

Science, Service, Stewardship

# HMS Commercial Compliance Guide

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



Published April 2014

Office of Sustainable Fisheries  
Highly Migratory Species  
Management Division



# Introduction to Atlantic Highly Migratory Species Management



Atlantic highly migratory species (HMS) include tunas, swordfish, sharks, and billfish. 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 billfish.

Important regulatory changes and re-issues (corrections) since previous versions of the Compliance Guide include, *but are not limited to*, the following:

Effective Date	Description of Change
<b>April 2014</b>	<b>HMS Website Addresses:</b> The HMS website has been updated, and includes changes to some of the addresses to specific topics throughout this guide. The address to the main webpage for the HMS Management Division, however, remains the same: <a href="http://www.nmfs.noaa.gov/sfa/hms/">http://www.nmfs.noaa.gov/sfa/hms/</a>
<b>November 15, 2013</b>	<b>Vessel Monitoring System (VMS):</b> Vessel owners or operators who have been issued HMS permits and are required to use VMS must provide hourly position reports 24 hours a day, 7 days a week (24/7) via VMS. Vessel owners or operators of such vessels may declare out of the HMS fishery when not fishing for or retaining HMS for a period of time encompassing two or more trips.
<i>August 29, 2013</i>	<b>Correction to Recreational reporting of bluefin tuna:</b> All recreational bluefin tuna landings, regardless of whether they are entered in a registered HMS tournament or not, must be reported to NOAA Fisheries by the permit holder within 24 hours of landing. (Section XV)
<b>August 20, 2013</b>	<b>Commercial Swordfish Fishing:</b> A new open-access commercial fishing vessel permit called the “Swordfish General Commercial permit” became available for the 2014 fishing year. Additionally, the HMS Charter/Headboat permit has been modified to allow for the commercial retention of swordfish under certain conditions on non-for-hire trips upon issuance of a 2014 permit. Retention limits, gear authorizations, and reporting requirements are described in Sections III, XIV, and throughout this guide.
<b>August 2, 2013</b>	The minimum size for <b>hammerhead sharks</b> (great, smooth, and scalloped) is now 78 inches fork length for <b>charter/headboats</b> when recreationally fishing. (Sections XII and I)
<i>July 25, 2013</i>	<b>Correction to HMS Permits web address:</b> The address for the HMS permits website (HMS Angling, HMS Charter/headboat, Atlantic Tunas General category,

and Swordfish General Commercial permits) has been corrected to <http://hmspermits.noaa.gov>. (Throughout guide)

**July 3, 2013**

**Shark Fishing:** New shark management groups and quota linkages have been created for commercial fishermen. (Section XII)

This version of the Commercial Compliance Guide replaces all previous guides and is produced in compliance with section 212 of the Small Business Regulatory Enforcement Fairness Act. **Endnotes** (<sup>1</sup>, <sup>2</sup>, <sup>3</sup>, etc.) are in the final chapter of this guide, and refer to the locations of the regulations in the Code of Federal Regulations (Title 50 Wildlife and Fisheries). In the electronic version of this guide, citations are to the electronic version of the Code of Federal Regulations. Clicking the endnote hyperlinks in the final chapter will open your internet browser to the section containing the regulation in the CFR.

Harvest of **billfishes** (i.e., white or blue marlin, sailfish, roundscale spearfish, and longbill spearfish) for commercial purposes is **prohibited**.<sup>1</sup> Limited recreational landings of white or blue marlin, sailfish, and roundscale spearfish are permitted 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 **only** when participating in a registered Atlantic HMS tournament.<sup>2</sup>

Commercial fishermen must hold the appropriate federal vessel permit in order to harvest and sell Atlantic sharks, tunas, and swordfish.<sup>3</sup> **NOAA Fisheries does not broker permits**; new entrants in limited access fisheries are responsible for finding permit holders who are interested in selling and transferring their permits. 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**.<sup>4</sup>

Since fishery rules frequently change, it is **your responsibility as a fisherman** to become familiar with the latest regulatory updates and to comply with the current official regulations. For a comprehensive list of updated Atlantic HMS regulations, please refer to the Electronic Code of Federal Regulations (50 CFR part 635 at <http://www.ecfr.gov/>). **If there is a discrepancy between the summary in this document and the regulations in 50 CFR part 635, the regulations will take precedence.**

For updates on **Atlantic sharks, swordfish, or tunas**, you may visit the HMS webpage at <http://www.nmfs.noaa.gov/sfa/hms/>, call the HMS Management Division located in Silver Spring, Maryland, at (301) 427-8503, or sign up for **Atlantic HMS News**, an electronic newsletter, at [http://www.nmfs.noaa.gov/sfa/hms/news/news\\_list/index.html](http://www.nmfs.noaa.gov/sfa/hms/news/news_list/index.html). Updates on **Atlantic tunas**, such as bluefin tuna quota monitoring or retention limits, can be found by visiting <http://hmspermits.noaa.gov> or by calling the Atlantic Tunas Information Line at (888) 872-8862. For more detailed information on tunas, contact the HMS Management Division in Gloucester, Massachusetts at (978) 281-9260.

To request a copy of a particular rule or for current updates, call the NOAA Fisheries HMS Management Division at (301) 427-8503 or visit the HMS website at <http://www.nmfs.noaa.gov/sfa/hms/>.

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# I. QUICK REFERENCE: ATLANTIC SHARK REGULATIONS

AUTHORIZED SPECIES <sup>5,6</sup>			
Large Coastal Sharks (LCS)		Small Coastal Sharks (SCS)	Pelagic Sharks
Blacktip	Nurse	Atlantic sharpnose	Blue
Bull	Sandbar***	Blacknose	Common thresher
Hammerhead, great**	Silky**	Bonnethead	Oceanic whitetip**
Hammerhead, scalloped**	Spinner	Finetooth	Porbeagle
Hammerhead, smooth**	Tiger		Shortfin mako
Lemon			
<p>* For management purposes, these species are divided into regional management groups (section XII).</p> <p>** These sharks may not be retained, transshipped, landed, stored, or sold by vessels with pelagic longline gear onboard. Charter/headboat vessels cannot possess these sharks while in possession of tunas, swordfish, or billfish.</p> <p>*** Sandbar sharks can only be retained by vessels selected to participate in the shark research fishery, subject to the retention limits established by NOAA Fisheries, and only when a NOAA Fisheries-approved observer is onboard.</p>			
PROHIBITED SPECIES <sup>7,8</sup>			
Atlantic angel	Bignose	Longfinmako	Sixgill
Basking	Caribbean reef	Narrowtooth	Smalltail
Bigeye sand tiger	Caribbean sharpnose	Night	Whale
Bigeyesixgill	Dusky	Sand tiger	White
Bigeye thresher	Galapagos	Sevengill	
PERMITS <sup>9,10</sup>			
<p>To harvest Atlantic sharks, vessel owners <i>must</i> obtain a valid Atlantic shark <b>Directed</b> or <b>Incidental</b> limited access permit. When the relevant retention limit allows, an open access <b>HMS Commercial Caribbean Small Boat permit</b> may be used to harvest Atlantic sharks. The shark retention limit for this permit is set at zero at this time.</p> <p>NOAA Fisheries does not issue new commercial shark limited access permits. To enter the fishery, fishermen must obtain a permit from a permit holder who is leaving the fishery. Limited access permits may be transferred between vessels and are subject to upgrading restrictions. Prior to renewing or obtaining a shark limited access permit, both the vessel owner and operator must become certified at a Protected Species Safe Handling, Release and Identification Workshop if fishing with longline or gillnet gear.</p> <p>The HMS Commercial Caribbean Small Boat is open access and only valid in the U.S. Caribbean Region<sup>11</sup> (shark retention limit set at zero at this time). Contact the Southeast Regional Office at (727) 824-5326 for information on commercial shark permits.</p>			
RETENTION LIMITS <sup>12</sup>			
<b>Directed permit</b>	36 LCS per vessel per trip. No retention limits for pelagic or SCS.		
<b>Incidental permit</b>	3 LCS per vessel per trip. 16 pelagic or SCS (combined) per vessel per trip.		
<b>HMS Commercial Caribbean Small Boat permit</b>	0 sharks per vessel per trip.		

<b>AUTHORIZED GEARS<sup>13</sup></b>	
<b>Longline**</b>	Bottom or pelagic***
<b>Handgear</b>	Rod and reel, handline, and bandit gear
<b>Gillnet</b>	A gillnet cannot be longer than 2.5 km, must be attached to the vessel at one end while fishing (except during net checks), and is subject to additional restrictions in place in the Southeast Restricted Areas (North and South) between November 15 and April 15 every year per the Atlantic Large Whale Take Reduction Plan (ALWTRP) regulations. <sup>14</sup> Gillnet checks <i>must</i> be conducted at least every 2 hours.
<b>HMS Commercial Caribbean Small Boat permit</b>	Rod and reel, handline, and bandit gear.
<p>** All commercial longline vessels <i>must</i> have handling and release gear and corrodible hooks on board. Fishermen using pelagic longline gear also need to comply with other hook, bait, and gear requirements.<sup>15,16</sup></p> <p>*** Vessels with pelagic longline gear onboard are not authorized to possess, retain, transship, store, or land hammerhead sharks (great, smooth, or scalloped), oceanic whitetip, or silky sharks.<sup>17</sup></p> <p><u>Other gear notes:</u> <b>Vessel Monitoring System (VMS)</b> requirements apply for all pelagic longline, certain bottom longline, and shark gillnet vessels.<sup>18</sup> There are several closed areas, some of which apply to all gear types.<sup>19</sup> See the appropriate section of this guide, HMS webpage, or eCFR for more details and locations of area closures.</p>	
<b>MINIMUM SIZES</b>	
At this time, there is no commercial minimum size for Atlantic sharks.	
<b>LANDING RESTRICTIONS</b>	
<b>All sharks must have their fins naturally attached through offloading.</b> Fins may be cut as long as they remain naturally attached to the carcass by at least a small flap of uncut skin. Sharks may be eviscerated and the heads may be removed, but they cannot be filleted or cut into pieces at sea. <sup>20</sup>	
<b>ADDITIONAL REMARKS</b>	
<p>There are two regional quotas [Gulf of Mexico (including the U.S. Caribbean) and Atlantic] for aggregated LCS, hammerhead sharks, non-blacknose SCS, and blacknose sharks; there is one regional quota for Gulf of Mexico blacktip and pelagic sharks.<sup>21</sup></p> <p><b>The commercial fishing year is January 1 through December 31.</b> Open fishing seasons vary depending on available quota and other factors.<sup>22,23</sup> Specified shark fishing seasons will close when 80% of quota is reached or projected to be reached, with 5 days' notice.<sup>24</sup></p>	

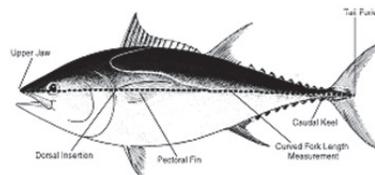
## II. QUICK REFERENCE: ATLANTIC TUNAS REGULATIONS

<b>AUTHORIZED SPECIES</b>	
Atlantic bluefin tuna; and bigeye, albacore, yellowfin, and skipjack (BAYS) tunas <sup>25</sup>	
<b>PERMITS</b>	
<p>Vessel owners must obtain an <b>Atlantic tunas, Atlantic HMS Charter/Headboat</b>, or an <b>HMS Commercial Caribbean Small Boat permit</b> (valid only in the U.S. Caribbean Region<sup>26</sup>) for their vessel to harvest regulated Atlantic tunas within the territorial sea of the United States adjacent to, and within the boundaries of, certain states.<sup>27, 28</sup> Only one type of permit (i.e., Atlantic tunas or HMS Charter/Headboat, or the Commercial Caribbean Small boat permit) may be issued to a vessel per year.<sup>29</sup></p> <p>Information on Atlantic tunas permits can be obtained by calling (888) 872-8862 or by visiting <a href="http://hmspermits.noaa.gov">http://hmspermits.noaa.gov</a>. For information about the limited access Atlantic Tunas Longline category permit or the HMS Commercial Caribbean Small Boat permit, call the Southeast Regional Office at (727) 824-5326.</p>	
<b>RETENTION LIMITS</b>	
<p>There are regional and seasonal differences in the number of tunas that may be kept for some permit types. Please visit <a href="http://hmspermits.noaa.gov">http://hmspermits.noaa.gov</a> or call the Atlantic Tunas Information Line at (888) 872-8862 or (978) 281-9260 for more information. HMS Commercial Caribbean Small Boat permit holders may retain up to 10 BAYS tunas per vessel per trip.<sup>30</sup></p>	
<b>AUTHORIZED GEARS<sup>31</sup></b>	
<b>Bluefin Tuna</b>	
<b>HMS Charter/Headboat</b>	Rod and reel (incl. downriggers), bandit, green-stick, handline
<b>General category</b>	Rod and reel (incl. downriggers), bandit, green-stick, handline, harpoon
<b>Harpoon category</b>	Harpoon
<b>Trap category</b>	Pound net and fish weir
<b>Purse Seine category</b>	Purse seine (mesh and inspection restrictions apply)
<b>Longline category(incidental ONLY)*</b>	Longline and green-stick (no directed fishery; limited incidental allowance based on 'target' catch in the pelagic longline fisheries for swordfish and other tunas)
<p>* If fishing with longline gear, both the vessel owner and operator must become certified at a Protected Species Safe Handling, Release and Identification Workshop. All commercial longline vessels must have handling and release gear and corrodible hooks on board. Fishermen using pelagic longline gear also need to comply with other hook, bait, and gear requirements.<sup>32</sup> Vessels with pelagic longline gear onboard are not authorized to possess, retain, transship, store, or land hammerhead sharks (great, smooth, and scalloped), oceanic whitetip, or silky sharks.<sup>33</sup> Vessel Monitoring System (VMS) requirements apply to pelagic longline vessels.<sup>34</sup></p>	
<b>BAYS Tunas</b>	
<p>The gear types authorized for bluefin tuna (listed above) are also authorized for BAYS tunas, regardless of permit category, except trap<sup>35</sup>, purse seine, and longline gear. Purse seine or Longline category permits must be held to use purse seine or longline gears to fish for BAYS tunas.</p> <p><b>The HMS Commercial Caribbean Small Boat permit</b> may be used to fish for BAYS tunas with rod and reel, bandit, green-stick, handline, harpoon, buoy gear.</p>	

Other Gear Notes: There are several closed areas, some of which apply to all gear types.<sup>36</sup> See the appropriate section of this guide, the HMS webpage, or 50 CFR part 635 for more details and locations of area closures.

**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.<sup>37</sup>



**Curved Fork Length (CFL)**

<b>Bluefin tuna</b>	73 inches (186 cm) CFL <sup>38</sup> , with some additional restrictions by permit type
<b>Bigeye tuna</b>	27 inches (69 cm) CFL <sup>39</sup>
<b>Yellowfin tuna</b>	27 inches (69 cm) CFL <sup>40</sup>
<b>Albacore and skipjack tunas</b>	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.<sup>41</sup>

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 length.<sup>42</sup>

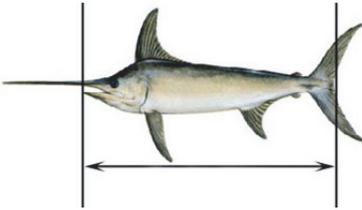
Commercial permit holders may *not* remove the head of a bigeye tuna or yellowfin tuna if the remaining portion would be less than 27 inches (69 cm) from the fork of the tail to the forward edge of the cut.<sup>43</sup>

**ADDITIONAL REMARKS**

Federal regulations for tunas apply in all waters (i.e., shoreline to the outermost boundary of the EEZ) of the Atlantic Ocean, including the Gulf of Mexico and Caribbean Sea, except for the state waters of Maine, Connecticut, and Mississippi.<sup>44</sup>

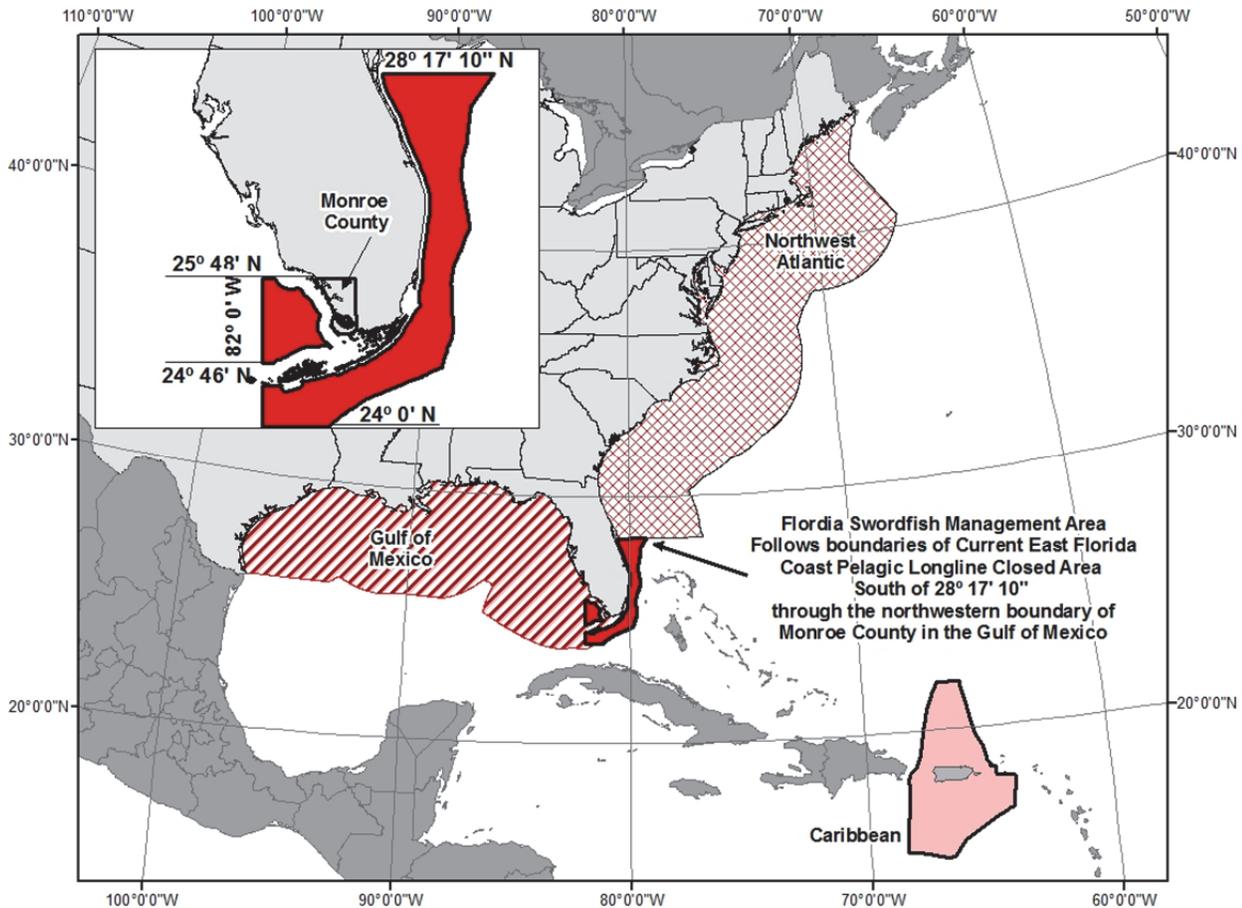
### III. QUICK REFERENCE: ATLANTIC SWORDFISH REGULATIONS

<b>PERMITS</b>									
<p>Vessel owners must obtain a valid swordfish limited access permit (<b>Directed, Incidental, or Handgear</b>), an open access <b>HMS Commercial Caribbean Small Boat permit</b> (valid only in the U.S. Caribbean Region<sup>45</sup>), an open access Swordfish General Commercial permit, or an HMS Charter/Headboat permit (valid on non-for-hire trips only)<sup>46</sup> for the vessel they are using to commercially harvest Atlantic swordfish.</p> <p>NOAA Fisheries does not issue new commercial swordfish limited access permits. To enter a limited access fishery, fishermen must obtain a permit from a permit holder who is leaving the fishery. Limited access permits are transferred between vessels and are subject to upgrading restrictions. Atlantic Directed and Incidental swordfish permits are valid <i>only</i> when held in conjunction with both a shark limited access and Atlantic Tunas Longline permit.<sup>47</sup></p> <p>An <b>Incidental HMS Squid Trawl permit</b> may be obtained by valid <i>Illex</i> squid moratorium permit holders and authorizes the retention of swordfish caught incidentally using trawl gear, subject to target catch requirements.<sup>48</sup></p> <p>Prior to renewing or obtaining an Atlantic Directed or Incidental swordfish limited access permit, both the vessel owner and operator must become certified at a Protected Species Safe Handling, Release and Identification workshop if fishing with longline (or gillnet gear with sharks).<sup>49</sup> Contact the Southeast Regional Office at (727) 824-5326 for information on commercial swordfish permits.</p>									
<b>RETENTION LIMITS</b>									
<b>North Atlantic Swordfish (north of 5° N latitude)</b>									
<b>Directed permit</b>	No trip limit (when the directed fishery closes, vessels may retain 15 swordfish per pelagic longline trip, two swordfish per handgear trip, and no swordfish per harpoon trip) <sup>50</sup>								
<b>Incidental permit</b>	30 swordfish per vessel per trip <sup>51</sup>								
<b>Handgear permit</b>	No trip limit (when the directed fishery is closed, fishermen may retain two swordfish per handgear trip, and no swordfish per harpoon trip)								
<b>HMS Commercial Caribbean Small Boat permit</b>	2 swordfish per vessel per trip <sup>52</sup>								
<b>Swordfish General Commercial permit</b>	<table style="width: 100%; border: none;"> <tr> <td style="padding-right: 20px;"><u>Northwest Atlantic:</u></td> <td>3 swordfish per vessel per trip</td> </tr> <tr> <td><u>U.S. Caribbean:</u></td> <td>2 swordfish per vessel per trip</td> </tr> <tr> <td><u>Gulf of Mexico:</u></td> <td>3 swordfish per vessel per trip</td> </tr> <tr> <td><u>Florida Swordfish Mgmt. Area:</u></td> <td>0 swordfish per vessel per trip<sup>53</sup></td> </tr> </table> <p style="text-align: center;">(Map on page 12)</p>	<u>Northwest Atlantic:</u>	3 swordfish per vessel per trip	<u>U.S. Caribbean:</u>	2 swordfish per vessel per trip	<u>Gulf of Mexico:</u>	3 swordfish per vessel per trip	<u>Florida Swordfish Mgmt. Area:</u>	0 swordfish per vessel per trip <sup>53</sup>
<u>Northwest Atlantic:</u>	3 swordfish per vessel per trip								
<u>U.S. Caribbean:</u>	2 swordfish per vessel per trip								
<u>Gulf of Mexico:</u>	3 swordfish per vessel per trip								
<u>Florida Swordfish Mgmt. Area:</u>	0 swordfish per vessel per trip <sup>53</sup>								
<b>HMS Charter/Headboat permit (on non-for-hire trip)</b>									
<b>Incidental HMS Squid Trawl permit</b>	15 swordfish per vessel per trip, including during a directed fishery closure <sup>54</sup> (provided squid constitute not less than 75 percent of the total catch on board and trawl gear is the only gear onboard the vessel) <sup>55</sup>								
<b>South Atlantic Swordfish</b> (south of 5° N latitude; only vessels fishing with pelagic longline gear may retain) <sup>56</sup>									
<b>Directed permit</b>	No trip limit (when the directed fishery closes, no swordfish may be retained) <sup>57</sup>								
<b>Incidental permit</b>	No retention allowed <sup>58</sup>								

<b>AUTHORIZED GEARS</b>	
<b>North Atlantic Swordfish</b>	
<b>Directed permit</b>	Bandit, handline, harpoon, rod and reel, buoy gear*, longline**
<b>Incidental permit</b>	Bandit, handline, harpoon, rod and reel, longline**
<b>Handgear permit</b>	Bandit, handline, harpoon, rod and reel, buoy gear*
<b>HMS Commercial Caribbean Small Boat permit</b>	Bandit, handline, harpoon, rod and reel, buoy gear*
<b>Swordfish General Commercial permit</b>	Bandit, handline, harpoon, rod and reel, green-stick <sup>59</sup>
<b>HMS Charter/Headboat permit (on non-for-hire trip)</b>	Handline, rod and reel <sup>60</sup>
<b>Incidental HMS Squid Trawl permit</b>	Squid trawl <sup>61</sup>
<b>South Atlantic Swordfish may only be taken with pelagic longline.</b> <sup>62</sup>	
<p>*If fishing with buoy gear, you may not deploy more than 35 flotation devices or individual buoy gear per vessel. Buoy gear must be released and retrieved by hand. Additional restrictions on the gear apply.<sup>63</sup></p> <p>**If longline gear is onboard a vessel while a swordfish is onboard or offloaded, it will be assumed that the swordfish was harvested by longline.<sup>64</sup> If fishing with longline gear, both the vessel owner and operator must become certified at a Protected Species Safe Handling, Release and Identification Workshop.<sup>65</sup> All commercial longline vessels <i>must</i> have handling and release gear and corrodible hooks on board. Fishermen using pelagic longline gear must also comply with other hook, bait, and gear requirements.<sup>66</sup> Vessels with pelagic longline gear onboard are not authorized to possess, retain, transship, store, or land hammerhead sharks (great, smooth, and scalloped), oceanic whitetip, or silky sharks.<sup>67</sup> Vessel Monitoring System (VMS) requirements apply to pelagic longline vessels.<sup>68</sup></p>	
<p><b>Other Gear Notes:</b> <b>You cannot retain any swordfish when gillnet is onboard;</b> if gillnet is onboard, it will be assumed that the swordfish was caught using gillnet gear.<sup>69</sup> There are several closed areas, some of which apply to all gear types.<sup>70</sup> See the appropriate section of this guide, the HMS webpage, or 50 CFR part 635 for more details and locations of area closures.</p>	
<b>MINIMUM SIZES</b>	
	
<p><b>Cleithrum to Caudal Keel (CK)</b> - 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.<sup>71</sup></p>	<p><b>Lower Jaw Fork Length (LJFL)</b> - a straight line, not following the body contour, from the tip of the lower jaw to the fork of the caudal fin.<sup>72</sup></p>
<b>North and South Atlantic Swordfish</b>	
Head (or any portion of head) removed <sup>73</sup>	25 inches (63 cm) CK <sup>74</sup>
Head attached	47 inches (119 cm) LJFL. <sup>75</sup> The bill of the swordfish may be removed forward of the anterior tip of the lower jaw. <sup>76</sup>
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. <sup>77</sup>

## LANDING RESTRICTIONS

Swordfish must be kept in whole or dressed form through landing.<sup>78</sup> **Dressed** indicates a fish with the head, guts, and fins removed but does not include removing the backbone, halving or otherwise reducing the carcass.<sup>79</sup> Swordfish cannot be filleted or cut into pieces at sea.<sup>80</sup>



**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 (see Figure 1); 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).<sup>81</sup> The regional retention limits may be adjusted in-season using pre-established criteria.<sup>82</sup>

## 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.<sup>83</sup>

Gear Type <sup>84</sup>	Sharks <sup>85</sup>	Bluefin tuna <sup>86</sup>	BAYS tunas <sup>87</sup>	Swordfish <sup>88</sup>
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		

\* Must have Swordfish Directed limited access, Swordfish Handgear limited access, or HMS Commercial Caribbean Small Boat permit.<sup>89</sup>

\*\* HMS Commercial Caribbean Small Boat permit holders only.<sup>90</sup>

\*\*\* Not authorized for Charter/Headboat permit holders.<sup>91</sup>

\*\*\*\* For use by Charter/Headboat permit holders for recreational fishing only (speared BAYS tunas may not be sold).<sup>92, 93</sup>

**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.<sup>94</sup>

**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.<sup>95</sup>

**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.<sup>96</sup>

**Gillnet** – a panel of netting suspended vertically in the water with floats along the top and weights along the bottom, to entangle fish that attempt to pass through it.<sup>97</sup> 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).<sup>98</sup>

**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.<sup>99</sup>

**Handgear** – includes handline, harpoon, rod and reel, buoy gear, bandit gear, or speargun gear.<sup>100</sup>

**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).<sup>101</sup>

**Buoy gear** – one or more floatation devices supporting a single mainline to which no more than two hooks or gangions are attached.<sup>102</sup> 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 with the vessel's name, registration number, or HMS permit number.<sup>103</sup> 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.<sup>104</sup>

**Floatation device** – any positively buoyant object rigged to be attached to a fishing gear.<sup>105</sup>

**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. 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.

**Hook and line** – one or more hooks attached to one or more lines (can include a troll).<sup>106</sup>

**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.<sup>107</sup>

**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.<sup>108</sup>

**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.<sup>109</sup> 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.<sup>110</sup>

**Bottom longline gear** – A longline that is deployed with enough weights and/or anchors to maintain contact with the ocean bottom.<sup>111</sup> 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.<sup>112</sup>

**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.<sup>113</sup>

**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.<sup>114</sup>

**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.<sup>115</sup>

## 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. Please note that Federal commercial HMS permit holders may also need a state permit in order to sell HMS. For more information, check with the relevant state marine fisheries or natural resource management office.

Species	Gears	Permit(s) Needed
<b>Swordfish</b>	Longline or Handgear <sup>116</sup> (not including speargun) <sup>117</sup>	1. Shark Limited Access Permit: Directed (allows for targeting of sharks) <b>or</b> Incidental (limited number of sharks allowed per trip) <b>AND</b> 2. Swordfish Limited Access Permit: Directed (authorizes targeting of swordfish; authorizes use of buoy gear) <b>or</b> Incidental (authorizes limited number of swordfish per trip; does not authorize use of buoy gear) <b>AND</b> 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. <sup>118</sup>
	Handgear <b>only</b> <sup>119</sup> (Handline, Buoy gear, Harpoon, Rod and reel, or Bandit gear only; not including Speargun <sup>120</sup> )	1. Swordfish Handgear Limited Access Permit (allows targeting of swordfish with handgear) <b>OR</b> 2. HMS Commercial Caribbean Small Boat permit <sup>121</sup>
	Rod and reel, Handline, Harpoon, Bandit gear, or Green-stick <sup>122</sup>	Swordfish General Commercial permit <sup>123</sup>
	Rod and reel or Handline	HMS Charter/Headboat permit (non-for-hire trips only) <sup>124</sup>
	Trawl <sup>125</sup>	Incidental HMS Squid Trawl Permit (available to all valid <i>Illex squid moratorium</i> permit holders) <sup>126</sup>
<b>Sharks</b>	Longline or Gillnet <sup>127</sup>	Shark Limited Access Permit: Directed (allows for targeting of sharks) <b>or</b> Incidental (limited number of sharks allowed per trip) <sup>128</sup>
	Rod and reel, Handline, or Bandit gear	1. Shark Limited Access Permit: Directed (allows for targeting of sharks) <b>or</b> Incidental (limited number of sharks allowed per trip) <b>OR</b> 2. HMS Commercial Caribbean Small Boat permit (shark retention limit set at zero at this time)

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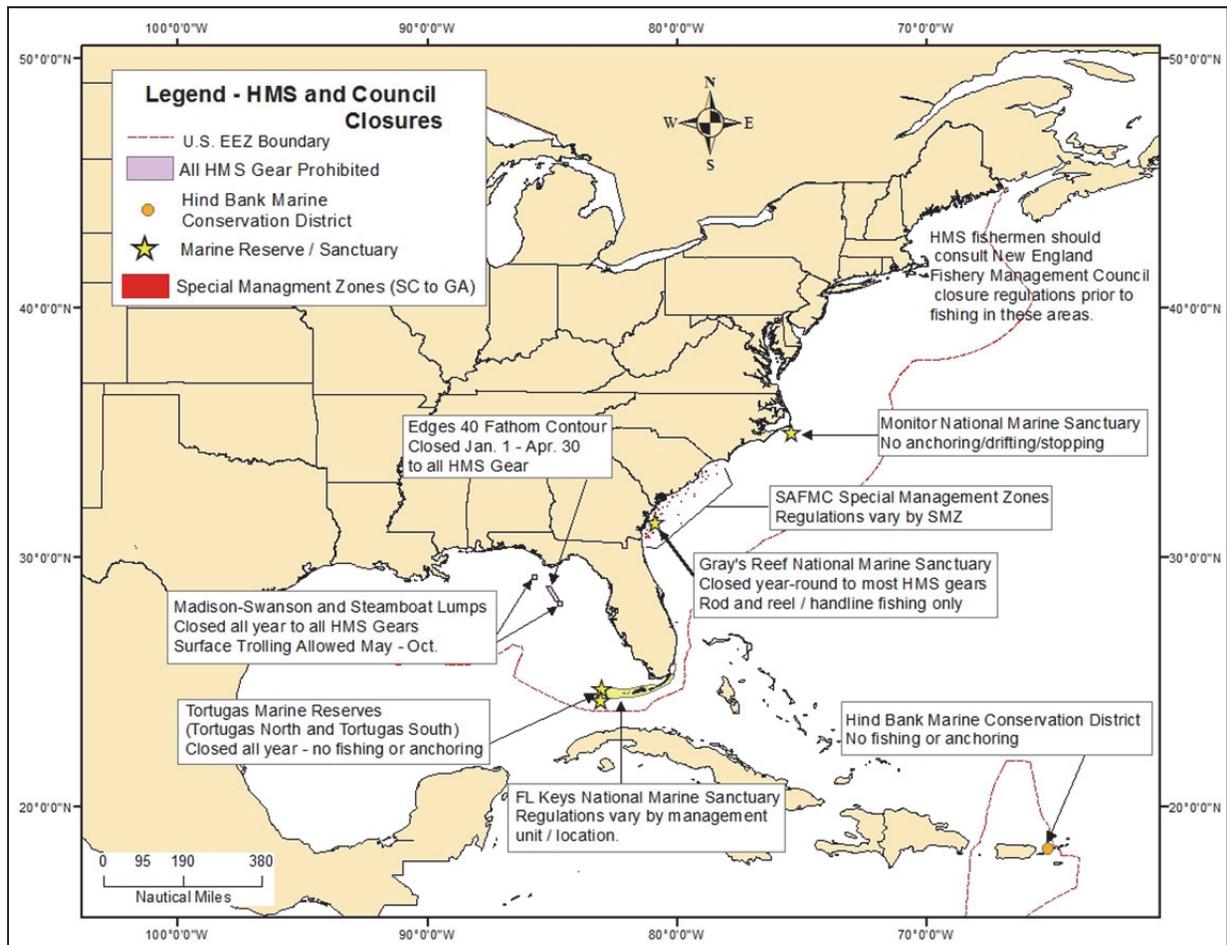
Species	Gears	Permit(s) Needed
<b>Bluefin tuna</b> <sup>129</sup>	Rod and reel, Handline, and/or Bandit gear <sup>130</sup>	1. Atlantic Tunas General category vessel permit <b>OR</b> 2. HMS Charter/Headboat permit <sup>131</sup>
	Green-stick	1. Atlantic Tunas General category permit <b>OR</b> 2. HMS Charter/Headboat permit <b>OR</b> 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 <b>OR</b> 2. Atlantic Tunas General category permit
	Pound net / Fish weir	Atlantic Tunas Trap category permit – Incidental only <sup>132</sup>
	Longline	1. Shark Limited Access Permit: Directed (allows for targeting of sharks within quota or a limited number, depending on the species) <b>or</b> Incidental (limited number of sharks allowed per trip) <b>AND</b> 2. Swordfish Limited Access Permit: Directed (allows for targeting of swordfish) <b>or</b> Incidental (limited number of swordfish allowed per trip) <b>AND</b> 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
<b>Bigeye, Albacore, Yellowfin, and Skipjack (BAYS) tunas<sup>133</sup></b>	Harpoon	1. Atlantic Tunas Harpoon category permit <b>OR</b> 2. Atlantic Tunas General category permit <b>OR</b> 3. HMS Commercial Caribbean Small Boat permit
	Green-stick <sup>134</sup>	1. Atlantic Tunas General category permit <b>OR</b> 2. HMS Charter/Headboat permit <b>OR</b> 3. Atlantic Tunas Longline category permit <b>OR</b> 4. HMS Commercial Caribbean Small Boat permit
	Handgear (Rod and reel, Handline, and/or Bandit gear)	1. Atlantic Tunas General category permit <b>OR</b> 2. HMS Charter/Headboat permit (including speargun for recreational use only) <b>OR</b> 3. Atlantic Tunas Harpoon category permit <b>OR</b> 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) <b>or</b> Incidental (limited number of shark allowed per trip) <b>AND</b> 2. Swordfish Limited Access Permit: Directed (allows for targeting of swordfish) <b>or</b> Incidental (limited number of swordfish allowed per trip) <b>AND</b> 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



**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. Additional time/area closures for certain HMS gears are shown in Figure 3 (pelagic longline), Figure 4 (bottom longline), and Figure 5 (gillnet).

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.<sup>135</sup>

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.<sup>136</sup> 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.<sup>137</sup> 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.<sup>138</sup>

Edges 40 Fathom Contour closed area: This area is closed to all HMS fishing gears from January through April.<sup>139</sup> 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.<sup>140</sup>

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

### **RELEASING HMS**

An Atlantic HMS this 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.<sup>141</sup> 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.<sup>142</sup>

### **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.<sup>143</sup>

### **GEAR MARKING**

Fishermen deploying handline, buoy gear, harpoon, longline, and gillnet gear must mark each float and/or high-flyer 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 and/or high flyer.<sup>144</sup>

### **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.<sup>145</sup> 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. Please call the HMS Management Division at (301) 427-8503 for more information about these issues.

## 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.<sup>146</sup> However, as reflected in this guide, the regulations are species-and situation-specific. Please call the HMS Management Division at (301) 427-8503 for more information.

## 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.<sup>147</sup>

## SPEARGUN RESTRICTIONS

Speargun fishing gear is only authorized for the recreational harvest of BAYS tunas. No speared BAYS tunas may be sold. To fish with a speargun, a vessel must be issued an Atlantic HMS Angling or Charter/Headboat permit. Persons fishing for Atlantic BAYS tunas 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. BAYS tunas must be free-swimming and cannot be restricted by fishing lines or other means. “Powerheads” may not be used. No other HMS may be taken with speargun fishing gear, including bluefin tuna, swordfish, sharks, sailfish, spearfish, roundscale spearfish, or white or blue marlin.<sup>148</sup>

## TRANSFER AT SEA

No Atlantic tunas, blue marlin, white marlin, roundscale spearfish, sailfish, swordfish, or sharks may be transferred at sea, regardless of where the fish was harvested.<sup>149</sup>

## 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.<sup>150</sup>

### 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 permits:<sup>151,152</sup>

1. Directed or incidental **swordfish** permit (a swordfish handgear 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 an acceptable substitute for the Atlantic tunas Longline category permit).

\* Fishermen may harvest sharks with pelagic longline gear if they possess only a federal limited access shark permit;<sup>153</sup> however, they must discard all swordfish and tunas caught.<sup>154</sup>

All three of these permits are administered under a limited access program. NOAA Fisheries is not issuing any new limited access permits. Persons wishing to enter the fishery may only obtain these three permits by transferring the permit, subject to the vessel upgrading restrictions, from a permit holder who

is leaving the fishery.<sup>155</sup> All permits must be renewed annually.<sup>156</sup> Only persons holding shark and swordfish limited access permits that did not expire in the preceding year are eligible to renew those permits.<sup>157</sup>

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.<sup>158</sup> A copy of the workshop certificate must be included in the permit application package. For more information on workshops, see Section I.

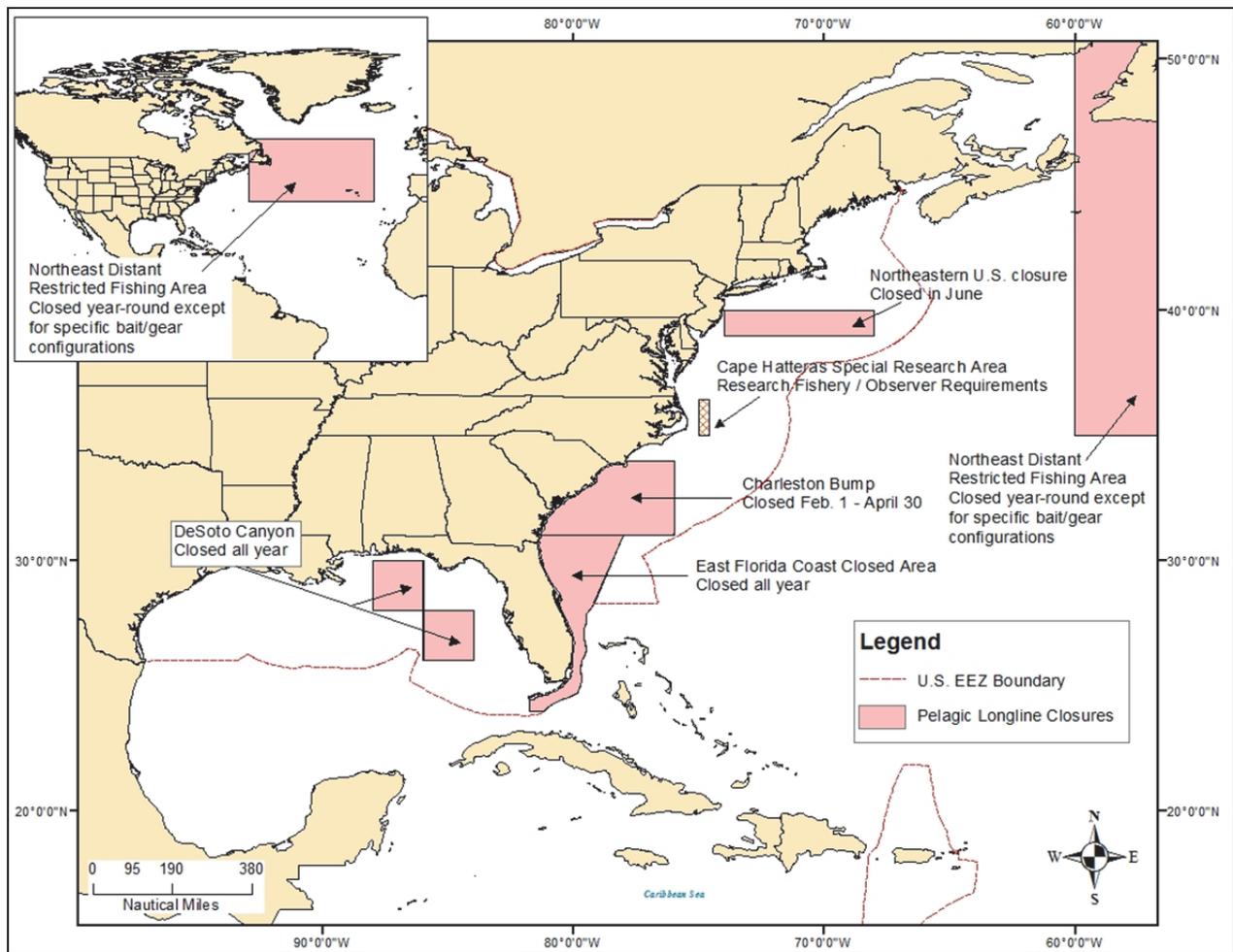
**TIME/AREA CLOSURES FOR USE OF PELAGIC LONGLINE GEAR**

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

To determine compliance with the closed area restrictions, 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. If a vessel is in an area closed to pelagic longline gear and has pelagic longline gear onboard, it is a rebuttable presumption that fish on board that vessel were taken with pelagic longline gear in the closed area.<sup>159</sup>

The species composition of the catch onboard the vessel or landed can also be used to differentiate between these gear types. 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 VIII for bottom longline closed areas and the list of demersal species).<sup>160</sup> 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.<sup>161</sup> The species that qualify as pelagic indicator species are:

<b>PELAGIC INDICATOR SPECIES<sup>162</sup></b>	
DOLPHINFISH	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 that restrict use of pelagic longline gear in the Atlantic Ocean, Gulf of Mexico, and Caribbean Sea. Additional closures for all gears are presented in Figure 2.**

The closures shown in Figure 3 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 I, 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.<sup>163</sup> 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.<sup>164</sup>

The Charleston Bump Closed Area: This area is closed to vessels with pelagic longline gear onboard from February 1 through April 30 each year.<sup>165</sup> 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.<sup>166</sup>

The East Florida Coast Closed Area: This area is closed to vessels with pelagic longline gear onboard

year-round.<sup>167</sup> 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.<sup>168</sup>

The DeSoto Canyon Closed Area: This area is closed to pelagic longline gear year-round<sup>169</sup> 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.<sup>170</sup>

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.<sup>171</sup> 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.<sup>172</sup>

## **CAPE HATTERAS SPECIAL RESEARCH AREA REQUIREMENTS FOR PELAGIC LONGLINE**

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.<sup>173</sup> Vessels may transit the area without stopping and without contacting NOAA Fisheries if the gear is stowed appropriately. In this instance, "stowed appropriately" means all gangions, hooks, and buoys are disconnected from the mainline; hooks are not baited; longline on the drum is covered with a tarp; and all other gear components are either stowed below deck or secured on deck and covered with a tarp.<sup>174</sup> 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.

## **HOOK AND BAIT RESTRICTIONS**

In addition to other restrictions listed below, outside of the NED Restricted Area, 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. Only whole finfish and/or squid bait may be used on pelagic longlines.

If green-stick gear is onboard, a vessel may possess up to 20 J-hooks. J-hooks may be used only with green-stick gear, and no more than 10 hooks may be used at one time with each green-stick gear. J-hooks used with green-stick gear may be 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.<sup>175</sup>

## **HOOK AND BAIT RESTRICTIONS WHEN FISHING IN THE NED**

In addition to other restrictions listed below, 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, except that artificial bait may be possessed and used only with green-stick gear.<sup>176</sup>

### **HOOK AND BAIT RESTRICTIONS WHEN FISHING IN THE GULF OF MEXICO**

In addition to the hook and bait restrictions listed above and the other restrictions listed below, 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”).<sup>177</sup> Two circle hook models that meet this requirement are Mustad Model 39988D – 16/0 and Eagle Claw Model L2048LM – 16/0.

Live bait may not be used in the Gulf of Mexico. 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.<sup>178</sup>

### **OTHER RESTRICTIONS FOR PELAGIC LONGLINE GEAR**

Vessels fishing with pelagic longline gear:

- Are restricted in the number of bluefin tuna they are allowed to possess dependent on the retention of other species. Specifically, longline vessels may land one bluefin tuna if 2,000 lb (907 kg) of targeted catch is onboard, two bluefin tuna if 6,000 lb (2,727 kg) of targeted catch is onboard, and three bluefin tuna if 30,000 lb (13,620 kg) of targeted catch is onboard.<sup>179</sup>
- Cannot possess any billfish.<sup>180</sup>
- 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 placed inside the wheelhouse.<sup>181</sup> 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.<sup>182</sup>
- Must possess and use only corrodible (i.e., non-stainless steel) circle hooks (as described above).<sup>183</sup>
- 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.<sup>184</sup> The marine mammal mortality/injury reporting form is available online at [http://www.nmfs.noaa.gov/pr/pdfs/interactions/mmap\\_reporting\\_form.pdf](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).<sup>185</sup>
- 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.<sup>186</sup>
- Cannot retain, transship, land, store, or sell silky, oceanic whitetip, great hammerhead, scalloped hammerhead, or smooth hammerhead sharks.<sup>187</sup>
- 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.<sup>188</sup> Additional information on the VMS requirements is provided in Section X.

## VIII. 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.<sup>189</sup>

### **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 only a commercial shark federal limited access permit to harvest sharks.<sup>190</sup> Fishermen holding the three permits listed in the Pelagic Longline Section above may also use bottom longline gear.<sup>191</sup>
- Commercial shark permits are administered under a limited access program. NOAA Fisheries is not issuing any new limited access permits. Persons wishing to enter the fishery may only obtain any of these three permits by transferring the permit, within the vessel upgrading restrictions, from a permit holder who is leaving the fishery.<sup>192</sup> All permits must be renewed annually.<sup>193</sup> Only persons holding non-expired permits in the preceding year are eligible to renew those permits.<sup>194</sup>
- 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.<sup>195</sup> For more information on workshops, see Section I.

### **TIME/AREA CLOSURES FOR USE OF BOTTOM LONGLINE GEAR**

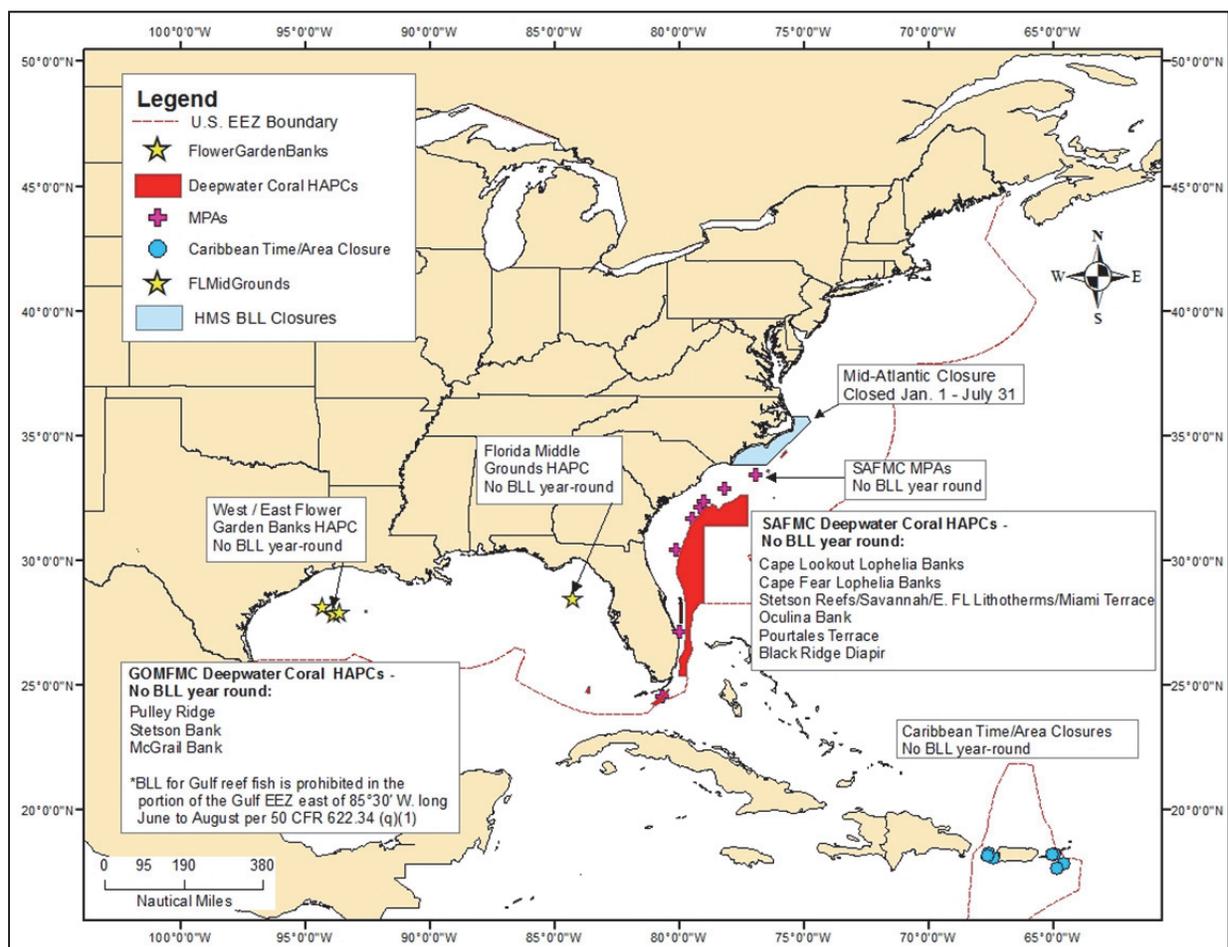
To reduce bycatch, NOAA Fisheries has closed a number of areas to fishermen with HMS permits who have bottom longline gear onboard.

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 IV) to determine if a vessel is fishing with pelagic or bottom 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.<sup>196</sup>

The species composition of the catch onboard the vessel or landed can also be used to differentiate between these 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).<sup>197</sup> 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.<sup>198</sup> The species that qualify as demersal indicator species are:

### DEMERSAL INDICATOR SPECIES<sup>199</sup>

GROUPEL, BLACK	SHARK, BLACKNOSE	SNAPPER, MANGROVE
GROUPEL, GAG	SHARK, BLACKTIP	SNAPPER, LANE
GROUPEL, MARBLED	SHARK, BONNETHEAD	SNAPPER, MUTTON
GROUPEL, MISTY	SHARK, BULL	SNAPPER, QUEEN
GROUPEL, RED	SHARK, FINETOOTH	SNAPPER, RED
GROUPEL, SNOWY	SHARK, LEMON	SNAPPER, SCHOOLMASTER
GROUPEL, WARSAW	SHARK, NURSE	SNAPPER, SILK
GROUPEL, YELLOWEDGE	SHARK, SANDBAR	SNAPPER, VERMILION
GROUPEL, 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 I, 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.<sup>200</sup> “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.<sup>201</sup>

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.<sup>202</sup>

(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:<sup>203</sup>

(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:<sup>204</sup>

Point	North latitude	West longitude
A	28°42.5'	84°24.8'
B	28°42.5'	84°16.3'
C	28°11.0'	84°00.0'
D	28°11.0'	84°07.0'
E	28°26.6'	84°24.8'
A	28°42.5'	84°24.8'

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.

(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.<sup>205</sup> At this time, there are no hook size or bait restrictions.
- Cannot possess any billfish.<sup>206</sup>
- 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.<sup>207</sup> These materials are available on the HMS Management Division website, or you can call (301) 427-8503 to request a waterproof copy.
- Must use to the sea turtle handling and release gear to handle, release, and disentangle hooked or entangled sea turtles, prohibited sharks, or smalltooth sawfish.<sup>208</sup>
- 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.<sup>209</sup>
- 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.<sup>210</sup> The marine mammal mortality/injury reporting form is available online at [http://www.nmfs.noaa.gov/pr/pdfs/interactions/mmap\\_reporting\\_form.pdf](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 X.<sup>211</sup>

## **IX. SHARK GILLNET GEAR RESTRICTIONS**

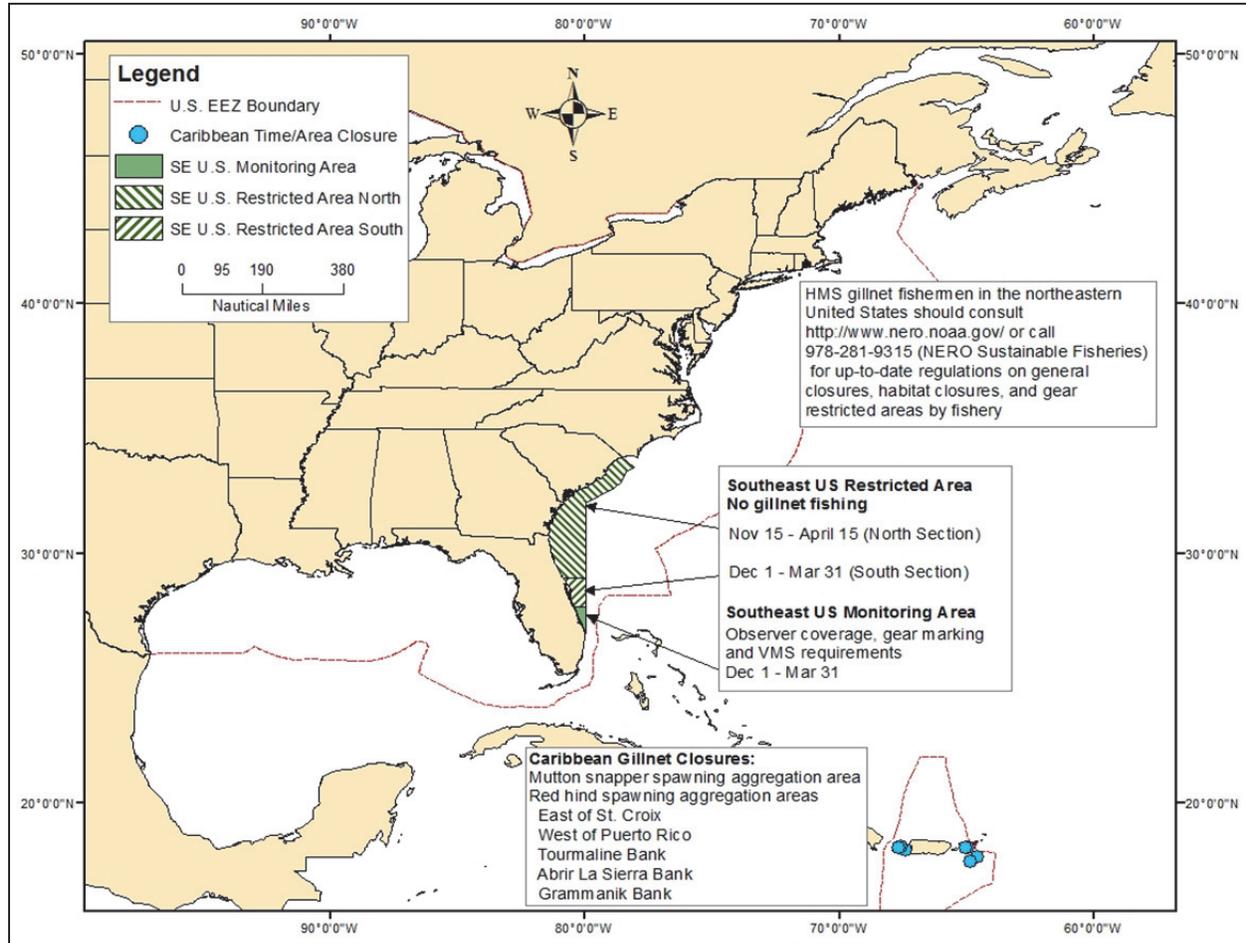
Vessels fishing with gillnet gear must possess valid Protected Species Safe Handling, Release, and Identification Workshop certificates onboard for both the owner and operator.<sup>212</sup>

### **PERMIT REQUIREMENTS FOR USE OF SHARK GILLNET GEAR**

Only commercial shark fishermen can use gillnet gear in HMS fisheries.<sup>213</sup> These fishermen must possess a limited-access commercial (directed or incidental) shark federal limited access permit.<sup>214</sup>

- Commercial shark permits are administered under a limited access program. NOAA Fisheries is not issuing any new limited access permits. Persons wishing to enter the fishery may only obtain these three permits by transferring the permit, within the vessel upgrading restrictions, from a permit holder who is leaving the fishery.<sup>215</sup> All permits must be renewed annually.<sup>216</sup> Only persons holding non-expired shark permits in the preceding year are eligible to renew those permits.<sup>217</sup>
- 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.<sup>218</sup> For more information on workshops, see Section I.

## 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 I, which pertain to all HMS gears, including bottom longline.

Southeast U.S. Restricted Area and Southeast U.S. Monitoring Area:<sup>219</sup> 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 or equal to 5 inches).<sup>220</sup> Requirements in these areas include gear marking,<sup>221</sup> observer coverage, and vessel monitoring systems during times when the areas are not closed to gillnets. For more information regarding these restrictions, go to <http://www.nero.noaa.gov/Protected/whaletrp/> or call the Northeast Regional Office Protected Resource Division at (978) 281-9328. The “Guide to the Atlantic Large Whale Take Reduction Plan” is available at <http://www.nero.noaa.gov/whaletrp/plan/ALWTRPGuide.pdf>.

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.<sup>222</sup>

(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'

**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.<sup>223</sup>
- Must keep the gillnet attached to at least one vessel at one end, except during net checks.
- Must conduct net checks at least once every 2 hours to look for and remove any sea turtles, marine mammals, or smalltooth sawfish.
- Cannot possess billfish, tuna, or swordfish.<sup>224</sup>
- Must immediately release any marine mammal, sea turtle, or smalltooth sawfish that is hooked or entangled, retrieve the gillnet 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.<sup>225</sup> The marine mammal mortality/injury reporting form is available online at [http://www.nmfs.noaa.gov/pr/pdfs/interactions/mmap\\_reporting\\_form.pdf](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.<sup>226</sup>
- Must install and use a NOAA Fisheries-approved enhanced mobile transmitting unit (E-MTU) vessel monitoring system (VMS) as instructed between November 15 and April 15, for any vessel with a directed shark permit and gillnet gear onboard, including whenever the vessel is away from port.<sup>227</sup> Additional information on the VMS requirements is provided in the following section.

## X. VESSEL MONITORING SYSTEM REQUIREMENTS

### WHO IS REQUIRED TO INSTALL AND USE A VMS UNIT?<sup>228</sup>

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.<sup>229</sup>

Gillnet vessels: All vessels issued a directed shark limited access permit with gillnet gear onboard from November 15 to April 15.

Vessels owners that are required to use 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.

### INSTALLATION, ACTIVATION, AND OPERATION

- The VMS hardware and communications service provider must be on the VMS type approval lists for use in HMS fisheries,<sup>230</sup> which is available at [http://www.nmfs.noaa.gov/ole/docs/2014/noaa\\_fisheries\\_service\\_type\\_final\\_020514.pdf](http://www.nmfs.noaa.gov/ole/docs/2014/noaa_fisheries_service_type_final_020514.pdf).
- All VMS units must be installed by a qualified marine electrician.<sup>231</sup>
- As of December 16, 2013, 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. 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.<sup>232</sup>
- 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. 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.<sup>233</sup>
- 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 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.<sup>234</sup>
- As of November 14, 2013, an HMS permitted vessel that will not be targeting or retaining HMS species 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.<sup>235</sup>

- 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.<sup>236</sup>

## **XI. 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**

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](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.<sup>237</sup> 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.<sup>238</sup>

### **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.<sup>239</sup> These materials are available on the HMS Management Division website, or you can call (301) 427-8503 to request a waterproof copy.

## XII. COMMERCIAL SHARK FISHING

### AUTHORIZED SHARK SPECIES<sup>240</sup>

The shark species in **bold** are divided into regional management groups with separate quotas.<sup>241</sup> Call the HMS Management Division at (301) 427-8503 or visit <http://www.nmfs.noaa.gov/sfa/hms/> for the current status of the regional shark quotas.

<b>GULF OF MEXICO REGION</b>
<b>Aggregated Large Coastal Sharks (LCS):</b> Bull, Lemon, Nurse, Silky*, Spinner, Tiger, Sandbar** <b>Blacktip Sharks</b> <b>Hammerhead Sharks:</b> Great hammerhead*, Scalloped hammerhead*, Smooth hammerhead* <b>Non-Blacknose Small Coastal Sharks (SCS):</b> Atlantic sharpnose, Bonnethead, Finetooth <b>Blacknose Sharks</b>
<b>ATLANTIC REGION</b>
<b>Aggregated Large Coastal Sharks (LCS):</b> Blacktip, Bull, Lemon, Nurse, Silky*, Spinner, Tiger, Sandbar** <b>Hammerhead Sharks:</b> Great hammerhead*, Scalloped hammerhead*, Smooth hammerhead* <b>Non-Blacknose Small Coastal Sharks (SCS):</b> Atlantic sharpnose, Bonnethead, Finetooth <b>Blacknose Sharks</b>
<b>ATLANTIC AND GULF OF MEXICO (COMBINED QUOTA)</b>
<b>Blue Sharks</b> <b>Porbeagle Sharks</b> <b>Pelagic Sharks Other Than Porbeagle or Blue:</b> Common thresher, Oceanic whitetip*, Shortfin mako

\* Hammerhead sharks (great, smooth, and scalloped), oceanic whitetip, and silky sharks cannot be retained, transshipped, landed, stored, or sold by vessels with pelagic longline gear onboard or on vessels issued both an HMS Charter/Headboat permit and a commercial shark permit when tuna, swordfish, or billfish are on board the vessel or being offloaded from the vessel.<sup>242</sup>

\*\*Sandbar sharks can only be harvested by vessels selected to participate in the shark research fishery and only when a NOAA Fisheries-approved observer is onboard. Possession of sandbar sharks and other shark species is subject to the modified retention limits for this research fishery.<sup>243</sup>

### COMMERCIALY PROHIBITED SHARK SPECIES

The following sharks cannot be possessed or retained in any form in the commercial shark fishery.<sup>244</sup> 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.<sup>245</sup>

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

### PERMITS

Any fishermen who fishes for, retains, possesses, sells, or intends to sell Atlantic sharks needs a Federal Atlantic **Directed** or **Incidental** shark limited access permit or an open access **HMS Commercial Caribbean Small Boat permit** (shark retention limit set at zero at this time).<sup>246</sup>

Generally, directed shark permits allow fishermen to target sharks while incidental permits allow fishermen who normally fish for other species to land a limited number of sharks.<sup>247</sup> The limited access

permits are administered under a limited access program and NOAA Fisheries is no longer issuing new shark limited access permits. To enter the directed or incidental shark fishery, fishermen must obtain a permit via transfer from an existing permit holder who is leaving the fishery, subject to the vessel upgrading restrictions.<sup>248</sup> For information on applying for an HMS Commercial Caribbean Small Boat permit or renewing or transferring a limited access shark permit, please contact the Southeast Region Permit Office at (727) 824-5326.

A **Directed shark permit** allows fishermen to retain 36 large coastal sharks (LCS) per vessel per trip. There is no directed numeric retention limit for pelagic sharks or small coastal sharks, subject to quota limitations. No prohibited species may be retained.

An **Incidental shark permit** allows fishermen to retain up to 3 LCS per vessel per trip. Fishermen may also keep up to a total of 16 pelagic or small coastal sharks (all species combined) per vessel per trip. No prohibited species may be retained.<sup>249</sup>

An **HMS Commercial Caribbean Small Boat permit** is valid only in the U.S. Caribbean and currently has a zero (0) shark retention limit (no retention).<sup>250</sup> The HMS Commercial Caribbean Small Boat permit may only be issued to vessels 45 feet or less in length overall.<sup>251</sup>

Fishermen who use longline or gillnet gear must attend a Protected Species Safe Handling, Release, and Identification Workshop and obtain a certificate prior to obtaining a commercial shark limited access permit (LAP). Both the owner and operator of the vessel permitted for this fishery must have a workshop certificate onboard the vessel.<sup>252</sup> NOAA Fisheries also encourages commercial fishermen to attend an Atlantic Shark Identification Workshop to enhance identification of shark species (see Section I).

## **VESSEL UPGRADING RESTRICTIONS**

In general, an owner may upgrade a vessel with a directed limited access shark permit, or transfer the directed limited access shark 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.<sup>253</sup> 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.<sup>254</sup>

Incidental shark limited access permits are not subject to vessel upgrading restrictions.<sup>255</sup>

For more information on upgrading restrictions, call the Southeast Regional Permit Office at (727) 824-5326.

## **SHARK RESEARCH FISHERY<sup>256</sup>**

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.

## **AUTHORIZED GEAR TYPES**

Authorized gear types include: pelagic or bottom longline, gillnet, rod and reel, handline, or bandit gear.<sup>257</sup> Handlines and gillnets must remain attached to, or in contact with, the vessel at all times except that gillnets do not need to be attached during net checks.<sup>258</sup>

See Sections VII-IX for additional restrictions on pelagic and bottom longline and gillnet gear including permit restrictions, closed areas, hook specifications, and protected species interactions.

## **MINIMUM SIZE<sup>259</sup>**

There is no commercial minimum size limit for large coastal sharks, pelagic sharks or small coastal sharks.

## **LANDING RESTRICTIONS**

**All sharks must have their fins, including the tail, naturally attached through offloading.**<sup>260</sup> Fins may be cut as long as they remain naturally attached to the carcass with at least a small flap of uncut skin. The fins and tail may be removed from the carcass once the shark has been landed and offloaded.<sup>261</sup>

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.<sup>262</sup> 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.<sup>263</sup>

On January 2, 2011, President Obama signed the Shark Conservation Act. NOAA Fisheries is in the process of implementing the requirements of this Act.

## **FISHING SEASONS AND CLOSURE DATES**

The fishing year for shark fisheries starts on January 1 and continues through December 31 of every year.<sup>264</sup> 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;
- Gulf of Mexico hammerhead sharks and Gulf of Mexico aggregated LCS;
- Atlantic blacknose and Atlantic non-blacknose SCS; and,

- Gulf of Mexico blacknose and Gulf of Mexico non-blacknose SCS.

Additionally, NOAA Fisheries may close the 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. Call the HMS Management Division at (301) 427-8503 or visit <http://www.nmfs.noaa.gov/sfa/hms/> for the current status of shark fishery seasons and opening/closing dates.<sup>265</sup>

## 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 25°20.4' N. lat., proceeding due east.<sup>266</sup>

Gulf of Mexico: Any water and land to the south and west of 25°20.4' N. lat. This includes the U.S. Caribbean.

Atlantic: Any water and land to the north and east of 25°20.4' N. lat.

The commercial quotas for other management groups are not split between the two regions.<sup>267</sup> 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.<sup>268</sup>

## TIME/AREA CLOSURES

For information on existing time and area closures, refer to Sections I through IX 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 maybe sold **only** to federally-permitted shark dealers and only when the fishery for that species/management group is open.<sup>269</sup> 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.<sup>270</sup>

## REPORTING REQUIREMENTS

### Logbooks

Selected fisherman 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.<sup>271</sup>

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.<sup>272</sup>

All dealer reports must be species-specific and specify the total shark fin weight separately from the weight of the shark carcasses.<sup>273</sup> Dealer forms for Atlantic shark dealers were modified to include a check box that indicates 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**<sup>274</sup>

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

### **ANNUAL QUOTAS**

Please call the HMS Management Division at (301) 427-8503 for details on shark quotas. Quotas are adjusted to account for yearly over- and/or under-harvests as specified in the regulations.<sup>275</sup> Any quota adjustments will be posted on the HMS website under "Breaking News," published in the Federal Register, and sent to the *Atlantic HMS News* listserv.

### **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 X for details.

### XIII. COMMERCIAL TUNA FISHING

#### AUTHORIZED SPECIES

Atlantic bluefin tuna; and bigeye, albacore, yellowfin, and skipjack (BAYS) tunas.

<b>BLUEFIN TUNA SIZE CLASS CATEGORIES<sup>276</sup></b>			
<b>Size Class</b>	<b>Curved Fork Length (inches)</b>	<b>Pectoral Fin Curved Fork Length (inches)</b>	<b>Round Weight (approximate pounds)</b>
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 or most state waters<sup>277</sup> of the Atlantic, Gulf of Mexico, or Caribbean Sea.<sup>278</sup> 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.**<sup>279, 280</sup>

The commercial Atlantic tunas vessel permit categories include: General, Harpoon, Purse Seine, Longline, and Trap. HMS Charter/Headboat permit category and HMS Commercial Caribbean Small Boat permit holders may also participate in commercial tuna fisheries.<sup>281</sup>

**A permit in only one permit category may be issued to a vessel per year;** therefore, fishermen must choose between a commercial Atlantic tunas permit (described on the following pages) or the HMS Charter/Headboat permit (described in Section 0). 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. Atlantic tunas General category permit holders must comply with General category regulations pertaining to tunas when fishing in a registered HMS tournament. Please note that Atlantic tunas Longline and Purse Seine category permits are limited access permits and NOAA Fisheries will not issue new permits in these categories. To obtain a Longline permit, fishermen must obtain a permit from a fisherman leaving the fishery. Atlantic tunas Longline permits can be transferred between vessels and are subject to vessel upgrading restrictions.<sup>282</sup> 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.<sup>283</sup>

For more information on how to apply for a permit, or for permit renewal and transfers, please visit [hmspermits.noaa.gov](http://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**

**Atlantic Tunas General category permit** holders may retain bluefin tuna subject to the current

retention limits.<sup>284</sup> Vessel operators should check the web site at [hmspermits.noaa.gov](https://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.<sup>285</sup>

**NOTE:** Under current regulations, 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.

**Atlantic tunas Harpoon category permit** holders may retain 4 large medium bluefin tuna per vessel per day. There is no limit for giant bluefin tuna that may be kept, as long as the Harpoon category season is still open.<sup>286</sup> There is no retention limit on BAYS tunas; however, yellowfin and bigeye tuna must be greater than 27 inches curved fork length.<sup>287</sup>

**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 landed during the current fishing year.<sup>288</sup> 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 category.<sup>289</sup> There is no retention limit on BAYS tunas; however, yellowfin and bigeye tuna must be greater than 27 inches curved fork length.<sup>290</sup>

**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.<sup>291</sup> 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.<sup>292</sup> Such vessels may land: (a) one large medium or giant bluefin tuna if 2,000 lb (907 kg) of species other than bluefin tuna are legally caught and offloaded on the same trip; (b) two large medium or giant bluefin tuna if 6,000 lb (2,727 kg) of species other than bluefin tuna are legally caught and offloaded on the same trip; or (c) three large medium or giant bluefin tuna if 30,000 lb (13,620 kg) of species other than bluefin tuna are legally caught and offloaded on the same trip.<sup>293</sup> For pelagic longline vessels fishing in the NED Restricted Area, 25 mt of bluefin tuna quota is allocated for the incidental harvest of bluefin tuna while pursuing other species.<sup>294</sup> These target catch requirements and retention limits apply in all areas<sup>295</sup> and are subject to change.<sup>296</sup> 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.<sup>297</sup>

**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.<sup>298</sup>

**HMS Commercial Caribbean Small Boat permit** is valid only in the U.S. Caribbean region and permit holders may retain up to 10 BAYS tunas per vessel per trip.<sup>299</sup> Yellowfin and bigeye tuna must be greater than 27 inches curved fork length.<sup>300</sup> No bluefin tuna may be retained.<sup>301</sup> The HMS Commercial Caribbean Small Boat permit may only be issued to vessels 45 feet or less in length overall.<sup>302</sup>

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.<sup>303</sup>

### **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 10 calendar days** of issuance of the permit. Once the 10 calendar day period has passed, a vessel owner cannot change the permit category until the following fishing season.<sup>304</sup> A 10-calendar-day period is provided for all permit holders to correct permit errors (e.g., if a permit is issued on July 1, then corrections to the permit category must be made by July 10). To make a permit category change within the 10-calendar-day period, call the information lines at (888) 872-8862 and press “0” from the main menu to reach a Customer Service representative. **Changes to permits are not allowed after 10 calendar days of the purchase date, unless purchasing an HMS Commercial Caribbean Small Boat permit.**<sup>305</sup>

### **VESSEL UPGRADING RESTRICTIONS**

In general, an owner may upgrade a vessel with an Atlantic tunas Longline limited access permit, or transfer the permit to another vessel, only if the upgrade or transfer does not result in an increase of more than 20 percent in horsepower or an increase of more than 10 percent of length overall, gross registered tonnage, or net tonnage from the original qualifying vessel’s specifications.<sup>306</sup> Some limited access permits, however, 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) an incidental or directed swordfish permit; (2) an 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.<sup>307</sup>

Other tuna permits are not subject to vessel upgrading restrictions. For more information on Atlantic tunas longline vessel upgrading restrictions, call the Gloucester, MA, HMS office at (978) 281-9260 or the Southeast Permits Office at (727) 824-5326.

### **AUTHORIZED GEAR TYPES**

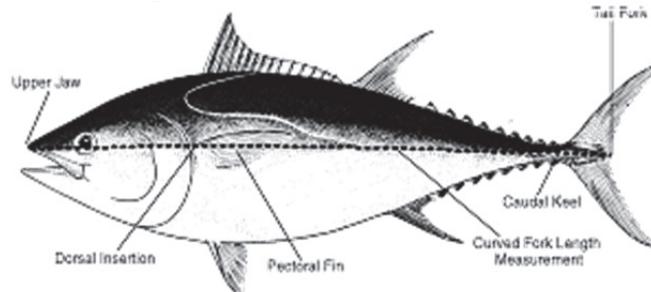
Commercial fishing for Atlantic tunas is authorized using the following gear: rod and reel (including downriggers), handline, harpoon, bandit gear, longline, trap (pound nets and fish weirs), purse seine, and green-stick.<sup>308</sup> Only vessels with Atlantic tunas Purse Seine category permits may use purse seine gear. Only vessels with Atlantic tunas Longline category permits may use longline gear. Vessels in other commercial permit categories may use any other authorized gear except speargun gear (which can only be used for recreational purposes for Charter/Headboat permit holders) to retain BAYS tunas. When fishing for bluefin tuna, however, only the gear type authorized for the particular permit category may be used, as indicated in the table below.<sup>309</sup>

Permit Category	Authorized Gear for Atlantic Tunas
<b>General</b>	Rod and reel (including downriggers), handline, harpoon, green-stick, and bandit gear
<b>Harpoon</b>	Harpoon
<b>Longline</b>	Longline and green-stick
<b>Purse Seine</b>	Purse Seine
<b>HMS Charter/Headboat</b>	Rod & reel (including downriggers), handline, bandit gear, green-stick, and speargun gear (speargun gear only authorized for recreational catch of BAYS tunas)
<b>Trap</b> (bluefin tuna only)	Pound net, fish weir
<b>HMS Commercial Caribbean Small Boat permit</b> (BAYS only; no bluefin tuna allowed <sup>310</sup> )	Rod and reel (including downriggers), handline, harpoon, green-stick, bandit gear, and buoy gear <sup>311</sup>

## 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.<sup>312</sup> 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 (shown as the dorsal insertion point in the diagram below) and the top of the caudal keel.<sup>313</sup>



The commercial minimum size for **yellowfin** and **bigeye tuna** landed in all tuna permit categories is 27 inches (69 cm) curved fork length. Currently, there are no minimum sizes for **albacore** and **skipjack tuna**.<sup>314</sup>

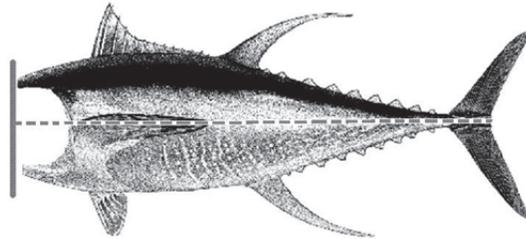
Permit Category	Commercial Size Classes (Minimum Sizes) for Bluefin Tuna
<b>General</b>	Large medium/Giant (73 inches CFL)
<b>Harpoon</b>	Giant (81 inches CFL), with allowance per trip of 4 Large medium (73 inches to 81 inches)
<b>Longline</b>	Large medium/Giant (73 inches CFL)
<b>Purse Seine</b>	Giant (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.<sup>315</sup> 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.<sup>316</sup> 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.<sup>317</sup>



Forward edge of the cut

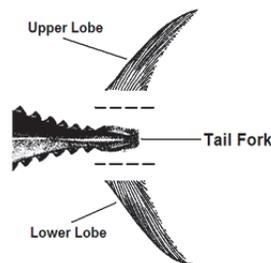
Fork of the tail

### 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.<sup>318</sup>

#### 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.<sup>319</sup>



Persons with an Atlantic tunas permit may not retain billfish;<sup>320</sup> however, General category vessels participating in registered HMS tournaments can retain billfish, subject to the HMS Angling category regulations.<sup>321</sup>

### TRANSFER AT SEA

Persons may not transfer Atlantic tuna at sea 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.<sup>322</sup>

### FISHING SEASONS AND CLOSURE DATES

#### BAYS tunas

The current seasons for BAYS tunas are January 1 through December 31<sup>st</sup>.<sup>323</sup>

## **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*.

<b>Commercial Seasons for Bluefin Tuna</b>		
<b>Permit Category</b>	<b>Open</b>	<b>Close</b>
<b>General</b>	January 1	March 31, or when quota (or subquota) is filled <sup>324</sup>
	June 1	August 31, or when quota (or subquota) is filled <sup>325</sup>
	September 1	September 30, or when quota (or subquota) is filled <sup>326</sup>
	October 1	November 30, or when quota (or subquota) is filled
	December	December 31, or when quota is filled
<b>Longline</b>	January 1	December 31, or when quota is filled <sup>327</sup>
<b>Trap</b>	January 1	December 31, or when quota is filled <sup>328</sup>
<b>Purse Seine</b>	July 15 <sup>329</sup>	December 31, or when quota is filled <sup>330</sup>
<b>Harpoon</b>	June 1	November 15, or when quota is filled <sup>331</sup>

## **FISHING REGIONS**

For the **Longline category**, Atlantic **bluefin tuna** regions are separated into "North" and "South." The Northern area is north of 31°N and the Southern area is south of 31°N. The 31°N separation line is located at Jekyll Island, Georgia.<sup>332</sup>

## **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](https://hmspermits.noaa.gov), or call (888) 872-8862 or (978) 281-9260 for more information.<sup>333</sup>

There are time and area closures that affect all gears. For information on existing time and area closures, refer to Sections I through IX 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.<sup>334</sup> BAYS tunas landed by HMS Commercial Caribbean Small Boat permit holders may be sold to dealers and non-dealers.<sup>335</sup> Dealers can obtain a tuna dealer permit by contacting the Northeast Region Permit Office at (978) 281-9370.

## **REPORTING REQUIREMENTS**

### **Bluefin Tuna-Specific**

Landings of all bluefin tuna must be reported. All commercially-landed bluefin tuna must be tagged by a federally-permitted tuna dealer.<sup>336</sup> 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.<sup>337</sup> Bluefin tuna not sold by commercial permit holders must be reported to the nearest NOAA Fisheries Enforcement office upon landing.<sup>338</sup>

### **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.<sup>339</sup> 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.<sup>340</sup>

### **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**<sup>341</sup>

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

### **ANNUAL 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.<sup>342</sup> 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 an Atlantic tunas Longline category permit that have longline gear onboard may be required to install and use an E-MTU VMS unit. See Section X for a full description of the E-MTU requirements.

## XIV. COMMERCIAL SWORDFISH FISHING

### PERMITS

Commercial fishermen must hold a valid limited access permit, an open access HMS Commercial Caribbean Small Boat permit, an open access Swordfish General Commercial permit, or an HMS Charter/Headboat permit (non-for-hire trips only) for the vessel they are operating in order to fish for, retain, possess, or sell Atlantic swordfish.<sup>343</sup> 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.<sup>344</sup> The limited access permits are administered under a limited access program. NOAA Fisheries is no longer issuing new swordfish limited access permits. To enter the directed, handgear, or incidental swordfish fisheries, fishermen must obtain a permit via transfer from an existing permit holder who is leaving the fishery, within the upgrading restrictions.<sup>345</sup> For information on applying for an HMS Commercial Caribbean Small Boat permit or renewing or transferring a limited access swordfish permit, please contact the Southeast Region Permit Office at (727) 824-5326. For information on applying for a Swordfish General Commercial permit or an HMS Charter/Headboat permit, or for permit renewal and transfers, please visit [hmspermits.noaa.gov](https://hmspermits.noaa.gov) or contact the Atlantic Tunas Information line at (888) 872-8862. A customer service representative may be reached by dialing “0” from the main menu.

A **Directed permit** allows fishermen to target swordfish using any authorized gear.<sup>346</sup> 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.<sup>347</sup> There are no trip limits for swordfish when the directed fishery is open.\*<sup>348</sup>

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.<sup>349</sup> No other permit is required to land swordfish.<sup>350</sup> There are no trip limits for swordfish when the directed fishery is open.\*<sup>351</sup>

An **Incidental permit** allows fishermen to land swordfish incidental to the catch from other fishing activities.<sup>352</sup> Incidental permits are not subject to vessel upgrading restrictions.<sup>353</sup> 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.<sup>354</sup> The incidental limits are 30 fish per vessel per trip for most gear types.<sup>355</sup> Incidental permit holders may not possess or utilize buoy gear.<sup>356</sup>

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.<sup>357</sup> 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.<sup>358</sup>

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.<sup>359</sup>

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.<sup>360</sup> 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.<sup>361</sup>

An **incidental HMS Squid Trawl permit** is available to all valid *Illex* squid moratorium permit holders.<sup>362</sup> 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.<sup>363</sup>

Both the owner and operator of a vessel using longline gear must attend 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. A copy of the workshop certificate must be included in the permit application package. For more information on workshops, see Section I. Swordfish handgear permit holders are not required to obtain a protected species safe handling, release, and identification workshop certificate.<sup>364</sup>

\* 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.

#### **VESSEL UPGRADING RESTRICTIONS**

In general, an owner may upgrade a vessel with a Directed or 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.<sup>365</sup> 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 (LOA), gross registered tonnage, or net tonnage, as measured relative to the original qualifying vessel's specifications. Horsepower (HP) is not restricted for these vessels.<sup>366</sup>

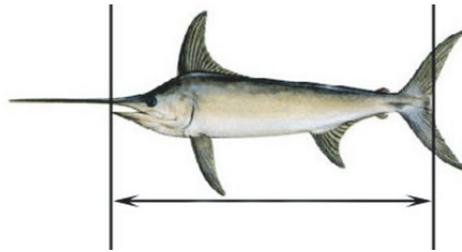
Incidental catch limited access permits are not subject to vessel upgrading restrictions.<sup>367</sup> For more information on upgrading restrictions, call the Southeast Regional Permit Office at (727) 824-5326.

#### **AUTHORIZED GEAR TYPES**

**North Atlantic swordfish** (fish taken north of 5° N lat.) can only be taken with handgear (bandit gear, handline, harpoon, rod and reel), buoy gear (Directed, Handgear, and HMS Commercial Caribbean Small Boat permit holders only), greenstick (Swordfish General Commercial permit), or longline, except that a limited number of swordfish may be taken incidentally on a vessel with squid trawl.<sup>368</sup> **South Atlantic swordfish** (fish taken south of 5° N lat.) can only be taken with pelagic longline.<sup>369</sup>

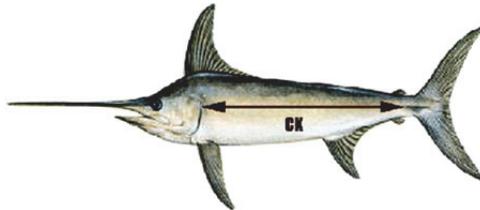
## MINIMUM SIZE

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.**<sup>370</sup> 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.<sup>371</sup> 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.<sup>372</sup>



**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.**<sup>373</sup> 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.<sup>374</sup> 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.<sup>375</sup>

## LANDING RESTRICTIONS

Swordfish must be kept in whole or dressed form through landing.<sup>376</sup> **Dressed** indicates a headed/gutted fish with some or all fins removed. Swordfish cannot be filleted or cut into pieces at sea.<sup>377</sup>

Billfish may not be sold or purchased. Billfish may only be possessed on board vessels that have been issued an HMS Angling or HMS Charter/Headboat permit, or on board vessels that possess an Atlantic Tunas General category permit that are participating in a registered HMS tournament.<sup>378</sup>

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.<sup>379</sup>

## FISHING SEASONS AND CLOSURE DATES

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

## QUOTA MONITORING REGIONS

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 I through IX 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. Dealers can obtain a swordfish dealer permit by contacting the Southeast Regional Permit Office (727) 824-5326. Swordfish landed by HMS Commercial Caribbean Small Boat permit holders may be sold to dealers and non-dealers.<sup>380</sup>

## **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.<sup>381</sup>

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.<sup>382</sup>

**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**<sup>383</sup>: Vessels may be required to carry NOAA Fisheries observers. See Section XVI 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 underharvests, the number of fish discarded, and changes in the amount allocated to the United States at ICCAT.<sup>384</sup> 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 longline gear may be required to install and use VMS. See Section X for details.

## XV. 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**.<sup>385</sup> A “for-hire” trip is a trip carrying a fee-paying passenger; or having more than three persons for a vessel licensed to carry six or fewer; or having more persons aboard than the number of crew specified on the vessel’s Certificate of Inspection for U.S. Coast Guard inspected vessels. The number of persons aboard includes the operator and crew and the retention limits would also apply to the operator and crew.<sup>386</sup>

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](http://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.<sup>387, 388</sup>

Charter and Headboat vessels are defined as:

**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.<sup>389</sup>

**Headboat:** A vessel that holds a valid Certificate of Inspection issued by the U.S. Coast Guard to carry passengers for-hire.<sup>390</sup>

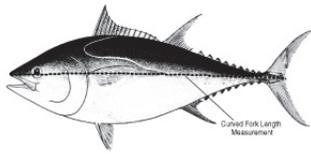
While fishing for, or possessing, Atlantic HMS, the vessel operator *must* have a valid Merchant Marine License or Uninspected Passenger Vessel License.<sup>391</sup>

### AUTHORIZED GEAR TYPES

<b>Billfish</b>	Rod & reel <sup>392</sup>
<b>Swordfish</b>	Rod & reel; Handline <sup>393</sup>
<b>Sharks</b>	Rod & reel; Handline <sup>394</sup>
<b>Tunas</b> <sup>395</sup>	<b>Bluefin</b> Rod & reel (including downriggers); Handline; Green-stick; Bandit gear
	<b>BAYS</b> Rod & reel (including downriggers); Handline; Green-stick; Bandit gear; Speargun (speargun is authorized for recreational BAYS fishing only)

### MINIMUM SIZE AND RETENTION LIMITS

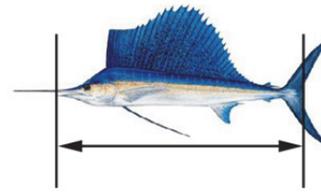
The following table indicates that minimum sizes and retention limits that apply to those persons who hold an HMS Charter/Headboat permit when on a for-hire trip. Restrictions may change depending on the mix of HMS permits held and whether it is a for-hire trip (see for-hire and non-for-hire descriptions under “Sale of Fish” in the following paragraphs). For more information, please contact the HMS Management Division at 301-427-8503.



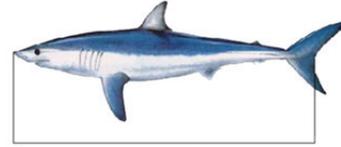
Curved Fork Length (CFL)



Cleithrum to Caudal Keel (CK)



Lower Jaw Fork Length (LJFL)



Fork Length (FL)

HMS CHARTER/HEADBOAT FOR-HIRE TRIP LIMITS*		
Species	Minimum Size	Retention Limits
Blue marlin	99 inches LJFL <sup>396</sup>	N/A
White marlin	66 inches LJFL <sup>397</sup>	N/A
Roundscale spearfish	66 inches LJFL <sup>398</sup>	N/A
Sailfish	63 inches LJFL <sup>399</sup>	N/A
Longbill spearfish	Prohibited <sup>400</sup>	0
Swordfish	Charter Vessels	47 inches LJFL or 25 inches CK <sup>401</sup>
	Headboat Vessels	47 inches LJFL or 25 inches CK <sup>403</sup>
Bigeye tuna	27 inches CFL <sup>405</sup>	N/A
Albacore tuna	N/A	N/A
Yellowfin tuna	27 inches CFL <sup>406</sup>	3 per person per day <sup>407</sup>
Skipjack tuna	N/A	N/A
Bluefin tuna	Angling category(recreational)	School (27 – less than 47 inches CFL) <sup>408</sup> Large school (47 – less than 59 inches CFL) Small medium (59 – less than 73 inches CFL) Large medium/Giant (73 inches CFL or more)
	General category(commercial)	73 inches CFL <sup>409</sup>
Sharks (excluding prohibited species)**	54 inches FL <sup>410***</sup>	1 per vessel per trip <sup>411***</sup>
	78 inches FL (hammerhead sharks only) <sup>412</sup>	

\* If state regulations are more restrictive, then those regulations apply.<sup>413</sup>

\*\* 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.<sup>414</sup>

\*\*\* With an allowance for one bonnethead and one Atlantic sharpnose shark per person per trip with no minimum size.<sup>415</sup>

## **SALE OF FISH**

Atlantic HMS must be sold only by federally-permitted vessels and only to federally-permitted dealers, unless sold by Commercial Caribbean Small Boat permit (only valid in the U.S. Caribbean) holders.<sup>416</sup>

### **Sharks**

On **for-hire trips** when a commercial shark quota is closed, Atlantic HMS Charter/Headboat vessels that also possess a shark limited access permit may fish recreationally for sharks and are subject to recreational shark retention limits.<sup>417</sup>

On **non-for-hire trips**, HMS Charter/Headboat vessels that also possess a shark limited access permit are subject to commercial retention limits and may retain sharks under the commercial regulations while the commercial shark fishery is open.<sup>418</sup> The retained sharks may be sold **only** if the commercial fishery is open and the vessel has been issued a valid limited access shark permit; otherwise, no sale is allowed.<sup>419</sup>

### **Swordfish**

On **for-hire trips**, Atlantic HMS Charter/Headboat vessel permit holders that also possess a swordfish limited access Handgear permit are subject to recreational swordfish retention limits.

On **non-for-hire trips**, Atlantic HMS 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 Section III).<sup>420</sup> Atlantic HMS Charter/Headboat vessel permit holders that *also* possess a swordfish limited access handgear permit may retain swordfish under commercial limits if the commercial fishery is open.

### **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.<sup>421</sup>

Vessel operators should check the web site [hmspermits.noaa.gov](https://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 ( $\geq 73$  inches CFL) bluefin tuna per vessel per year. No sale is allowed.<sup>422</sup>

HMS Charter/Headboat vessels may sell bluefin tuna<sup>423</sup> (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).<sup>424</sup>

### **BAYS tunas**

On **for-hire trips**, Atlantic HMS Charter/Headboat permit holders may sell up to the recreational limits of BAYS tunas.<sup>425</sup> 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.<sup>426</sup>

## **REPORTING REQUIREMENTS**

### **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.<sup>427</sup>

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.<sup>428</sup> 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 to NOAA Fisheries within 24 hours of landing at the dock (with the exception of fish landed in Maryland or North Carolina\*).<sup>429</sup>

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

**Bluefin tuna** recreational landings must be reported to NOAA Fisheries at [hmspermits.noaa.gov](https://hmspermits.noaa.gov), or by calling (888) 872-8862.<sup>430</sup>

\* 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.<sup>431</sup>

### **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.<sup>432</sup> **Participation in the LPS or MRIP does not fulfill recreational reporting obligations.**

## XVI. OBSERVER COVERAGE

NOAA Fisheries observers collect biological information on all HMS species and other fish species 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 is *not* an enforcement officer; however, data gathered by the observer may be used in support of enforcement investigations. 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**<sup>433</sup>

Fishermen who are notified by NOAA Fisheries in writing 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.

For information about the pelagic observer program, go to <http://www.sefsc.noaa.gov/fisheries/observers/pelagic.htm>, email [popobserver@noaa.gov](mailto:popobserver@noaa.gov), or call (800) 858-0624.

## **XVII. 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 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 attend a Protected Species Safe Handling, Release and Identification Workshop.** 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 workshop certification 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.<sup>434</sup>

**Vessel owner and operators** that are required to attend a protected species safe handling, release, and identification workshop may not send someone else (i.e., a proxy) to a workshop instead of attending themselves.<sup>435</sup> 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.<sup>436</sup> 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.<sup>437</sup>

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.<sup>438</sup>

### **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.**<sup>439</sup> 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<sup>440</sup> 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.

## XVIII. CONTACTS

<b>NOAA FISHERIES</b> ATLANTIC HIGHLY MIGRATORY SPECIES MANAGEMENT DIVISION <i>Chief: Margo Schulze-Haugen</i> <a href="http://www.nmfs.noaa.gov/sfa/hms/">http://www.nmfs.noaa.gov/sfa/hms/</a> (301) 427-8503		
<b>Topics</b>	<b>Office</b>	<b>Contact Information</b>
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
Billfish Swordfish Tournament registration Billfish certificate of eligibility Pelagic longline Workshops	HMS St. Petersburg Office	Phone:(727) 824-5399 Fax: (727) 824-5398 NMFS HMS 263 13 <sup>th</sup> Avenue South St. Petersburg, FL 33701
<b>Fishing and Dealer Permits</b>		
Atlantic tunas longline permit Shark and swordfish vessel and dealer permits	NMFS Southeast Regional Permit Office <a href="http://sero.nmfs.noaa.gov/operations_management_information_services/constituency_services_branch/permits/index.html">http://sero.nmfs.noaa.gov/operations_management_information_services/constituency_services_branch/permits/index.html</a>	Phone: (727) 824-5326 263 13 <sup>th</sup> Ave. South St. Petersburg, FL 33701
Atlantic tunas (General), HMS Charter/headboat, Swordfish General Commercial, and HMS Angling vessel permits	Automated Permitting System <a href="http://www.nero.noaa.gov/aps/permits/">http://www.nero.noaa.gov/aps/permits/</a>	Phone: (888) 872-8862 Dial "0" to speak with a person.
Atlantic tunas dealer permit Incidental HMS squid trawl permit	NMFS Northeast Regional Permit Office <a href="http://www.nero.noaa.gov/permits/">http://www.nero.noaa.gov/permits/</a>	Phone: (978) 281-9370 Fax: (978) 281-9366 55 Great Republic Drive Gloucester, MA 01930

<b>Dealer Reporting (eDealer)</b>		
HMSDealerReports@noaa.gov	<a href="http://www.nmfs.noaa.gov/sfa/hms/compliance/edealer/index.html">http://www.nmfs.noaa.gov/sfa/hms/compliance/edealer/index.html</a>	(301) 427-8590
<b>Vessel Monitoring Systems (VMS)</b>		
Kelly Spalding	National VMS Program Manager	(301) 427-2300
Patrick O'Shaughnessy	Southeast VMS Program Manager	(727) 824-5358
<b>NMFS Law Enforcement Offices</b>		
FL	Marathon (305) 743-3110	ME Portland (207) 780-3241
	Niceville (850) 729-8628	Ellsworth (207) 664-0508
	Port Orange (386) 492-6686	NC Morehead City (252) 726-0314
	St. Petersburg (727) 824-5344	NH New Castle (603) 436-3186
LA	Sunrise (954) 746-4160	NJ Marmora (609) 390-8303
	Slidell (985) 643-6232	Wall (732) 280-6490
MA	Boston (617) 565-1800	NY Bellport (631) 776-1734
	East Falmouth (508) 495-2147	PR Aguadilla (787) 890-0715
	Gloucester (978) 281-9213	SC N. Charleston (843) 554-9896
MD	New Bedford (508) 992-7711	TX Galveston (409) 770-0812
	Berlin (410) 629-1258	Harlingen (956) 423-3450
		VA Newport News (757) 595-2692
<p>The NMFS Office of Law Enforcement maintains a 24-hour hotline for the public to <u>report potential violations</u> of Atlantic HMS regulations. This number should be used only to report potential violations, not for general information, concerning Atlantic HMS.</p> <p style="text-align: center;"><b>24-Hour Enforcement Hotline: (800) 853-1964</b></p>		

## 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](http://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: <a href="http://na.nefsc.noaa.gov/sharks/">http://na.nefsc.noaa.gov/sharks/</a>
28 Tarzwell Drive	E-mail: <a href="mailto:sharkrecap@noaa.gov">sharkrecap@noaa.gov</a>
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 <a href="http://www.state.me.us/dmr/index.htm">http://www.state.me.us/dmr/index.htm</a>	(207) 624-6550
New Hampshire	NH Fish and Game <a href="http://www.wildlife.state.nh.us/">http://www.wildlife.state.nh.us/</a>	(603) 868-1095
Massachusetts	MA Division of Marine Fisheries <a href="http://www.mass.gov/dfwele/dmf/">http://www.mass.gov/dfwele/dmf/</a>	(617) 626-1520
Rhode Island	RI Department of Environmental Management <a href="http://www.dem.ri.gov/">http://www.dem.ri.gov/</a>	(401) 789-3094
Connecticut	CT Department of Environmental Protection <a href="http://www.ct.gov/dep/site/default.asp">http://www.ct.gov/dep/site/default.asp</a>	(860) 424-3000
New York	NY Department of Environmental Conservation <a href="http://www.dec.ny.gov/">http://www.dec.ny.gov/</a>	(631) 444-0430
New Jersey	NJ Fish and Wildlife <a href="http://www.state.nj.us/dep/fgw/">http://www.state.nj.us/dep/fgw/</a>	(609) 292-2083
Delaware	DE Division of Fish and Wildlife <a href="http://www.fw.delaware.gov/Pages/FWPortal.aspx">http://www.fw.delaware.gov/Pages/FWPortal.aspx</a>	(302) 739-9914
Maryland	MD Department of Natural Resources <a href="http://www.dnr.state.md.us/">http://www.dnr.state.md.us/</a>	(410) 260-8264 (877) 620-8367
Virginia	VA Marine Resources Commission <a href="http://www.mrc.state.va.us/">http://www.mrc.state.va.us/</a>	(757) 247-2200
North Carolina	NC Division of Marine Fisheries <a href="http://www.ncfisheries.net/">http://www.ncfisheries.net/</a>	(252) 808-8013 (800) 682-2632
South Carolina	SC Department of Natural Resources <a href="http://www.dnr.sc.gov/">http://www.dnr.sc.gov/</a>	(843) 953-9312
Georgia	GA Department of Natural Resources <a href="http://www.gadnr.org/">http://www.gadnr.org/</a>	(912) 264-7218
Florida	FL Fish and Wildlife Conservation Commission <a href="http://www.floridaconservation.org/">http://www.floridaconservation.org/</a>	(850) 487-0554
Alabama	AL Department of Conservation and Natural Resources <a href="http://www.outdooralabama.com/">http://www.outdooralabama.com/</a>	(251) 861-2882 (251) 968-7576
Louisiana	LA Department of Wildlife and Fisheries <a href="http://www.wlf.louisiana.gov/">http://www.wlf.louisiana.gov/</a>	(225) 765-2800
Mississippi	MS Department of Marine Resources <a href="http://www.dmr.state.ms.us/">http://www.dmr.state.ms.us/</a>	(228) 523-4078
Texas	TX Parks and Wildlife Department <a href="http://www.tpwd.state.tx.us/">http://www.tpwd.state.tx.us/</a>	(512) 389-4800 (800) 792-1112
Puerto Rico	Caribbean Fishery Management Council <a href="http://www.caribbeanfmc.com/">http://www.caribbeanfmc.com/</a>	(787) 766-5927
U.S. Virgin Islands	Caribbean Fishery Management Council <a href="http://www.caribbeanfmc.com/">http://www.caribbeanfmc.com/</a>	(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 (<sup>1, 2, 3, etc.</sup>) 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

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<sup>1</sup>[635.31\(b\)\(1\)and 635.21\(e\)\(2\)](#)

<sup>2</sup>[635.21\(e\)\(2\)](#)

#### Introduction to Atlantic Highly Migratory Species Management

<sup>3</sup>[635.4](#)

<sup>4</sup>[635.4\(a\)\(10\)](#)

#### QUICK REFERENCE: ATLANTIC SHARK REGULATIONS

<sup>5</sup>[635.24\(a\)](#)

<sup>6</sup>[Part 635 Appendix A](#)

<sup>7</sup>[Part 635 Appendix A](#)

<sup>8</sup>[635.24\(a\)\(5\)](#)

<sup>9</sup>[635.4\(e\), \(i\), \(l\), \(m\), & \(o\)](#)

<sup>10</sup>[635.8\(a\)](#)

<sup>11</sup>[622.2](#)

<sup>12</sup>[635.24\(a\)\(2\)\(3\)&\(4\)](#)

<sup>13</sup>[635.21\(e\)\(3\)](#)

<sup>14</sup>[229.32](#)

<sup>15</sup>[635.21\(d\)\(3\)](#)

<sup>16</sup>[635.21\(c\)\(2\)&\(5\)](#)

<sup>17</sup>[635.21\(c\)\(1\)](#)

<sup>18</sup>[635.69\(a\)](#)

<sup>19</sup>[635.21\(a\)\(4\), \(c\), & \(d\)](#)

<sup>20</sup>[635.30\(c\)](#)

<sup>21</sup>[635.27\(b\)\(1\)](#)

<sup>22</sup>[635.2](#)

<sup>23</sup>[635.27\(b\)\(1\)](#)

<sup>24</sup>[635.28\(b\)](#)

#### QUICK REFERENCE: ATLANTIC TUNAS REGULATIONS

<sup>25</sup>[635.2](#)

<sup>26</sup>[622.2](#)

<sup>27</sup>[635.4\(b\), \(d\), & \(o\)](#)

<sup>28</sup>[635.1\(b\)](#)

<sup>29</sup>[635.4\(d\)\(3\)](#)

<sup>30</sup>[635.24\(c\)](#)

<sup>31</sup>[635.21\(e\)\(1\)](#)

<sup>32</sup>[635.21\(c\)\(2\)&\(5\)](#) – pelagic longline; [635.21\(d\)\(3\)](#) - bottom longline

<sup>33</sup>[635.21\(c\)\(1\)](#)

<sup>34</sup>[635.69\(a\)](#)

<sup>35</sup>[635.23 \(g\)](#)

<sup>36</sup>[635.21\(a\)\(4\), \(c\), & \(d\)](#)

<sup>37</sup>[635.2](#)

<sup>38</sup>[635.2](#) and [635.23](#)

<sup>39</sup>[635.20\(c\)](#)

<sup>40</sup>[635.20\(c\)](#)

<sup>41</sup>[635.30\(a\)](#)

<sup>42</sup>[635.2](#) and [635.23](#)

<sup>43</sup>[635.20\(b\)\(3\)](#)

<sup>44</sup>[635.1\(b\)](#)

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**QUICK REFERENCE: ATLANTIC SWORDFISH REGULATIONS**

- 45 [622.2](#)
- 46 [635.4\(f\)\(2\)](#)
- 47 [635.4\(f\), \(i\), \(l\), \(m\), & \(o\)](#)
- 48 [635.4\(n\)](#)
- 49 [635.8\(a\)](#)
- 50 [635.28\(c\)\(1\)](#)
- 51 [635.24\(b\)\(1\)](#)
- 52 [635.24\(b\)\(3\)](#)
- 53 [635.24\(b\)\(4\)](#)
- 54 [635.28\(c\)\(1\)](#)
- 55 [635.24\(b\)\(2\)](#)
- 56 [635.27\(c\)\(1\)\(ii\)](#)
- 57 [635.27\(c\)\(1\)\(ii\)](#)
- 58 [635.27\(c\)\(1\)\(ii\)](#)
- 59 [635.21\(e\)\(4\)\(v\)](#)
- 60 [635.21\(e\)\(4\)\(iv\)](#)
- 61 [635.21\(e\)\(4\)](#)
- 62 [635.21\(e\)\(4\)](#) and [635.27\(c\)\(1\)\(ii\)](#)
- 63 [635.21\(e\)\(4\)\(iii\)](#)
- 64 [635.21\(e\)\(4\)\(iii\)](#)
- 65 [635.8\(a\)](#)
- 66 [635.21\(c\)\(2\)&\(5\)](#) – pelagic longline; [635.21\(d\)\(3\)](#) – bottom longline
- 67 [635.21\(c\)\(1\)](#)
- 68 [635.69\(a\)](#)
- 69 [635.21\(e\)\(4\)\(ii\)](#)
- 70 [635.21\(a\)\(4\), \(c\), & \(d\)](#)
- 71 [635.2](#)
- 72 [635.2](#)
- 73 [635.2](#)
- 74 [635.20\(f\)\(2\)](#)
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- 76 [635.2](#)
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- 83 [635.21\(b\)](#)
- 84 [635.2](#)
- 85 [635.21\(e\)\(3\)](#)
- 86 [635.21\(e\)\(1\)](#)
- 87 [635.21\(e\)\(1\)](#)
- 88 [635.21\(e\)\(4\)](#)
- 89 [635.21\(e\)\(4\)\(iii\)](#)
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- 91 [635.21\(e\)\(1\)\(iv\)](#)
- 92 [635.21\(e\)\(1\)\(ii\)](#)
- 93 [635.21\(f\)](#)
- 94 [635.2](#)
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- 96 [600.10](#)
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- 98 [635.21\(e\)\(3\)](#)
- 99 [635.2](#)

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100 [635.2](#)  
101 [635.2](#)  
102 [635.2](#)  
103 [635.6\(c\)](#)  
104 [635.21\(e\)\(4\)\(iii\)](#)  
105 [635.2](#)  
106 [600.10](#)  
107 [600.10](#)  
108 [635.2](#)  
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110 [635.21\(c\)](#)  
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117 [635.2](#) and [635.21\(f\)](#)  
118 [635.4\(d\)\(4\) & \(f\)\(4\)](#) and [635.21\(e\)\(1\)](#)  
119 [635.21\(e\)\(4\)\(iii\)](#)  
120 [635.2](#) and [635.21\(f\)](#)  
121 [635.21\(e\)\(4\)\(iii\) & \(o\)](#)  
122 [635.21\(g\)](#)  
123 [635.21\(e\)\(4\)\(v\)](#)  
124 [635.21\(e\)\(4\)\(iv\)](#)  
125 [635.21\(e\)\(4\)\(i\)](#)  
126 [635.4\(n\)](#)  
127 [635.21\(e\)\(3\)\(i\)](#)  
128 [635.4\(e\)\(2\)](#)  
129 [635.21\(e\)\(1\)](#) and [635.4\(b\)&\(d\)](#)  
130 [635.21\(e\)\(3\)\(i\)](#)  
131 [635.4\(e\)\(2\) & \(o\)](#)  
132 [635.23\(g\)](#)  
133 [635.21\(e\)\(1\)](#) and [635.4\(b\)&\(d\)](#)  
134 [635.21\(g\)](#)

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135 [635.21\(a\)\(4\)\(i\)](#) and [622.34\(d\)](#)  
136 [635.21\(a\)\(4\)\(ii\)&\(iii\)](#)  
137 [635.2](#)  
138 [635.21\(a\)\(4\)\(iv\)](#)  
139 [635.21\(a\)\(4\)\(v\)](#)  
140 [635.2](#)  
141 [635.21\(a\)\(1\)](#) and [635.24\(a\)\(6\)](#)  
142 [635.21\(a\)\(2\)](#)  
143 [635.6\(a\) & \(b\)](#)  
144 [635.6\(c\)](#)  
145 [300 subpart B](#)  
146 [635.4\(a\)\(10\)](#)  
147 [635.21\(b\)](#)  
148 [635.21\(f\)](#)  
149 [635.29\(b\)](#)

### **PELAGIC LONGLINE RESTRICTIONS**

150 [635.8\(a\)](#)  
151 [635.21\(e\)\(1\)](#) and [635.4\(1\) & \(2\)\(ix\)](#)  
152 [635.4\(d\)\(4\) & \(f\)\(4\)](#) and [635.21\(e\)\(1\)](#)

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153 [635.21\(e\)\(3\)](#)  
154 [635.4](#)  
155 [635.4\(d\)\(4\), \(e\)\(2\), \(f\)\(2\), \(l\), & \(m\)](#)  
156 [635.4\(m\)\(1\)](#)  
157 [635.4\(m\)\(2\)](#)  
158 [635.8\(a\)](#)  
159 [635.21\(c\)](#)  
160 [635.21\(d\)\(4\)](#)  
161 [635.21\(c\)\(1\)\(i\)](#)  
162 [Part 635 Appendix A Table 2](#)  
163 [635.21\(c\)\(2\)\(i\)](#)  
164 [635.2](#)  
165 [635.21\(c\)\(2\)\(ii\)](#)  
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167 [635.21\(c\)\(2\)\(iii\)](#)  
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170 [635.2](#)  
171 [635.21\(c\)\(2\)\(v\)](#)  
172 [635.2](#)  
173 [229.36\(d\)\(1\) - PLTRP](#)  
174 [229.36\(d\)\(3\) - PLTRP](#)  
175 [635.21\(c\)\(5\)\(iii\)\(C\)](#)  
176 [635.21\(c\)\(2\)\(v\)\(A\)](#)  
177 [635.21\(c\)\(4\)](#)  
178 [635.21\(c\)\(4\)](#)  
179 [635.23\(f\)](#)  
180 [635.21\(e\)\(2\)](#)  
181 [635.21\(a\)\(3\) & \(c\)\(2\)\(v\)](#)  
182 [635.21\(c\)\(5\)\(iii\)\(A\)](#)  
183 [635.21\(c\)\(5\)\(iii\)\(B\)](#)  
184 [635.21\(c\)\(3\)](#)  
185 [229.36\(e\) - PLTRP](#)  
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187 [635.21\(c\)\(1\)\(ii\)](#)  
188 [635.69\(a\)](#)

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189 [635.8\(a\)](#)  
190 [635.21\(e\)\(3\)](#)  
191 [635.21\(e\)\(1\)&\(4\)](#)  
192 [635.4\(e\)\(2\), \(l\), & \(m\)](#)  
193 [635.4\(m\)\(1\)](#)  
194 [635.4\(m\)\(2\)](#)  
195 [635.8\(a\)](#)  
196 [635.21\(d\)](#)  
197 [635.21\(c\)\(1\)\(i\)](#)  
198 [635.21\(d\)\(4\)](#)  
199 [Part 635 Appendix A Table 3](#)  
200 [635.21\(d\)\(1\)\(i\)](#)  
201 [635.2](#)  
202 [635.21\(d\)\(1\)\(ii\) and 622.33\(a\)\(1\)-\(3\)](#)  
203 [635.21\(d\)\(1\)\(iii\) and 622.35\(i\)\(1\)](#)  
204 [622.34\(b\)](#)  
205 [635.21\(d\)\(3\)\(iii\)](#)  
206 [635.21\(e\)\(2\)](#)  
207 [635.21\(a\)\(3\), \(d\)\(3\)\(i\), & \(c\)\(5\)\(i\)](#)  
208 [635.21\(d\)\(3\)](#)

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209 [635.21\(d\)\(3\)\(ii\)](#)

210 [635.21\(d\)\(2\)](#)

211 [635.69\(a\)\(2\)](#)

### **SHARK GILLNET GEAR RESTRICTIONS**

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213 [635.21\(e\)\(1\), \(2\), \(3\), and \(4\)](#)

214 [635.21\(e\)\(3\)](#)

215 [635.4\(e\)\(2\), \(l\) & \(m\)](#)

216 [635.4\(m\)\(1\)](#)

217 [635.4\(m\)\(2\)](#)

218 [635.8\(a\)](#)

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220 [229.32](#) and [635.21\(e\)\(3\)\(iii\)](#)

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222 [635.21\(d\)\(1\)\(ii\)](#) and [622.33\(a\)\(1\)-\(3\)](#)

223 [635.21\(e\)\(3\)\(ii\)](#)

224 [635.21\(e\)\(1\), \(2\)\(i\), & \(4\)\(ii\)](#)

225 [635.21\(d\)\(2\)](#)

226 [635.21\(e\)\(3\)\(v\)](#)

227 [635.69\(a\)\(3\)](#)

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230 [635.69\(b\) & \(c\)](#)

231 [635.69\(d\)](#)

232 [635.69\(e\)\(1\)](#)

233 [635.69\(e\)\(2\)](#)

234 [635.69\(e\)\(3\)](#)

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235 [635.69\(e\)\(5\)](#)

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238 [635.21\(e\)\(3\)\(v\)](#)

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243 [635.27\(b\)\(1\)\(i\)](#) and [635.24\(a\)\(1\)](#)

244 [635.27\(b\)\(1\)](#) and [635.24\(a\)\(5\)](#)

245 [635.24\(a\)\(6\)](#) and [635.21\(a\)\(1\)](#)

246 [635.4\(e\), \(l\), \(m\), & \(o\)](#)

247 [635.24\(a\)\(2\), \(3\), & \(4\)](#)

248 [635.4\(e\), \(l\), \(m\), & \(o\)](#)

249 [635.24\(a\)\(2\), \(3\), & \(4\)](#)

250 [635.24\(a\)\(4\)\(iv\)](#)

251 [635.4\(o\)\(2\)](#)

252 [635.8\(a\)](#)

253 [635.4\(l\)\(2\)\(ii\)](#)

254 [635.4\(l\)\(2\)\(x\)](#)

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256 [635.32\(f\), \(g\)](#) and [635.24\(a\)\(1\)](#)

257 [635.21\(e\)\(3\)](#)

258 [635.2](#) - handline; [635.21\(e\)\(3\)\(iv\)](#) - gillnet

259 [635.20](#)

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260 [635.30\(c\)\(1\)&\(2\)](#)  
261 [635.30\(c\)\(2\)](#)  
262 [635.30\(c\)\(2\)](#)  
263 [635.30\(c\)\(3\)](#)  
264 [635.2](#)  
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266 [635.27\(b\)](#)  
267 [635.27\(b\)\(1\)\(i\), \(iv\), & \(x\)](#)  
268 [635.28\(b\)\(4\)](#)  
269 [635.31\(c\)\(1\) &\(2\)](#)  
270 [635.27\(b\)\(2\)\(iii\)](#)  
271 [635.5\(a\)\(1\)&\(2\)](#)  
272 [635.5\(a\)\(1\)](#)  
273 [635.5\(b\)\(1\)\(i\)](#)  
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### COMMERCIAL TUNA FISHING

276 [635.2](#)  
277 [635.1\(b\)](#)  
278 [635.4\(d\)\(1\)](#)  
279 [635.71 \(b\)\(23\)](#)  
280 [635.23\(b\)\(1\) & \(2\), & \(c\)\(1\) & \(2\)](#)  
281 [635.4\(d\)\(1\)](#)  
282 [635.4\(1\)\(2\)](#)  
283 [635.4\(d\)\(5\)](#)  
284 [635.4\(d\)\(2\)](#) and [635.23\(a\)](#)  
285 [635.20\(c\)\(1\) & \(3\)](#)  
286 [635.23\(d\)](#)  
287 [635.20\(c\)\(1\) & \(3\)](#)  
288 [635.23\(e\)\(1\)](#)  
289 [635.23\(e\)\(2\)](#)  
290 [635.20\(c\)\(1\) & \(3\)](#)  
291 [635.4\(d\)\(4\) & \(1\)\(2\)\(ix\)](#)  
292 [635.23\(f\)](#)  
293 [635.23\(f\)\(1\)](#)  
294 [635.27\(a\)\(3\)](#)  
295 [635.23\(f\)](#)  
296 [635.23\(f\)\(3\)](#)  
297 [635.20\(c\)\(1\)&\(3\)](#)  
298 [635.23\(g\)](#)  
299 [635.24\(c\)](#)  
300 [635.20\(c\)\(1\)&\(3\)](#)  
301 [635.4\(o\)\(4\)](#)  
302 [635.4\(o\)\(2\)](#)  
303 [635.23\(a\)\(3\) & \(b\)\(2\)\(ii\)](#)  
304 [635.4\(j\)\(3\)](#)  
305 [635.4 \(d\)\(3\)](#)  
306 [635.4\(1\)\(2\)\(ii\)](#)  
307 [635.4\(1\)\(2\)\(x\)](#)  
308 [635.21\(e\)\(1\)](#)  
309 [635.21\(e\)\(1\)](#)  
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311 [635.4\(o\)\(1\), 635.2, & 635.21\(f\)](#)  
312 [635.20\(a\)](#)  
313 [635.2](#)  
314 [635.20\(c\)](#)  
315 [635.20\(b\)](#)

316 [635.2](#)  
317 [635.20\(c\)\(3\)](#)  
318 [635.30\(a\)](#)  
319 [635.30\(a\)](#)  
320 [635.21\(e\)\(2\)](#)  
321 [635.4\(c\)\(2\)](#) and [635.21\(e\)\(2\)](#)  
322 [635.29\(a\)](#)  
323 [635.2](#)  
324 [635.27\(a\)\(1\)\(i\)\(A\)](#)  
325 [635.27\(a\)\(1\)\(i\)\(B\)&\(iii\)](#)  
326 [635.27\(a\)\(1\)\(i\)\(B\)&\(iii\)](#)  
327 [635.2](#) – season; [635.27\(a\)\(3\)](#) – quotas; [635.28\(a\)\(1\)](#)- closures  
328 [635.2](#) – season; [635.27\(a\)\(3\)](#) – quotas; [635.28\(a\)\(1\)](#) - closures  
329 [635.27\(a\)\(4\)\(i\)](#)  
330 [635.28\(a\)\(2\)](#)  
331 [635.27\(a\)\(5\)](#)  
332 [635.23\(f\)\(2\)](#) and [635.27\(a\)\(3\)](#)  
333 [635.23\(a\)\(2\)](#)  
334 [635.31\(a\)\(2\)&\(2\)](#)  
335 [635.4\(o\)\(5\)](#)  
336 [635.5\(b\)\(2\)\(ii\)](#)  
337 [635.5\(b\)\(2\)](#)  
338 [635.5\(a\)\(3\)](#)  
339 [635.5\(a\)\(1\)](#)  
340 [635.5\(a\)\(1\)&\(2\)](#)  
341 [635.7](#)  
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344 [635.24\(b\) \(1\), \(2\), & \(3\)](#)  
345 [635.4\(f\), \(l\), \(m\), & \(o\)](#)  
346 [635.21\(e\)\(4\)](#)  
347 [635.4\(f\)\(4\)](#)  
348 [635.24\(b\)&635.28\(c\)\(1\)\(i\)](#)  
349 [635.21\(e\)\(4\)\(iii\)](#)  
350 [635.4\(f\)](#)  
351 [635.24\(b\)&635.28\(c\)\(1\)\(i\)](#)  
352 [635.24\(b\)\(1\)](#)  
353 [635.4\(l\)\(2\)](#)  
354 [635.4\(f\)\(4\)](#)  
355 [635.24\(b\)\(1\)](#)  
356 [635.21\(e\)\(4\)\(iii\)](#)  
357 [635.4\(f\)\(1\)](#) and [635.21\(e\)\(4\)\(v\)](#)  
358 [635.24\(b\)\(4\)\(ii\)](#)  
359 [635.24\(b\)\(3\)](#)  
360 [635.4\(f\)\(1\), - \(2\), and 635.21\(e\)\(4\)\(iv\)](#)  
361 [635.24\(b\)\(4\)\(ii\)](#)  
362 [635.4\(n\)](#)  
363 [635.24\(b\)\(2\)](#)  
364 [635.8](#)  
365 [635.4\(l\)\(2\)\(ii\)](#)  
366 [635.4\(l\)\(2\)\(x\)](#)  
367 [635.4\(l\)\(2\)\(i\)](#)  
368 [635.21\(e\)\(4\)& \(f\)](#) – longline; [635.4\(n\)&\(o\)](#); [635.2](#); [635.71\(e\)\(8\)](#) - pelagic longline and handgear  
369 [635.21\(e\)\(4\)\(i\)](#) and [635.28\(c\)\(1\)\(ii\)](#)  
370 [635.20\(f\)\(1\)](#)  
371 [635.2](#)

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372 [635.20\(f\)\(1\)](#)  
373 [635.20\(f\)\(2\)](#)  
374 [635.2](#)  
375 [635.20\(f\)\(2\)](#)  
376 [635.30\(d\)](#)  
377 [635.2](#)  
378 [635.71\(c\)\(1\)](#)  
379 [635.21\(e\)\(4\)\(iii\)](#)  
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381 [635.5\(a\)\(1\)-\(2\)](#)  
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### **CHARTER/HEADBOAT FISHING**

385 [635.4\(b\)](#)  
386 [635.2](#)  
387 [635.4\(b\)\(1\)](#)  
388 [635.4\(f\)\(5\)](#)  
389 [600.10](#) - def  
390 [600.10](#) -def  
391 [635.4\(b\)\(2\)](#)  
392 [635.21\(e\)\(2\)](#)  
393 [635.21\(e\)\(4\)\(iv\)](#)  
394 [635.21\(e\)\(3\)\(i\)](#)  
395 [635.21\(e\)\(1\)\(ii\)](#)  
396 [635.20\(d\)\(1\)](#)  
397 [635.20\(d\)\(2\)](#)  
398 [635.20\(d\)\(4\)](#)  
399 [635.20\(d\)\(3\)](#)  
400 [635.22 \(b\)](#)  
401 [635.20\(f\)](#)  
402 [635.22\(f\)\(1\)](#)  
403 [635.20\(f\)](#)  
404 [635.22\(f\)\(2\)](#)  
405 [635.20\(c\)](#)  
406 [635.20\(c\)](#)  
407 [635.22\(d\)](#)  
408 [635.2](#); [635.20\(c\)](#); and [635.23\(b\) & \(c\)](#)  
409 [635.2](#); [635.20\(c\)](#); and [635.23\(a\) & \(c\)](#)  
410 [635.20\(e\)\(2\)](#)  
411 [635.22 \(c\)\(1\)](#)  
412 [635.20\(e\)\(4\)](#)  
413 [635.4\(a\)\(10\)](#)  
414 [635.22\(a\)\(2\)](#)  
415 [635.20\(e\)\(3\)](#) and [635.23\(c\)\(3\)](#)  
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418 [635.21\(e\)\(3\)\(i\)](#)  
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420 [635.4\(f\)\(2\)](#) and [635.24\(b\)\(4\)\(ii\)](#)  
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425 [635.4\(d\)\(1\) & \(2\)](#) and [635.31\(a\)\(1\)](#)  
426 [635.31\(b\)\(1\)](#)  
427 [635.5\(a\)\(1\)](#)

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<sup>428</sup> [635.7\(a\)](#)

<sup>429</sup> [635.5\(c\)\(2\)](#)

<sup>430</sup> [635.5\(c\)\(1\)](#)

<sup>431</sup> [635.5\(d\)](#)

<sup>432</sup> [635.5\(f\)](#)

**OBSERVER COVERAGE**

<sup>433</sup> [635.7](#)

**HMS WORKSHOPS**

<sup>434</sup> [635.8\(a\)](#)

<sup>435</sup> [635.8\(c\)\(5\)](#) & [635.8\(c\)\(7\)](#)

<sup>436</sup> [635.8\(b\)](#)

<sup>437</sup> [635.8\(b\)](#)

<sup>438</sup> [635.8\(b\)](#)

<sup>439</sup> [635.8 \(c\)\(1\)](#); [635.8\(c\)\(6\)](#)

<sup>440</sup> [635.8\(c\)\(5\)](#)