANDING RESTRICTIONS

Swordfish must be kept in whole or dressed form through landing.[342] **Dressed** indicates a headed/gutted fish with some or all fins removed. Swordfish cannot be filleted or cut into pieces at sea.[343]

A swordfish will be deemed to have been harvested by longline gear when the fish is onboard or offloaded from a vessel that has longline gear onboard.[344]

FISHING SEASONS AND CLOSURE DATES[345]

There are two seasons for swordfish: January 1 – June 30 and July 1 – December 31.

QUOTA MONITORING REGIONS[346]

There are two regions for swordfish quota monitoring, the North Atlantic (north of 5° N latitude) and the South Atlantic (south of 5° N latitude).

TIME/AREA CLOSURES

For information on existing time and area closures, refer to Sections 0 through X of this guide, or call the HMS Management Division at (301) 427-8503.

SELLING SWORDFISH

Atlantic swordfish may be sold only by fishermen with commercial limited access permits, a Swordfish General Commercial permit, an HMS Commercial Caribbean Small Boat permit, an HMS Charter/Headboat permit (on a non-for-hire trip), or an Incidental HMS Squid Trawl permit. Except for HMS Commercial Caribbean Small Boat permit holders, all federally-permitted fishermen may sell swordfish only to federally-permitted dealers. Swordfish landed by HMS Commercial Caribbean Small Boat permit holders may be sold to dealers and non-dealers.[347]

REPORTING REQUIREMENTS

Logbooks

If selected, fishermen with a commercial swordfish permit must report fishing activities in an approved logbook within 48 hours of each day's fishing activities, or before offloading for one-day trips, whichever is sooner, and submit the logbook within 7 days of offloading. 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 requires the submission of a "No Fishing" reporting form if no trips occurred during the preceding month.[348]

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.[349]

Vessels with Pelagic Longline Gear Onboard

See Section VII for additional reporting requirements (including bluefin tuna interactions).

Incidental HMS Squid Trawl Permit

Vessels issued an Incidental Squid Trawl permit should report their swordfish landings using the Northeast Vessel Trip Report (VTR).

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 Program[350]

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

ANNUAL QUOTAS

The overall U.S. domestic annual quota for swordfish is negotiated at ICCAT. NMFS domestically adjusts the quotas annually based on over- and under-harvests, the number of fish discarded, and changes in the amount allocated to the United States at ICCAT.[351] Please contact the HMS Management Division at (301) 427-8503 or by fax at (301) 713-1927 for the latest quota information. 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.

VMS REQUIREMENTS

Vessels with swordfish permits that use pelagic longline gear are required to install and use VMS. See Section 0 for details.

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]

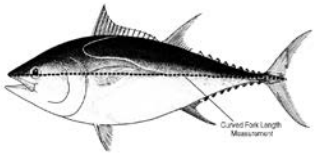
Headboat: A vessel that holds a valid Certificate of Inspection issued by the U.S. Coast Guard to carry passengers for-hire.[357]

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 TYPES[359]

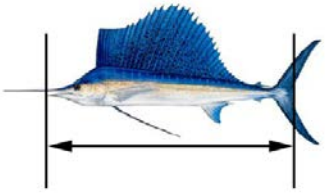
Billfish		Rod & reel
Swordfish		Rod & reel; Handline
Sharks		Rod & reel; Handline
Tunas	**Bluefin**	Rod & reel (including downriggers); Handline; Green-stick; Bandit gear
	BAYS	Rod & reel (including downriggers); Handline; Green-stick; Bandit gear; Speargun (speargun is authorized for recreational BAYS 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]	1 per paying passenger; up to 6 per vessel per trip[366]
	Headboat Vessels	47 inches LJFL or 25 inches CK[367]	1 per paying passenger; up to 15 per vessel per trip[368]
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)	May vary by season and/or size class
		Large medium/Giant (73 inches CFL or more)	1 per vessel per year ("trophy" fish)
	General category (commercial)	73 inches CFL[373]	May vary in season
Sharks (excluding prohibited species)**	Atlantic sharpnose	N/A	1 per person per trip[374]
	Bonnethead	N/A	1 per person per trip[375]
	Smoothhound sharks***	N/A	N/A
	Hammerheads (Great, Smooth, and Scalloped)	78 inches FL[376]	1 per vessel per trip[377]
	All other sharks	54 inches FL[378]	

* 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 tuna[390] (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.**

XVIII. OBSERVER COVERAGE[401]

NOAA Fisheries observers collect biological information on all HMS and other fishes caught in the commercial fishery. Observers note information recorded on logbooks such as the gear used, fishing location, and the number of fish caught and discarded, as well as information not reported on logbook forms, including the species, sex, and size of fish. This information is used in stock assessments and to help NOAA Fisheries verify logbook information. NOTE: Observers only observe fishing activities and are *not* to be considered crew or deckhands. Observers are *not* to be used in place of a certified dealer or proxy for HMS identification purposes.

The observer must have access to navigation equipment, logbook records, communication equipment, and other equipment in order to perform his/her job. The observer must be given free and unobstructed access to the vessel's bridge, working decks, scales, holds, and any other space used to hold, process, weigh, or store fish. The observer must be provided accommodations and food that are equivalent to those provided to the crew. The observer is *not* an enforcement officer; however, data gathered by the observer may be used in support of enforcement. The observer may be able to offer help to fishermen in reviewing safe handling and gear removal techniques; however, the observer may not assist in the removal of fishing gear from trapped sea turtles.

Requirements to Carry a NOAA Fisheries Observer[402]

Fishermen who are notified by NOAA Fisheries that their vessel is selected must inform NOAA Fisheries prior to each fishing trip taken during the selection period. NOAA Fisheries will either assign an observer to the trip or issue a waiver of observer coverage for that trip. When NOAA Fisheries assigns an observer, that observer *must* be onboard in order for that vessel to go fishing. Fishermen that are selected and continue to fish without an observer, or without contacting the observer program office prior to each fishing trip taken during the selection period, may be subject to enforcement action, including the assessment of penalties and sanctions.

In order to carry a NOAA Fisheries observer, the vessel must comply with certain regulatory requirements regarding observer accommodations and health and safety. These regulations include having a valid U.S. Coast Guard safety decal, having a useable life raft that will fit everyone on the vessel, including the observer, and providing the observer with the same accommodations as an officer on the crew. Inability or failure to comply with those requirements does not relieve a vessel of the requirement to carry an observer if selected. Additional information on how to comply with the observer requirements is included in the selection notification package.

Harassing an observer or preventing an observer from carrying out his/her duties is illegal.

Pelagic Observer Program

http://www.sefsc.noaa.gov/fisheries/observers/pelagic.htm
popobserver@noaa.gov
(800) 858-0624

Shark Bottom Longline Observer Program

http://www.sefsc.noaa.gov/labs/panama/ob/bottomlineobserver.htm

Southeast Gillnet Observer Program

http://www.sefsc.noaa.gov/labs/panama/ob/gillnet.htm

Northeast Fisheries Observer Program

http://www.nefsc.noaa.gov/fsb/

XIX. HMS WORKSHOPS

PROTECTED SPECIES SAFE HANDLING, RELEASE, AND IDENTIFICATION

The objective of the **Protected Species Safe Handling, Release and Identification Workshops** is to provide fishermen with the skills to reduce the mortality of protected species consistent with the Biological Opinions and Take Reduction Plans for the pelagic longline and shark fisheries, respectively. These workshops are designed to educate longline and gillnet fishermen on the proper techniques for safe handling and release of entangled or hooked protected species, such as sea turtles, marine mammals, and smalltooth sawfish. Identification of protected species will also be taught at these workshops in an effort to improve reporting.

All owners of vessels issued commercial shark and swordfish directed or incidental limited access permits that use longline or gillnet gear on their vessel must become certified at a Protected Species Safe Handling, Release and Identification Workshop. Certificates expire, and must be renewed, every three years. At least one operator onboard these vessels, if different from the vessel owner, must also attend the workshop. Both the vessel owner and operator must attend the workshop and become certified prior to renewing the vessel's shark and swordfish limited access permit. Accordingly, two safe handling, release, and identification workshop certificates must be on board vessels with longline or gillnet gear – one issued to the vessel owner, even if the owner is not on board, and a second issued to the vessel operator. Applications for renewals or transfers will not be considered complete and a vessel permit will not be issued until a valid workshop certificate from the vessel owner is presented. Vessels may not fish unless both an owner certificate and at least one operator certificate are on board the vessel.[403]

Vessel owner and operators that are required to attend a protected species safe handling, release, and identification workshop <u>may not</u> send someone else (i.e., a proxy) to a workshop instead of attending themselves.[404] Crew members may attend workshops; however, crew members are not required to attend workshops. Vessel owners and operators are not required to train crew members on safe handling, release, and identification of protected species, but are strongly encouraged to share the information with their crew.

ATLANTIC SHARK IDENTIFICATION

The objective of the **Atlantic Shark Identification Workshops** is to reduce the number of unknown and improperly identified sharks reported in the dealer reporting form and increase the accuracy of species-specific dealer reported information. Reducing the number of unknown and improperly identified sharks will improve quota monitoring and the data used in stock assessments. These workshops are required for shark dealer permit holders or their proxies to train them on how to properly identify Atlantic shark carcasses. Shark fishermen, or any fishermen who may catch sharks, are also encouraged to attend.

All federally-permitted Atlantic shark dealers, or their proxies, must attend an Atlantic Shark Identification Workshop before renewing their permit.[405] Additionally, HMS Commercial Caribbean Small Boat permit holders may be required to attend a workshop and receive a certificate if shark retention limits are set above zero (0) fish. A valid workshop "dealer" or "proxy" certificate must be available at every location which first receives sharks under a dealer permit. Trucks or other conveyances which are extensions of a dealer's place of business, must possess a copy of a valid workshop certificate. Permitted shark dealers will be issued a workshop "dealer" certificate for each location authorized to first receive sharks under a dealer permit. Dealer proxies will be issued a "proxy" workshop certificate. If a permitted shark dealer chooses to send a proxy to a workshop, instead of

attending themselves, a proxy from every business location authorized to first receive sharks under the dealer's permit must attend a shark identification workshop. A proxy must be a person who is currently employed by a business authorized to first receive sharks under the dealer's permit; is a primary participant in the identification, weighing, and/or first receipt of fish as they are offloaded from a vessel; and is involved in filling out dealer reports. Applications for Atlantic shark dealer permit renewals will not be considered complete and a renewal will not be issued unless a valid "dealer" or "proxy" workshop certification is presented for each location which first receives sharks under a dealer permit.[406]

Persons holding an expired Atlantic shark dealer permit, and persons who intend to apply for a new Atlantic shark dealer permit, will be issued a "participant" certificate in their name upon successful completion of the Atlantic shark identification workshop. A "participant" certificate may be used only to apply for an Atlantic shark dealer permit. After an Atlantic shark dealer permit is issued to a person using an Atlantic shark identification workshop "participant" certificate, such person may obtain an Atlantic shark identification workshop "dealer" certificate for each location which first receives Atlantic sharks by contacting NOAA Fisheries at an address designated by NOAA Fisheries.[407]

WORKSHOP RENEWAL/RESTRICTIONS

All Protected Species Safe Handling, Release and Identification and Atlantic Shark Identification Workshop certificates are **valid for 3 years and must be renewed prior to the expiration date on the certificate**.[408] Workshop dates and locations will be listed on the HMS website: http://www.nmfs.noaa.gov/sfa/hms/. The list is available by calling the HMS Management Division at (301) 427-8503.

Please note that workshop certificates are not transferable[409] because the person issued the certificate is responsible for being familiar with the techniques and protocols for the safe handling and release of protected species or the proper identification of Atlantic shark carcasses. An individual interested in receiving an HMS vessel permit for use with longline or gillnet gear or a shark dealer permit must first attend a workshop, obtain a participant certification, and submit a copy of the certificate with the application for the appropriate HMS permit. After they receive the appropriate HMS permit, the vessel owner or shark dealer may obtain the appropriate workshop certificate.

XX. CONTACTS

ATLANTIC HIGHLY MIGRATORY SPECIES MANAGEMENT DIVISION

Chief: Margo Schulze-Haugen | http://www.nmfs.noaa.gov/sfa/hms/ | (301) 427-8503

Topics	Office	Contact Information
Commercial swordfish Sharks Exempted fishing permits Atlantic HMS news list Pelagic and bottom longline Protected species Shark and swordfish LAPs	HMS Headquarters Office	Phone: (301) 427-8503 Fax:(301) 713-1917 NMFS/SF1 1315 East-West Highway Silver Spring, MD 20910
Atlantic tunas Bluefin tuna dealer reporting Bluefin tuna catch document program Charter/Headboat operations International trade permit	HMS Gloucester Office	Phone: (978) 281-9260 Fax: (978) 281-9340 NMFS/SF1 55 Great Republic Drive Gloucester, MA 01930-2298
Billfishes Swordfish Tournaments Billfish certificate of eligibility Pelagic longline Workshops	HMS St. Petersburg Office	Phone:(727) 824-5399 Fax: (727) 824-5398 NMFS HMS 263 13th Avenue South St. Petersburg, FL 33701

FISHING AND DEALER PERMITS

Atlantic tunas longline permit Shark and swordfish vessel and dealer permits	NMFS Southeast Regional Permit Office http://sero.nmfs.noaa.gov/operations_management_information_services/constituency_services_branch/permits/index.html	Phone: (727) 824-5326 263 13th Ave. South St. Petersburg, FL 33701
Atlantic tunas (General, Harpoon, or Purse Seine*), HMS Charter/headboat, Swordfish General Commercial, and HMS Angling vessel permits	NMFS HMS Permits Shop https://hmspermits.noaa.gov/ *Purse Seine permits are limited access	Phone: (888) 872-8862 Dial "0" to speak with an associate.
Atlantic tunas dealer permit Incidental HMS squid trawl permit	NMFS Greater Atlantic Permit Office http://www.greateratlantic.fisheries.noaa.gov/aps/permits/	Phone: (978) 281-9370 Fax: (978) 281-9366 55 Great Republic Drive Gloucester, MA 01930

DEALER REPORTING (eDEALER)

HMSDealerReports@noaa.gov	http://www.nmfs.noaa.gov/sfa/hms/compliance/edealer/index.html	(301) 427-8590
Bluefin Tuna Dealer Reports	FAX to: (877) 883-8001	(978) 281-9260

VESSEL MONITORING SYSTEMS (VMS)

Kelly Spalding	National VMS Program Manager	(301) 427-2300
Matt Walia	Southeast VMS Program	(727) 824-5334 (800) 758-4833

ELECTRONIC MONITORING SYSTEMS (EM)	
Saltwater, Inc (NMFS-approved contractor)	(800) 770-3241

INDIVIDUAL BLUEFIN QUOTA (IBQ) SYSTEM		
HMS Customer Service Team	NMFS.HMS.IBQ@noaa.gov	(301) 427-8591

NMFS LAW ENFORCEMENT OFFICES

FL	Marathon	(305) 743-3110
	Niceville	(850) 729-8628
	Port Orange	(386) 492-6686
	St. Petersburg	(727) 824-5344
	Sunrise	(954) 746-4160
LA	Slidell	(985) 643-6232
MA	Boston	(617) 565-1800
	East Falmouth	(508) 495-2147
	Gloucester	(978) 281-9213
	New Bedford	(508) 992-7711
MD	Salisbury	(443) 736-7158
ME	Portland	(207) 780-3241
	Ellsworth	(207) 664-0508
NC	Morehead City	(252) 726-0314
NH	New Castle	(603) 436-3186
NJ	Marmora	(609) 390-8303
	Wall	(732) 280-6490
NY	Bellport	(631) 776-1734
PR	Aguadilla	(787) 508-5403
SC	N. Charleston	(843) 554-9896
TX	Galveston	(409) 770-0812
	Harlingen	(956) 423-3450
VA	Newport News	(757) 595-2692

The NMFS Office of Law Enforcement maintains a 24-hour hotline for the public to report potential violations of Atlantic HMS regulations. This number should be used only to report potential violations, not for general information, concerning Atlantic HMS.

24-Hour Enforcement Hotline: (800) 853-1964

U.S. COAST GUARD

Commercial vessels are subject to the Fishing Vessel Safety Act of 1988.

Coast Guard Commercial Fishing Vessel Safety Program: www.fishsafe.info

Local Coast Guard offices:

Maine to New York	(617) 223-8440
New Jersey to North Carolina	(757) 398-6554
South Carolina to Florida	(305) 415-6868
Gulf of Mexico	(504) 671-2154

COOPERATIVE TAGGING PROGRAMS

For tuna, billfish, or swordfish tagging kits or to report a tag recovery: (800) 437-3936

For a shark tagging kit or to report a tag recovery:

Apex Predators Investigation	(401) 782-3320 or (877) 826-2612
NOAA/NMFS/NEFSC	Website: http://na.nefsc.noaa.gov/sharks/
28 Tarzwell Drive	E-mail: sharkrecap@noaa.gov
Narragansett, RI 02882-1152, USA	

MARYLAND AND NORTH CAROLINA RECREATIONAL CATCH CARDS

To report recreational landings of bluefin tuna, swordfish, or billfish in North Carolina or Maryland:

North Carolina Harvest Tagging Program:	(800) 338-7804
Maryland Department of Natural Resources:	(410) 213-1531

STATE FISHERIES AND WILDLIFE AGENCIES

State	Agency and Website	Phone
Maine	ME Department of Marine Resources http://www.state.me.us/dmr/index.htm	(207) 624-6550
New Hampshire	NH Fish and Game http://www.wildlife.state.nh.us/	(603) 868-1095
Massachusetts	MA Division of Marine Fisheries http://www.mass.gov/dfwele/dmf/	(617) 626-1520
Rhode Island	RI Department of Environmental Management http://www.dem.ri.gov/	(401) 789-3094
Connecticut	CT Department of Environmental Protection http://www.ct.gov/dep/site/default.asp	(860) 424-3000
New York	NY Department of Environmental Conservation http://www.dec.ny.gov/	(631) 444-0430
New Jersey	NJ Fish and Wildlife http://www.state.nj.us/dep/fgw/	(609) 292-2083
Delaware	DE Division of Fish and Wildlife http://www.fw.delaware.gov/Pages/FWPortal.aspx	(302) 739-9914
Maryland	MD Department of Natural Resources http://www.dnr.state.md.us/	(410) 260-8264 (877) 620-8367
Virginia	VA Marine Resources Commission http://www.mrc.state.va.us/	(757) 247-2200
North Carolina	NC Division of Marine Fisheries http://www.ncfisheries.net/	(252) 808-8013 (800) 682-2632
South Carolina	SC Department of Natural Resources http://www.dnr.sc.gov/	(843) 953-9312
Georgia	GA Department of Natural Resources http://www.gadnr.org/	(912) 264-7218
Florida	FL Fish and Wildlife Conservation Commission http://www.floridaconservation.org/	(850) 487-0554
Alabama	AL Department of Conservation and Natural Resources http://www.outdooralabama.com/	(251) 861-2882 (251) 968-7576
Louisiana	LA Department of Wildlife and Fisheries http://www.wlf.louisiana.gov/	(225) 765-2800
Mississippi	MS Department of Marine Resources http://www.dmr.state.ms.us/	(228) 523-4078
Texas	TX Parks and Wildlife Department http://www.tpwd.state.tx.us/	(512) 389-4800 (800) 792-1112
Puerto Rico	Caribbean Fishery Management Council http://www.caribbeanfmc.com/	(787) 766-5927
U.S. Virgin Islands	Caribbean Fishery Management Council http://www.caribbeanfmc.com/	(787) 766-5927

References to the Electronic Code of Federal Regulations

The following links are references to the electronic Code of Federal Regulations (eCFR). Each endnote ([1, 2, 3,] etc.) within this guide directs you to this page. By clicking, your internet browser will be directed to the specific location in the eCFR that states the regulations provided in this guide.

Title 50 Wildlife and Fisheries

Introduction to Atlantic Highly Migratory Species Management

[1] 635.4
[2] 635.4(a)(10)
[3] 635.31(b)(1)
[4] 635.19(c)

QUICK REFERENCE: ATLANTIC SHARK REGULATIONS

[5] 635.24(a)
[6] Part 635 Appendix A
[7] 635.21(c)(1)(ii)
[8] 635.24(a)(9)
[9] 635.27(b)(1)(i) and 635.24(a)(1)
[10] 635.27(b)(1)(i)(D)
[11] Part 635 Appendix A
[12] 635.24(a)(5)
[13] 635.27(b)(1) and 635.24(a)(5)
[14] 635.24(a)(6) and 635.21(a)(1)
[15] 635.4(e), (l), (m), & (o)
[16] 635.8(a) & (c)
[17] 635.4(e), (l), (m), & (o)
[18] 635.24(a)(2)&(3)&(4)&(7)
[19] 635.24(a)(2)
[20] 635.2
[21] 635.27(b)(1)
[22] 635.28(b)
[23] 635.19 (d)
[24] 635.30(c)
[25] 635.30(c)(5)

QUICK REFERENCE: ATLANTIC TUNAS REGULATIONS

[26] 635.2
[27] 635.1(b)
[28] 622.2
[29] 635.4(b), (d), & (o)
[30] 635.1(b)
[31] 635.24(c)
[32] 635.19 (b)
[33] 635.19 (b)
[34] 635.4(o)(3)
[35] 635.19(b)
[36] 635.2
[37] 635.2, 635.23
[38] 635.20(c)
[39] 635.20(c)
[40] 635.30(a)
[41] 635.2, 635.23, 635.20(b)
[42] 635.20(c)(3)

QUICK REFERENCE: ATLANTIC SWORDFISH REGULATIONS

[43] 622.2
[44] 635.4(f)(2)
[45] 635.4(n)
[46] 635.28(c)(1)
[47] 635.24(b)(1)
[48] 635.28(c)(1)
[49] 635.24(b)(3)
[50] 635.24(b)(4)
[51] 635.24(b)(2), 635.28(c)(1)
[52] 635.27(c)(1)(ii)
[53] 635.28(c)(1)(ii)
[54] 635.27(c)(1)(ii)
[55] 635.19(e)
[56] 635.27(c)(1)(ii)
[57] 635.19(e)(2)
[58] 635.2
[59] 635.2
[60] 635.2
[61] 635.20(f)(2)
[62] 635.20(f)(1)
[63] 635.2
[64] 635.20(f)
[65] 635.30(d)
[66] 635.2
[67] 635.30(d)
[68] 635.24(b)(4)(i)
[69] 635.24(b)(4)

GEAR TYPES AND AUTHORIZATIONS

[70] 635.19(a)
[71] 635.2
[72] 635.21(d)
[73] 635.21(b)
[74] 635.21(b)
[75] 635.21(e)
[76] 635.2
[77] 635.2
[78] 600.10
[79] 600.10
[80] 635.21(e)(3)
[81] 635.2
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[85] 635.2
[86] 635.2
[87] 635.6(c)
[88] 635.21(h)
[89] 635.2
[90] 635.2
[91] 600.10
[92] 600.10
[93] 635.2
[94] 635.2
[95] 635.2
[96] 600.10
[97] 635.21(e)

[98] 635.21(e)(2)
[99] 635.2
[100] 635.21(i)
[101] 600.10
[102] 635.6(c)
[103] 635.21(b) 635.19(a)

COMMERCIAL FISHING PERMITS

[104] 635.4(d)(4), (e)(2), (f)(2), (l), & (m)
[104] 635.4(d)(4), (e)(2), (f)(2), (l), & (m)
[105] 635.4(m)(1)
[106] 635.4(m)(2)
[107] 635.8(a)
[108] 635.4(l)(2)
[109] 635.19
[110] 635.21(i)
[111] 635.4(d)(4) & (f)(4), 635.19(b)
[112] 635.21(i)
[113] 635.2, 635.21(f)
[114] 635.19(e)(3)
[115] 635.19(e)(5)
[116] 635.19(e)(4)
[117] 635.4(n)
[118] 635.19(d)
[119] 635.19(d)
[120] 635.19(b)
[121] 635.23(g)
[122] 635.21(j)

GENERAL RESTRICTIONS

[123] 635.21(3)(i), 622.74(c)
[124] 635.21(a)(3)(ii)&(iii)
[125] 635.2
[126] 635.21(a)(3)(iii)
[127] 635.21(a)(3)(iv)
[128] 635.2
[129] 635.21(a)(1), 635.24(a)(6)
[130] 635.21(a)(2)
[131] 635.6(a) & (b)
[132] 300 subpart B
[133] 635.4(a)(10)
[134] 635.29

PELAGIC LONGLINE RESTRICTIONS

[135] 635.8(a)
[136] 635.4(d)(4), (f)(4), (l)(2)(ix), 635.19(b)
[137] 635.19(d)
[138] 635.4
[139] 635.8(a)
[140] 635.21(b)(2)
[141] 229.36(d)(3) - PLTRP
[142] 635.21(d)(3)
[143] 635.21(c)(1)(i)
[144] Part 635 Appendix A Table 2
[145] 635.21(c)(2)(i)
[146] 635.2
[147] 635.21(c)(2)(v)
[148] 635.14(b), 635.21(c)(3)

[149] 635.14(c)
[150] 635.2
[151] 229.36(d)(1) - PLTRP
[152] 635.21(c)(2)(ii)
[153] 635.2
[154] 635.21(c)(2)(iii)
[155] 635.2
[156] 635.21(c)(2)(iv)
[157] 635.2
[158] 635.21(c)(2)(vi)
[159] 635.2
[160] 635.21(c)(2)(vii)
[161] 635.2
[162] 635.15
[163] 635.15(b)(2)
[164] 635.23(f)(2)
[165] 635.15(b)(3)
[166] 635.15(b)(8)
[167] 635.21(c)(5)(iii)(B)
[168] 635.21(c)(5)(iii)(B)(2)
[169] 635.21(c)(4)
[170] 635.23(f)(2)
[171] 635.19(c)
[172] 635.21(b)(1)
[173] 635.21(c)(5)(iii)(A)
[174] 635.21(b)(4)
[175] 635.21(b)(3)
[176] 229.36(e) - PLTRP
[177] 229.36(c) - PLTRP
[178] 635.21(c)(1)(ii)
[179] 635.69(a)

BOTTOM LONGLINE RESTRICTIONS

[180] 635.8(a)
[181] 635.4(e), 635.19(d)
[182] 635.19(b) & (e)
[183]635.8(a) 635.8(a)
[184] 635.21(b)(2)
[185] 635.21(c)(1)(i)
[186] 635.21(d)(3)
[187] Part 635 Appendix A Table 3
[188] 635.21(d)(1)(i)
[189] 635.2
[190] 635.21(d)(ii), 622.435(a)(2)(i) - (iii)
[191] 635.21(d)(iii), 622.183(a)(1)(i)
[192] 622.74(b)
[193] 622.74(a)
[194] 635.21(b)(4)
[195] 635.19(c)
[196] 635.21(b)(1), (c)(5)(i), (d)(2)(i)
[197] 635.21(d)(2)
[198] 635.21(d)(2)(ii)
[199] 635.21(b)(3)
[200] 635.69(a)(2)

SHARK GILLNET GEAR RESTRICTIONS

[201] 635.21(e)(1), (2), (3), and (4g)
[202] 635.21(e)(3) 635.19(d)

[203] 635.8(a)
[204] 635.8(a)
[205] 229.32, 635.21(g)(1)
[206] 229.32(b)
[207] 635.21(g)(4)
[208] 635.21(g)(2)
[209] 635.21(g)(2)
[210] 635.21(g)(3)
[211] 635.19 (b), (c), (e)
[212] 635.21(g)(1)
[213] 635.21(g)(2)&(3)
[214] 635.69(a)(3)

VESSEL MONITORING SYSTEM REQUIREMENTS
[215] 635.69(a)
[216] 635.69(b) &(c)
[217] 635.69(d)
[218] 635.69(e)(1)
[219] 635.69(f)
[220] 635.69(g)
[221] 635.69(e)(2)
[222] 635.69(e)(3)
[226] 635.69(e)(5)
[223] 635.69(e)(5)
[224] 635.69(f), (g)
[225] 635.69(e)(4)
[226] 635.69(e)(4)(ii)

ELECTRONIC MONITORING (VIDEO CAMERA) SYSTEM REQUIREMENTS
[227] 635.9
[228] 229.36
[229] 635.21(d)(2)(ii)
[230] 635.21(e)(3)
[231] 635.21(b), (c), (d)

COMMERCIAL SHARK FISHING
[232] Part 635 Appendix A Table 1
[233] 635.2, 635.27(b), Part 635 Appendix A
[234] 635.24(a)(2) - (4)
[235] 635.4(e)(4)
[236] 622.2
[237] 635.4(o)(2)
[238] 635.8(a) & (c)
[239] 635.32(f), (g), 635.24(a)(1)
[240] 635.30(c)(1)&(2)
[241] 635.30(c)(2)
[242] 635.30(c)(2)
[243] 635.30(c)(3)
[244] 635.30(c)(5)
[245] 635.2
[246] 635.28(b) and635.27(b)(2)
[247] 635.27(b)
[248] 635.27(b)(1)(iii)
[249] 635.28(b)(2) - (3)
[250] 635.31(c)(1) - (2)
[251] 635.27(b)(2)(iii)
[252] 635.5(a)(1) - (2)
[253] 635.5(a)(1)

[254] 635.5(b)(1)(i)
[255] 635.7

COMMERCIAL TUNA FISHING

[256] 635.2
[257] 635.1(b)
[258] 635.4(d)(1)
[259] 635.71 (b)(23), 635.23(b)(1) - (2), (c)(1) - (2)
[260] 635.4(d)(5)
[261] 635.4(d)(2), 635.23(a)
[262] 635.20(c)(1), (3)
[263] 635.23(d)
[264] 635.20(c)(1), (3)
[265] 635.23(e)(1)
[266] 635.23(e)(2)
[267] 635.20(c)(1) & (3)
[268] 635.4(d)(4), (l)(2)(ix)
[269] 635.23(f)
[270] 635.23(f), 635.15(b)(3), (4), (8)
[271] 635.20(c)(1)&(3)
[272] 635.23(g)
[273] 635.24(c)
[274] 635.20(c)(1)&(3)
[275] 635.4(o)(4)
[276] 635.4(o)(2)
[277] 635.23(a)(3) & (b)(2)(ii)
[278] 635.4(j)(3)
[279] 635.4 (d)(3)
[280] 635.20(a)
[281] 635.2
[282] 635.23(a), (d), (e), (f)
[283] 635.20(b)
[284] 635.2
[285] 635.30(a)
[286] 635.30(a)
[287] 635.29
[288] 635.2
[289] 635.28(a)
[290] 635.27(a)(1)(i)(A)&(iii)
[291] 635.27(a)(1)(i)(B)&(iii)
[292] 635.27(a)(1)(i)(C)&(iii)
[293] 635.27(a)(1)(i)(D)&(iii)
[294] 635.27(a)(1)(i)(E)&(iii)
[295] 635.2 – season; 635.27(a)(3) – quotas
[296] 635.2 – season; 635.27(a)(3) – quotas
[297] 635.27(a)(4)(i)
[298] 635.2
[299] 635.27(a)(5)
[300] 635.23(a)(2)
[301] 635.31(a)(2)&(2)
[302] 635.4(o)(5)
[303] 635.5(a)(4)
[304] 635.69(e)(4)
[305] 635.15(b)(8)
[306] 635.5(b)(2)(i)(A)
[307] 635.5(b)(2)(ii)
[308] 635.5(b)(2)

[309] 635.5(a)(3)
[310] 635.5(a)(1)
[311] 635.5(a)(1)&(2)
[312] 635.7
[313] 635.27(e)
[314] 635.69(a)
[315] 635.9(a)

COMMERCIAL SWORDFISH FISHING

[316]635.24(b) (1), (2), & (3)
[316] 635.24(b) (1), (2), & (3)
[317] 635.19(e)
[318] 635.4(f)(4)
[319] 635.24(b), 635.28(c)(1)(i)
[320] 635.19(e)(3)
[321] 635.4(f)
[322] 635.24(b), 635.28(c)(1)(i)
[323] 635.24(b)(1)
[324] 635.4(l)(2)
[325] 635.4(f)(4)
[326] 635.24(b)(1)
[327] 635.19(e)(3)
[328] 635.4(f)(1), 635.21(e)(4)(v)
[329] 635.24(b)(4)(ii)
[330] 635.24(b)(3)
[331] 635.4(f)(1) - (2), 635.19(e)(4)
[332] 635.24(b)(4)(ii)
[333] 635.4(n)
[334] 635.24(b)(2)
[335] 635.8
[336] 635.20(f)(1)
[337] 635.2
[338] 635.20(f)(1)
[339] 635.20(f)(2)
[340] 635.2
[341] 635.20(f)(2)
[342] 635.30(d)
[343] 635.2
[344] 635.19(e)(3)
[345] 635.2, 635.27(c)(1)
[346] 635.27(c)(1)
[347] 635.31(d)(1) and 635.4(o)(5)
[348] 635.5(a)(1)-(2)
[349] 635.5(a)(1)&(2)
[350] 635.7
[351] 635.27(c)
[352] 635.9(a)

CHARTER/HEADBOAT FISHING

[353] 635.4(b)
[354] 635.2
[355] 635.4(b)(1) & (f)(5)
[356] 600.10 - def
[357] 600.10 - def
[358] 635.4(b)(2)
[359] 635.19
[360] 635.20(d)(1)
[361] 635.20(d)(2)

[362] 635.20(d)(4)
[363] 635.20(d)(3)
[364] 635.22 (b)
[365] 635.20(f)
[366] 635.22(f)(1)
[367] 635.20(f)
[368] 635.22(f)(2)
[369] 635.20(c)
[370] 635.20(c)
[371] 635.22(d)
[372] 635.2;635.20(c), 635.23(b) & (c)
[373] 635.2;635.20(c), 635.23(a) & (c)
[374] 635.20(e)(3), 635.23(c)(3)
[375] 635.20(e)(3), 635.23(c)(3)
[376] 635.20(e)(4)
[377] 635.22 (c)(1)
[378] 635.20(e)(2)
[379] 635.4(a)(10)
[380] 635.22(a)(2)
[381] 635.31
[382] 635.22(c)(1)
[383] 635.19(d)
[384] 635.22(c)(1)
[385] 635.4(b), (f)(1), (m)(2), 635.22(f)
[386] 635.4(f)(2), 635.24(b)(4)(ii)
[387] 635.4(b), (f)(1), (m)(2), 635.27(c)(1)(i)(D)
[388] 635.23(c)
[389] 635.23(c)(1)
[390] 635.4(d)(1) & (2) and 635.31(a)(1)
[391] 635.23(c)(3)
[392] 635.4(d)(1) & (2) and 635.31(a)(1)
[393] 635.31(b)(1)
[394] 635.5(a)(4)
[395] 635.5(a)(1)
[396] 635.7(a)
[397] 635.5(c)(2)
[398] 635.5(c)(1)
[399] 635.5(d)
[400] 635.5(f)

OBSERVER COVERAGE

[401] 635.7
[402] 635.7

HMS WORKSHOPS

[403] 635.8(a)
[404] 635.8(c)(5), 635.8(c)(7)
[405] 635.8(b)
[406] 635.8(b)
[407] 635.8(b)
[408] 635.8 (c)(1); 635.8(c)(6)
[409] 635.8(c)(5)