

## 1. INTRODUCTION

The Magnuson-Stevens Act is the primary Federal legislation governing the management and executive processes for marine fisheries of the United States. The National Standard (NS) 2 guidelines (50 CFR 600.315) require NMFS to prepare a SAFE Report, or similar document, review it annually, and make changes as necessary for each fishery management plan (FMP). This document constitutes the 2013 SAFE Report for Atlantic HMS managed under the 2006 Consolidated Atlantic HMS FMP and its amendments.

Consistent with the NS 2, this SAFE Report provides a summary of the best available scientific information on the condition of HMS stocks, marine ecosystems, and fisheries managed under Federal regulation. It also provides updated information regarding the economic status of HMS fisheries, fishing communities, and industries, as well as the socio-economic and environmental impacts of recently implemented regulations.

NMFS uses the SAFE Report as a method to introduce new information and identify potential management issues. This SAFE Report includes information from the latest stock assessment data, and a summary of recommendations and resolutions from the International Commission for the Conservation of Atlantic Tunas (ICCAT) and its Standing Committee on Research and Statistics (SCRS). The report also includes the latest domestic shark stock assessment information. In compliance with the NS 2 guidelines, the report presents a comprehensive summary of the most recent Atlantic HMS fisheries-related data from a variety of sources across a wide range of disciplines.

### 1.1 Agency Activities and Regulatory Actions for HMS

From January through December, 2013, NMFS proposed or implemented a number of actions with regard to Atlantic HMS. These actions were published in the Federal Register and are listed in Table 1.1. Actions published from December 2, 2012 – January 1, 2013 are also included, as they were published after release of the 2012 HMS SAFE Report. Most documents related to these and previous actions are available on the Atlantic HMS website at <http://www.nmfs.noaa.gov/sfa/hms/> or by calling the HMS Management Division at (301) 427-8503.

NMFS held a one-day HMS Advisory Panel meeting on January 8, 2013, in Silver Spring, MD, to discuss Draft Amendment 5 to the Consolidated HMS FMP, and an Advisory Panel meeting September 9 – 12, 2013, in Silver Spring, MD. These meetings provided valuable opportunities for comments on a suite of management actions that NMFS pursued or considered in 2013. Meeting presentations and transcripts are posted on the HMS website.

On April 24, 2013 (78 FR 24148), NMFS published a notice of intent to prepare an Environmental Impact Statement to examine management alternatives to rebuild dusky sharks and end overfishing. These alternatives were analyzed in the proposed rule for Amendment 5 to the 2006 Consolidated HMS FMP (77 FR 70552), which also contained management measures for sandbar, scalloped hammerhead, blacknose, and Gulf of Mexico blacktip sharks. After reviewing all of the comments received on the proposed rule, NMFS decided to analyze further those measures pertaining to dusky sharks in a separate but related FMP amendment, EIS, and

proposed rule. For clarity in referring to the two related rulemaking processes, the FMP amendment for non-dusky shark species included in draft Amendment 5--specifically, scalloped hammerhead, sandbar, blacknose, and Gulf of Mexico blacktip sharks--is called "Amendment 5a," and the FMP amendment for dusky sharks is referred to as "Amendment 5b."

On July 3, 2013, NMFS published a final rule (78 FR 40318) to implement Amendment 5a, which included shark fishery management measures and established the scalloped hammerhead shark rebuilding program. The final rule established several new regional shark management groups and quotas for the commercial fishery and a new minimum size limit for recreational fishermen (for HH?). This final rule addressed annual regional quotas for the aggregated large coastal sharks complex (LCS), hammerhead sharks, and Gulf of Mexico blacktip, blacknose, and non-blacknose sharks. Amendment 5a implemented regional quota linkages between management groups whose species are often caught together in the same fisheries to prevent exceeding the newly established quotas through discarded bycatch. When landings of either of two linked management groups reach, or are expected to reach, 80 percent of the quota, fishing for both management groups will close. In addition, Amendment 5a established a new minimum size limit for the large hammerhead shark species (great, smooth, and scalloped) of 78 inches (6.5 feet) fork length (FL). The size limit for other shark species and the retention limits did not change.

On August 21, 2013, NMFS published a final rule (78 FR 52012) to implement Amendment 8 to the 2006 Consolidated HMSFMP. The final rule established a new commercial fishing vessel permit (the Swordfish General Commercial permit) that allows permit holders to retain and sell a limited number of swordfish caught on rod and reel, handline, harpoon, greenstick, or bandit gear. Other management measures included the modification of HMS Charter/Headboat permit regulations to allow for the commercial retention of swordfish on non-for-hire trips, regional swordfish retention limits for the new and modified permits, gear authorizations, and reporting requirements. The new and modified permits became available to interested participants in November 2013 for the 2014 fishing year.

On August 21, 2013, NMFS also proposed a rule for Amendment 7 to the 2006 Consolidated HMS FMP. Amendment 7 would establish measures to ensure sustainable management of bluefin tuna consistent with the 2006 Consolidated HMS FMP addressing ongoing management challenges in the Atlantic bluefin tuna fisheries. Draft Amendment 7 also proposed minor regulatory changes otherwise related to the management of Atlantic HMS. The proposed measures would reallocate the U.S. bluefin tuna quota among domestic fishing categories. The rule would also implement several actions applicable to the pelagic longline fishery, including: Individual Bluefin Quotas (IBQs); two new gear-restricted areas and access to current closed areas based on performance criteria; closure of the pelagic longline fishery when annual bluefin tuna quota is reached; elimination of target catch requirements associated with retention of incidental bluefin tuna; mandatory retention of legal-sized bluefin tuna caught as bycatch; expanded monitoring requirements, including electronic monitoring via cameras and bluefin tuna catch reporting via Vessel Monitoring System (VMS); and transiting provisions for pelagic and bottom longline vessels. The proposed rule would also require VMS use and reporting by the Purse Seine category; change the start date of the Purse Seine category to June 1; expand the Automated Catch Reporting System use to the General and Harpoon categories; provide additional flexibilities for inseason adjustment of the General category quota and

Harpoon category retention limits; and allocate a portion of the Angling category Trophy South subquota to the Gulf of Mexico. Finally, it proposed several measures not directly related to bluefin tuna management, including implementing a U.S. North Atlantic albacore tuna quota; modifying rules regarding permit category changes; and implementing minor changes in the HMS regulations for administrative or clarification purposes. The comment period for Draft Amendment 7 was extended until December 10, 2013 (78 FR 57340), and then extended again until January 10, 2014 (78 FR 75327).

On November 15, 2013, NMFS published a final rule (78 FR 68758) that requires vessel owners or operators who have been issued HMS permits and are required to use VMS, to provide hourly position reports 24 hours a day, 7 days a week (24/7) via VMS. The final rule also allows the vessel owners or operators of such vessels to declare out of the HMS fishery when not fishing for or retaining HMS for a period of time encompassing two or more trips. This final action continues to provide NMFS Office of Law Enforcement needed information on the target fishery and gear possessed in order to facilitate enforcement of closed areas and other HMS regulations, while reducing the reporting burden on vessel owners and operators. This action also brings HMS fisheries regulations in line with VMS regulations in other fisheries.

The Magnuson-Stevens Act requires that all EFH be reviewed and updated every five years. NMFS last updated existing essential fish habitat (EFH) for swordfish, billfish, tunas, and sharks in 2009. Thus, in 2013, NMFS initiated the five-year review of EFH for these species.

**Table 1.1 Summary of NMFS' Atlantic HMS Federal Management Actions from December 5, 2012 to December 13, 2013**

<b>Federal Register Cite</b>	<b>Date</b>	<b>Rule or Notice</b>
<b>HMS Fisheries (General)</b>		
78 FR 13864	3/1/2013	EFP Notice of Intent Comments Received
78 FR 15709	3/12/2013	Notice for Atlantic Shark Identification Workshops, and Protected Species, Release, Disentanglement, and Identification Workshops
78 FR 25255	4/30/2013	Public Conference Call to Discuss Updating the Atlantic HMS Recreational Fishing Action Agenda
78 FR 34349	6/7/2013	Notice for Atlantic Shark Identification Workshops, and Protected Species, Release, Disentanglement, and Identification Workshops
78 FR 44095	7/23/2013	Notice of Public Meeting for the Atlantic HMS Advisory Panel
78 FR 53397	8/29/2013	Proposed Rule to Modify Vessel Monitoring System Requirements in Atlantic HMS Fisheries
78 FR 54456	9/4/2013	Notice for Atlantic Shark Identification Workshops, and Protected Species, Release, Disentanglement, and Identification Workshops
78 FR 66684	11/6/2013	Nominations for the Atlantic HMS Advisory Panel
78 FR 68757	11/15/2013	Final Rule to Modify Vessel Monitoring System Requirements in Atlantic HMS Fisheries
78 FR 69823	11/21/2013	Notice of Intent to Issue Exempted Fishing Permits (EFPs), Scientific Research Permits (SRPs), Display Permits, Letter of Acknowledgement (LOAs), and Chartering Permits

<b>Federal Register Cite</b>	<b>Date</b>	<b>Rule or Notice</b>
<b>Bluefin and BAYS Tunas</b>		
78 FR 11788	2/20/2013	Inseason Action to Close the Atlantic Bluefin Tuna General Category Fishery
78 FR 20258	4/4/2013	Inseason Action to Adjust the Angling Category Atlantic Bluefin Tuna Retention Limit and Close the Southern Area Trophy Fishery
78 FR 21584	4/11/2013	Proposed Rule for the 2013 Bluefin Tuna Quota Specifications
78 FR 26709	5/8/2013	Inseason Action to Adjust the General Category (Commercial) Atlantic Bluefin Tuna Retention Limit for June-August 2012
78 FR 36685	6/19/2013	Final 2013 Atlantic Bluefin Tuna Quotas and Close the Incidental Longline Category Northern and Southern Area Fisheries
78 FR 50346	8/19/2013	Inseason Action to Maintain the Three-Fish General Category Daily Retention Limit for September-December 2013
78 FR 52012	8/21/2013	Proposed Rule for Amendment 7 to the 2006 Consolidated HMS FMP
78 FR 52123	8/22/2013	Public Hearings for Draft Amendment 7 to the 2006 Consolidated HMS FMP
78 FR 53754	8/30/2013	Draft Environmental Impact Statement for Amendment 7 to the 2006 Consolidated HMS FMP
78 FR 57340	9/18/2013	Comment Period Extension for Draft Amendment 7 to the 2006 Consolidated HMS FMP
78 FR 66327	11/5/2013	Rescheduled Public Hearings for Draft Amendment 7 to the 2006 Consolidated HMS FMP
78 FR 72584	12/3/2013	Inseason Action to Adjust the General Category (Commercial) Atlantic Bluefin Tuna Retention Limit for December 2013
78 FR 75327	12/11/2013	Comment Period Extension for Draft Amendment 7 to the 2006 Consolidated HMS FMP
<b>Sharks</b>		
77 FR 73608	12/11/2012	Public Hearings for Draft Amendment 5 to the 2006 Consolidated HMS FMP
77 FR 75896	12/26/2012	Final Rule Regarding the 2013 Atlantic Shark Commercial Fishing Season
78 FR 279	1/3/2013	Two Additional Public Hearings and a Change in Date of One Public Hearing for Draft Amendment 5 to the 2006 Consolidated HMS FMP
78 FR 14515	3/6/2013	Public Meeting for Selected Participants of the 2013 Shark Research Fishery
78 FR 20718	4/5/2013	Proposed Rule for Endangered, Threatened, and Not Warranted Listing Determinations for Six Distinct Population Segments of Scalloped Hammerhead Sharks
78 FR 24148	4/24/2013	Notice of Intent to Prepare an Environmental impact Statement and Associated Rulemaking for Dusky Shark Management Measures
78 FR 24701	4/26/2013	90-Day Finding on Petitions to List the Great Hammerhead Sharks as Threatened or Endangered under the Endangered Species Act
78 FR 24743	4/26/2013	Availability of the Final EIS for Amendment 5a to the 2006 Consolidated HMS FMP
78 FR 25685	5/2/2013	Proposed Rule to Implement Provisions of the Shark Conservation Act of 2010
78 FR 29100	5/17/2013	90-Day Finding on Petitions to List Dusky Shark as Threatened or Endangered Under the Endangered Species Act
78 FR 40318	7/3/2013	Final Rule for Amendment 5a to the 2006 Consolidated HMS FMP and

Federal Register Cite	Date	Rule or Notice
78 FR 42021	7/15/2013	Closure of the Gulf of Mexico Blacktip Shark Management Group NMFS Closes the Gulf of Mexico Aggregated LCS and Hammerhead Shark Management Groups
78 FR 50032	8/16/2013	Negative 90-Day Finding for Whale Sharks
78 FR 52487	8/23/2013	Proposed Rule to Establish the Quotas and Opening Dates for the 2014 Atlantic Shark Commercial Fishing Season
78 FR 54195	9/3/2013	Regional Non-Blacknose SCS Quota Transfer from the Atlantic to the Gulf of Mexico
78 FR 59878	9/30/2013	Closure of the Commercial Aggregated LCS, Hammerhead Shark, Blacknose Shark, and Non-Blacknose SCS Management Groups in the Atlantic Region
78 FR 65974	11/4/2013	Nominations for the Atlantic HMS SEDAR Pool
78 FR 70018	11/22/2013	Notice of Intent for Applications to the 2014 Shark Research Fishery
78 FR 70500	11/26/2013	Final Rule Regarding the 2014 Atlantic Shark Commercial Fishing Season
<b>Swordfish and Billfish</b>		
78 FR 6299	1/30/2013	90-Day Finding on two Petitions to List White Marlin as Threatened or Endangered Under the Endangered Species Act
78 FR 12273	2/22/2013	Draft Amendment 8 to the 2006 Consolidated HMS FMP for Management of Atlantic Swordfish
78 FR 12705	2/25/2013	Proposed Rule to Adjust the 2013 North and South Atlantic Swordfish Quotas
78 FR 17625	3/22/2013	Additional Public Hearings and Comment Period Extension for Draft Amendment 8 to the 2006 Consolidated HMS FMP
78 FR 20291	4/4/2013	Advance Notice of Proposed Rulemaking to Implement the 2012 Billfish Conservation Act
78 FR 28758	5/16/2013	Final Rule to Adjust the 2013 North and South Atlantic Swordfish Quotas
78 FR 52012	8/21/2013	Final Rule for Amendment 8 to the 2006 Consolidated HMS FMP for Management of Atlantic Swordfish

## 1.2 2013 Accomplishments of the International Commission for the Conservation of Atlantic Tunas

The International Commission for the Conservation of Atlantic Tunas (ICCAT) is an international regional fishery management organization (RFMO) with 47 members, including the United States. The 23rd Annual Meeting of ICCAT was held in Cape Town, South Africa, November 18-25, 2013. The United States helped develop recommendations aimed at promoting the conservation, management, and rebuilding of Atlantic highly migratory fish stocks (*e.g.*, tunas, swordfish, sharks), including those critical to U.S. fishermen. ICCAT made progress on a number of issues, including bluefin tuna, swordfish, sea turtles, compliance issues, and monitoring, control and surveillance measures.

*Western Atlantic Bluefin Tuna:* In 2013, Recommendation 13-09 was adopted, maintaining the western Atlantic bluefin tuna total allowable catch (TAC) at 1,750 metric tons (mt) whole weight (ww) for 2014, and calling on Parties to prepare research plans to obtain reliable stock abundance indices for review at the 2<sup>nd</sup> meeting of the Working Group of Fishery Managers and Scientists in Support of the Western Atlantic Bluefin Tuna Stock Assessment,

planned for July 2014. ICCAT's SCRS will be informed of the outcomes of these activities. ICCAT maintained this TAC taking into account two divergent recruitment scenarios presented by the scientific advice, i.e., the low recruitment scenario, under which the stock is at the biomass level that can support MSY, and the high recruitment scenario, under which higher sustainable yields are possible in the future but the stock remains overfished with overfishing occurring. Recommendation 13-09 continues the current 20-year rebuilding program through 2018, maintains all Parties' current allocation shares, and includes provisions for the transfer of quota specifically to support cooperative research. It continues to call on Parties to contribute to ICCAT's Atlantic-wide Bluefin Tuna Research Program, including the enhancement of biological sampling. It also maintains the request that SCRS, in preparation for the 2015 stock assessment, thoroughly review the evidence that initially was used in support of each recruitment scenario, as well as any additional information available, as a means of informing ICCAT which scenario is more likely to reflect the current stock recruitment potential. It requests that, if the evolving science is unable to support one scenario over the other, management advice be provided that takes into consideration the risks that would be associated with opting to manage the stock under a scenario that does not accurately reflect the stock-recruitment relationship. For greater consistency with the language in the eastern Atlantic/Mediterranean BFT Recommendation, Recommendation 13-09 clarifies that sale of recreationally harvested western Atlantic bluefin tuna is prohibited, although such sale has already been prohibited in the United States. As the recommended TAC is for 2014 only, ICCAT will renegotiate the recommendation in November 2014.

*Eastern Atlantic and Mediterranean Bluefin Tuna:* The Commission adopted Recommendation 13-07, amending the recovery plan for eastern Atlantic and Mediterranean bluefin tuna. Recommendation 13-07 maintains the eastern Atlantic/Mediterranean TAC at 13,400 mt ww for 2014 onward, until changed, with an additional allocation of 100 mt ww in 2014 for Algeria. It also makes changes to the open seasons provisions that will allow Norway to fish its quota within its EEZ and establishes a standardized protocol and common procedures for implementation of stereoscopic cameras in the eastern Atlantic/Mediterranean bluefin tuna caging operations.

For both bluefin tuna stocks, an assessment update will be conducted in 2014, with the next full assessment scheduled in 2015.

*North Atlantic Albacore:* The Commission adopted Recommendation 13-05, which continues the rebuilding plan for North Atlantic albacore and maintains the annual TAC at 28,000 mt ww for 2014 through 2016. The U.S. allocation for North Atlantic albacore is maintained at 527 mt ww.

*South Atlantic Albacore:* Recommendation 13-06 maintains the annual TAC for South Atlantic Albacore (caught south of 5° N. latitude) of 24,000 mt ww, and ends the use of aspirational catch limits and a sharing system that had provided the five participants actively fishing for southern albacore – Chinese Taipei, South Africa, Namibia, Brazil and Uruguay – with individual catch limits that totaled an amount greater than the TAC. All of these CPCs now have a set quota. The United States, which does not have a directed southern albacore fishery and has not reported bycatch of southern albacore since 2005, received a quota of 25 mt ww, the same as all other countries that are not actively fishing for southern albacore.

*North Atlantic Swordfish:* The Commission adopted Recommendation 13-02, which extends the current TAC of 13,700 mt ww for 2014 through 2016. This measure maintained the current base quota allocations for all countries including the United States. The maximum underharvest carryover provision was reduced for those countries that have quotas of more than 500 mt ww from 25% to 15% for 2014 through 2016. However, a provision was added to maintain the 25% underharvest carryover for 2013 underharvests since the previous measure (Recommendation 11-02) included catches from 2013. The requirement for all countries to submit swordfish development/management plans was maintained for the duration of the measure. Finally, this measure includes a transfer of 25 mt ww from the United States, as well as transfers from other countries, to Mauritania for a total of 100 mt ww.

*South Atlantic Swordfish:* The Commission adopted Recommendation 13-03, which extends the current TAC of 15,000 mt ww for 2014 through 2016. This Recommendation maintains the provision that allows the United States to carryover underharvests up to the entire amount of the base quota allocation of 100 mt. Quota transfers from the United States of 50 mt ww to Namibia, 25 mt ww to Cote D'Ivoire and 25 mt ww to Belize were maintained.

*Sharks:* The Commission adopted Recommendation 13-10, which provides for the biological sampling of shark species that are currently prohibited from retention in ICCAT fisheries, including oceanic whitetip, bigeye thresher, silky, and scalloped, smooth and great hammerhead sharks, if they are dead at haulback. Countries wanting to retain these prohibited shark species for scientific sampling must notify the SCRS of the research plan taking into consideration the research priorities of the SCRS Shark Species Group and must report annually on the progress and/or results achieved by the research project.

*Sea Turtles:* The Commission adopted Recommendation 13-11 to reduce mortality of incidentally captured sea turtles in ICCAT fisheries through safe handling practices, such as the use of line cutters and the use of de-hooking devices based on the outcomes of the SCRS sea turtle ecological risk assessment.

*Monitoring, Control and Surveillance Measures:* The Commission adopted Recommendation 13-17 updating the schedule for the implementation of the electronic bluefin tuna catch document (eBCD) program. According to this schedule, countries will be required to fully implement and use the electronic system by March 1, 2015. Until this time, both paper and electronic BCDs will be accepted. ICCAT also adopted Recommendation 13-13, which requires commercial fishing vessels greater than 20 meters on the ICCAT Authorized Vessel List to obtain unique vessel identifiers. This requirement will be effective beginning January 1, 2016.

### **1.3 State Regulations**

Table 1.2 outlines the state regulations regarding HMS species as of November 1, 2013. While the HMS Management Division updates this table periodically throughout the year, persons interested in the current regulations for any state should contact that state directly.

Atlantic tunas (bluefin, bigeye, albacore, yellowfin, and skipjack tunas) are under federal jurisdiction from the outer boundary of the exclusive economic zone (EEZ) to the shoreline, including state waters, with the following three exceptions: state waters of Maine, Connecticut,

and Mississippi (50 CFR 635.1(b)). Federal HMS regulations apply in all other state waters of the Atlantic, Gulf of Mexico, and Caribbean. NMFS periodically reviews state tuna regulations for federal consistency as required under the Atlantic Tuna Convention Act (ATCA). Table 1.2 describes the state regulations as stated in available source material and makes no statement about the consistency of the specific, individual fishery regulations with Federal regulations.

The Atlantic States Marine Fisheries Commission (ASMFC) is composed of 15 member states along the Atlantic coast from Maine to Florida. The Gulf States Marine Fisheries Commission (GSMFC) is composed of five member states along the Gulf of Mexico from Florida to Texas. Through the Commissions, member states coordinate fisheries management measures to create consistent regulations and ensure stocks are protected across state boundaries. In August 2008, the ASMFC approved the Interstate FMP for Atlantic Coastal Sharks, effective as of January 1, 2010. This FMP was modified via Coastal Sharks Addendum I in September 2009 to allow for limited at-sea processing of smoothhound sharks and to remove recreational smoothhound shark possession limits. The ASMFC Interstate FMP was also modified via Addendum II in May 2013 to establish state shares of any future federal smoothhound shark quota and to allow smoothhound sharks to be fully processed at sea provided the fin to carcass ratio does not exceed 12 percent. In October 2013, the Interstate FMP was further modified to reorganize some shark complexes consistent with federal regulations. All management measures for coastal shark species in the FMP and Addendum I have been implemented by ASMFC members, unless they have been granted *de minimus* status (Maine, Massachusetts, and New Hampshire) or have equivalent conservation measures in place. Member states can implement more restrictive management measures. A state can request permission to implement an alternative to any mandatory compliance measure only if that state can show to the Board's satisfaction that its alternative proposal will have the same conservation value as the measure contained in this management plan or any addenda prepared under Adaptive Management.

Some Atlantic states have also adopted bans on the possession and trade of shark fins, but not all are effective as of November 1, 2013. Currently, Delaware, Maryland, and New York have restrictions on shark fin possession, although some allow limited exemption for certain species such as smoothhound sharks. Some states on the west coast of the United States, several U.S. territories, and Illinois have similar restrictions.

**Table 1.2 State Rules and Regulations Pertaining to Atlantic HMS**

State regulations are subject to change. Please contact the appropriate state personnel to ensure that the regulations listed below are current. X = Regulations in Effect; n = Regulation Repealed; FL = Fork Length; CL = Carcass Length; TL = Total Length; LJFL = Lower Jaw Fork Length; CFL = Curved Fork Length; DW = Dressed Weight; and SCS = Small Coastal Sharks; LCS = Large Coastal Sharks.

State	Species				Cite Reference	Regulatory Details	Contact Information
	Tunas	Swordfish	Billfish	Sharks			
ME	X			X	Tuna - ME Rev. Stat. Ann. tit. 12, " 6001, 6502, and 6551 Sharks - Code ME R. 13-188 ' 50.01, 50.04 and 50.10	Tuna - Retention limit - 1 tuna/year – non-resident special tuna permit holder; Unlawful to fish for tuna with gear other than harpoon or hook and line or possess tuna taken in unlawful manner; retention limits and size limits mirror federal regulations. Sharks –Commercial harvest of sharks (except spiny dogfish) in state waters prohibited; finning prohibited; sharks harvested elsewhere but landed in Maine, or sharks landed recreationally, must be landed with head, fins, and tail naturally attached to the carcass; porbeagle cannot be landed commercially after federal quota closes. Dealers who purchase sharks must obtain a federal dealer permit. Recreational anglers must possess a federal HMS angling permits.	ME Department of Marine Resources Phone: (207) 624-6550 Fax: (207) 624-6024
NH			X	X	Billfish - FIS 603.13 Sharks - FIS 603.20	Billfish - Possession limit - 1 billfish/trip; Minimum size (LJFL) - Blue marlin – 99"; White marlin - 66"; Sailfish – 57"; May be taken by rod and reel only; Unlawful to sell billfish, personal use only Sharks – See list for prohibited sharks – no take, landings, or possession of prohibited shark species; NH Wholesale Marine Species License and a Federal Dealer permit required for all dealers purchasing listed sharks; Porbeagle sharks can only be taken by recreational fishing; Head, fins and tail must remain attached to all shark species through landing	NH Fish and Game Douglas Grout Phone: (603) 868-1095 Fax: (603) 868-3305

State	Species				Cite Reference	Regulatory Details	Contact Information
	Tunas	Swordfish	Billfish	Sharks			
MA	X			X	Bluefin Tuna - 322 CMR 6.04 Sharks – 322 CMR 6.37	Bluefin Tuna - References ATCA and federal regulations; Bluefin tuna may be retained if caught in a trap as incidental catch; Fishing for bluefin tuna by means of any net is prohibited prior to September 1 of the year; Fishing for tuna by means of purse seine is allowed in state waters if the vessel is compliant with the registration requirements set forth in 322 CMR 6.04(4); Purse seining for bluefin tuna is prohibited in Cape Cod Bay.  Sharks – ASMFC Coastal Shark Plan (no shark species may be landed with tails or fins removed 322 CMR 6.37(3)(d))  All MA commercial and recreational fishing regulations are available online at: <a href="http://www.mass.gov/dfwele/dmf/commercialfishing/cmriindex.htm">http://www.mass.gov/dfwele/dmf/commercialfishing/cmriindex.htm</a>	MA Division of Marine Fisheries Jared Silva Phone: (617) 626-1534 Fax: (617) 626-1509
RI				X	Sharks - RIMFC Regulations part VII 7.24	Sharks – ASMFC Coastal Shark Plan  RI commercial fishing license and/or landing permit required to harvest and/or land HMS species  All RI commercial and recreational marine fisheries regulations are available online at: <a href="http://www.dem.ri.gov/pubs/regs/regs/fishwild/rimftoc.htm">http://www.dem.ri.gov/pubs/regs/regs/fishwild/rimftoc.htm</a>  RIMFC Regulations part VII 7.24 are available online at: <a href="http://www.dem.ri.gov/pubs/regs/regs/fishwild/rimf7.pdf">http://www.dem.ri.gov/pubs/regs/regs/fishwild/rimf7.pdf</a>	RI Dept of Environment Management, Div of Fish and Wildlife Eric Schneider Phone: (401) 423-1933

State	Species				Cite Reference	Regulatory Details	Contact Information
	Tunas	Swordfish	Billfish	Sharks			
CT				X	Sharks – Regulations of Connecticut State Agencies § 26-159a-1; Connecticut General Statutes §26-142a(d) Declarations: 10-03, 10-05, 10-07	Sharks – Prohibited species same as federal regulations; No commercial fishing for large coastal sharks; No commercial small coastal shark fishing until further notice	CT Department of Environmental Protection David Simpson Phone: (860) 434-6043 Fax: (860) 434-6150
NY			X	X	Billfish - NY Environmental Conservation ' 13-0339 (5) Sharks - NY Environmental Conservation ' 13-0338; State of New York Codes, Rules and Regulations (Section 40.7)	Billfish - Blue marlin, white marlin, sailfish, and longbill spearfish shall not be bought, sold or offered for sale; Striped marlin, black marlin, shortbill spearfish shall not be bought, sold or offered for sale unless tagged and identified prior to entry into the state  Sharks – ASMFC Coastal Shark Plan	NY Department of Environmental Conservation Stephen W. Heins Phone: (631) 444-0430 Fax: (631) 444-0449
NJ				X	Sharks - NJ Administrative Code, Title 7. Department of Environmental Protection, NJAC 7:25-18.1 and 7:25-18.12(d)	Sharks – ASMFC Coastal Shark Plan	NJ Fish and Wildlife Russ Babb Phone: (609)748-2020 Fax: (609) 748-2032
DE			X	X	Billfish - DE Code Ann. tit. 7, ' 1310 Sharks - DE Code Regulations 3541	Billfish - Prohibition on sale of Atlantic sailfish and blue/white/striped marlin  Sharks – ASMFC Coastal Shark Plan	DE Division of Fish and Wildlife John Clark Phone: (302) 739-9914

State	Species				Cite Reference	Regulatory Details	Contact Information
	<i>Tunas</i>	<i>Swordfish</i>	<i>Billfish</i>	<i>Sharks</i>			
MD	X	X	X	X	Bluefin tuna - Code of Maryland Regulations 08.02.12.03 and 08.02.05.23 Swordfish - Code of Maryland Regulations 08.02.12.03 and 08.02.05.27 Billfish - Code of Maryland Regulations 08.02.12.03 and 08.02.05.26 Sharks - Code of Maryland Regulations 08.02.12.03 and 08.02.22.01-.04	Bluefin tuna - Federal regulations used to control size and seasons and recreational catch required to be tagged  Swordfish - Federal regulations used to control size and seasons and recreational catch required to be tagged  Billfish (blue/white marlin and sailfish) - Federal regulations control size and seasons and recreational catch required to be tagged Sharks – Recreational catch required to be tagged; ASMFC Coastal Shark Plan	MD Department of Natural Resources Gina Hunt Phone: (410) 260-8326
VA			X	X	Billfish - 4 VA Administrative Code 20-350-10 Sharks - 4 VA Administrative Code 20-490-10	Billfish - Prohibition on sale of billfish Sharks – ASMFC Coastal Shark Plan	VA Marine Resources Commission Robert O'Reilly Phone: (757) 247-2247 Fax: (757) 247-2002

State	Species				Cite Reference	Regulatory Details	Contact Information
	Tunas	Swordfish	Billfish	Sharks			
NC	X		X	X	<p>Tuna - NC Administrative Code tit. 15A 03M.0520</p> <p>Billfish -NC Administrative Code tit. 15A, r.3M.0507 and 15A 03M.0507</p> <p>Sharks -NC Administrative Code tit. 15A, NCAC, 03M .0512 Compliance with Fishery Management Plans</p>	<p>Tuna – Commercial and recreational minimum size: yellowfin tuna – 27” CFL, bigeye tuna - 27” CFL, bluefin tuna – 73” CFL; Recreational bag limit: 3 yellowfin tuna/day</p> <p>Billfish - Recreational possession limit - 1 blue or white marlin/vessel/trip; 1 sailfish/person/day; Minimum size - blue marlin - 99", white marlin - 66", sailfish - 63"; Unlawful to sell or offer for sale blue or white marlin and sailfish</p> <p>Sharks - Director may impose restrictions for size, seasons, areas, quantity, etc. via proclamation; ASMFC Coastal Shark Plan; additionally: longline in the shark fishery shall not exceed 500 yd or have more than 50 hooks</p>	<p>NC Division of Marine Fisheries Randy Gregory Phone: (252) 726-7021 Fax: (252) 726-0254</p>
SC	X	X	X	X	<p>Tuna/Swordfish - SC Code Ann. ' 50-5-2725 and 2730</p> <p>Billfish - SC Code Ann. ' 50-5-1700, 1705, 2725 and 2730 ; 50-1- 30 (6)</p> <p>Sharks - SC Code Ann. ' 50-5-2725, 2730</p>	<p>Tuna/Swordfish – Defer to federal regulations</p> <p>Billfish – Defer to federal regulations; Unlawful to sell billfish; Hook and line gear only; Unlawful to possess while transporting gillnets, seines, or other commercial gear</p> <p>Sharks – Defer to federal regulations; Gillnets may not be used in the shark fishery in state waters; State permit required for shark fishing in state waters</p>	<p>SC Department of Natural Resources Wallace Jenkins Phone: (843) 953-9835 Fax: (843) 953-9386</p>

State	Species				Cite Reference	Regulatory Details	Contact Information
	<i>Tunas</i>	<i>Swordfish</i>	<i>Billfish</i>	<i>Sharks</i>			
GA			X	X	Gear Restrictions/Prohibitions - GA Code Ann. ' 27-4-7; Billfish - GA Code Ann. ' 27-4-130.2; GA Comp. R. & Regs. ' 391-2-4-.04 Sharks - GA Code Ann. ' 27-4-130.1; GA Comp. R. & Regs. ' 391-2-4-.04	Gear Restrictions/Prohibitions - Use of gillnets and longlines is prohibited in state waters Billfish - Possession prohibited in state waters, except for catch and release Sharks – Commercial/Recreational: 1/person/boat for sharks from the Small Shark Composite (bonnethead, sharpnose, and spiny dogfish, min size 30" FL; All other sharks - 1 shark/person or boat, whichever is less, min size 54" FL Prohibited Species: same as federal, plus silky sharks; All species must be landed head and fins intact; Sharks may not be landed in Georgia if harvested using gillnets; ASMFC Coastal Shark Plan	GA Department of Natural Resources Carolyn Belcher Phone: (912) 264-7218 Fax: (912) 262-3143

State	Species				Cite Reference	Regulatory Details	Contact Information
	Tunas	Swordfish	Billfish	Sharks			
FL		X	X	X	Sharks - FL Administrative Code 68B-44 Billfish and Spearfish - FL Administrative Code 68B-33 Swordfish – FL Administrative Code 68B-58	Billfish – Longbill and Mediterranean– harvest/possession/landing/purchase/sale/exchange prohibited Blue/white marlin, roundscale spearfish, and sailfish – Sale prohibited; Aggregate possession of 1 fish/person/day; Gear restriction (hook and line only); Minimum size limit (blue marlin – 99” LJFL; white marlin – 66” LJFL; roundscale spearfish – 66” LJFL; sailfish – 63” LJFL); Recreational catch reporting requirement (all non-tournament landings must be reported NOAA within 24 hours); Must land in whole condition (gutting allowed) Swordfish - Minimum size – 47” LJFL/25” CK; Authorized fishing gear for swordfish is hook and line in state waters, Recreational possession limit 1 fish/person/day or 4 fish/vessel/day (with 4 or more persons onboard) on private boats, limit of 1 fish/paying customer/day up to 15 fish/vessel/day on for-hire vessels; Captain and crew on for-hire vessels have zero bag limit. Commercial harvest and sale allowed only with Florida saltwater products license, restricted species endorsement, and a federal commercial permit for swordfish, so federal regulations apply in state waters unless state regulations are more restrictive, Wholesale dealers purchasing swordfish must possess a federal Atlantic Swordfish Dealer permit; Recreational catch reporting requirement (all recreational landings must be reported to NMFS within 24 hours) Sharks – Commercial/recreational: min size – 54” except no min. size on blacknose, blacktip, bonnethead, smooth dogfish, finetooth, Atlantic sharpnose; Commercial/recreational possession limit – 1 shark/person/day, max; 2 sharks/vessel on any vessel with 2 or more persons on board; Allowable gear – hook and line only; State waters close to commercial harvest when adjacent federal waters close; Federal permit required for commercial harvest, so federal regulations apply in state waters unless state regulations are more restrictive; Finning, removing heads and tails, and filleting prohibited (gutting allowed); Prohibited species same as federal regulations plus prohibition on harvest of lemon, sandbar, tiger, great hammerhead, smooth hammerhead, and scalloped hammerhead sharks, direct and continuous transit through state waters to place of landing for lemon, sandbar, tiger, great hammerhead, smooth hammerhead, and scalloped hammerhead sharks legally caught in federal waters is allowed.	FL Fish and Wildlife Conservation Commission Martha Bademan Phone: (850) 487-0554 Fax: (850) 487-4847

State	Species				Cite Reference	Regulatory Details	Contact Information
	Tunas	Swordfish	Billfish	Sharks			
AL	X	X	X	X	Tunas/Swordfish/Billfish/Sharks – AL Administrative Code r.220-3-.30 Sharks - AL Administrative Code r.220-3-.30, r.220-3-.37, and r.220-2-.77	All HMS - Reference to federal landing form regulations. Any vessel or individual required to possess a federal permit to harvest or retain marine aquatic species must possess such permit to possess or land such marine aquatic species in Alabama Tuna - Recreational and commercial fishermen must have a federal permit to fish for tunas; Yellowfin and bigeye – 27” CFL min size Sharks – Recreational: bag limit – 1 sharpnose/person/day and 1 bonnethead/person/day; no min size; great hammerhead, smooth hammerhead, scalloped hammerhead 1/person/day - 78” FL; all other sharks – 1/person/day; min size – 54” FL or 30” dressed; Commercial - no size limit and no possession limit on any non-prohibited species. Restrictions of chumming and shore-based angling if creating unsafe bathing conditions; Prohibited species: Atlantic angel, basking, bigeye sand tiger, bigeye sixgill, bigeye thresher, bignose, Caribbean reef, Caribbean sharpnose, dusky, Galapagos, largetooth sawfish, longfin mako, narrowtooth, night, sandtiger, smalltooth sawfish, smalltail, sevengill, sixgill, spotted eagle ray, whale, white sandbar (unless fisherman possess a federal shark research fishery permit), silky (unless fisherman possess a Federal Atlantic shark fisheries permit). Commercial-state waters close, by species, when federal season closes; no shark fishing on weekends, Memorial Day, Independence Day, or Labor Day; Regardless of open or closed season, gillnet fishermen targeting other fish may retain sharks with a dressed weight not exceeding 10% of total catch	AL Department of Conservation and Natural Resources, Marine Resources Division Major Scott Bannon Phone: (251) 861 2882 www.outdooralabama.com

State	Species				Cite Reference	Regulatory Details	Contact Information
	Tunas	Swordfish	Billfish	Sharks			
LA	X	X	X	X	<p>Tunas - LA Administrative Code Title 76, Pt. VII, Ch. 3, § 361</p> <p>Swordfish/Billfish - LA Administrative Code Title 76, Pt. VII, Ch. 3, § 355</p> <p>Sharks - LA Administrative Code Title 76, Pt. VII, Ch. 3, § 357</p>	<p>Tunas - Recreational and commercial minimum size for yellowfin and bigeye is 27" CFL; Recreational bag limits – 3 yellowfin/person. Recreational minimum size for bluefin tuna is 73" CFL and bag limit is 1/vessel/year. Recreational and commercial tuna fishing requires a federal permit. LA Admin Code States: "No person who, pursuant to state or federal law, is subject to the jurisdiction of this state shall violate any federal law, rule or regulation particularly those rules and regulations enacted pursuant to the Magnuson-Stevens Fishery Conservation Act and published in the Code of Federal Regulations as amended Title 50 and 15, for tunas while fishing in the EEZ, or possess, purchase, sell, barter, trade, or exchange tunas within or without the territorial boundaries of Louisiana in violation of any state or federal law, rule or regulation particularly those rules and regulations enacted pursuant to the Magnuson-Stevens Fishery Conservation Act and published in the Code of Federal Regulations as amended Title 50 and 15 law."</p> <p>Billfish/Swordfish - Minimum size: blue marlin (99" LJFL), white marlin (66" LJFL), sailfish (63" LJFL), swordfish (29" carcass length or 33 lb dw, 47" LJFL if not dressed); Recreational creel limit - 5 swordfish/vessel/trip; Federal swordfish permit required for commercial swordfish fishing; Dealers must have federal permit to buy swordfish; state swordfish fishery closes with federal fishery; reference to federal billfish regulations</p> <p>Sharks - Recreational: min size – 54" FL, except Atlantic sharpnose and bonnethead which have no size limit; bag limit - 1 sharpnose or bonnethead/person/day, all other sharks, except sandbar, silky and all prohibited sharks – 1 fish/person/day in aggregate including SCS, LCS, and pelagic sharks; Commercial: 33/vessel/day limit (36/vessel/day by mid-2013); no min size; Com &amp; rec harvest prohibited: Apr 1 - Jun 30; Prohibited species: same as federal regulations; Fins must remain naturally attached to carcass though off-loading. Commercial shark fishing requires annual state shark permit. Owners/operators of vessels other than those taking sharks in compliance with state or federal commercial permits are restricted to no more than one shark from either the large coastal, small coastal, or pelagic group per vessel per trip within or without Louisiana waters.</p>	<p>LA Department of Wildlife and Fisheries Jason Adriance Phone: (504) 284-2032 or 225 765-2889 Fax: ( 504) 284-5263 or (225) 765-2489</p>

State	Species				Cite Reference	Regulatory Details	Contact Information
	Tunas	Swordfish	Billfish	Sharks			
MS	X		X	X	Tunas/Billfish/Sharks - MS Code Title-22 part 7	<p>Tunas – No directed bluefin tuna fishing; only recreational anglers can retain incidentally-caught bluefin tuna up to 1/boat/week; Recreational and commercial min size for yellowfin and bigeye is 27" CFL; Recreational retention limit for yellowfin is 3/person (possession limit)</p> <p>Billfish – Unlawful to sell blue and white marlin and sailfish without proper federal documentation; Recreational minimum size: blue marlin 99" LJFL; white marlin 66" LJFL; sailfish 63" LJFL; No possession for longbill spear fish; No limit for recreational take</p> <p>Sharks – Recreational min size: LCS/Pelagics 37" TL; SCS 25" TL; possession limit: LCS/Pelagics 1/person up to 3/vessel; SCS 4/person; Commercial and prohibited species same as federal regulations; Prohibition on finning</p>	MS Department of Marine Resources Kerwin Cuevas Phone: (228) 374-5000
TX		X	X	X	Billfish/Swordfish/Sharks - TX Administrative Code Title 31, Part 2, Parks and Wildlife Code Title 5, Parks and Wildlife Proclamations 57.971, 57.973 and 57.981	<p>Blue marlin, white marlin, sailfish, sharks, longbill spearfish, and broadbill swordfish are gamefish and may only be taken with pole and line (including rod and reel); Blue marlin, white marlin, sailfish, and longbill spearfish may not be sold for any purpose</p> <p>Billfish - Bag limit none; min size blue marlin – 131" TL; white marlin – 86" TL; sailfish – 84" TL</p> <p>Sharks - Commercial/recreational: bag limit - 1 shark/person/day; Commercial/recreational possession limit is twice the daily bag limit (i.e., 2 sharks/person/day); min size 24" TL for Atlantic sharpnose, blacktip, and bonnethead sharks and 64" TL for all other lawful sharks. Prohibited species: same as federal regulations</p>	TX Parks & Wildlife Department Mark Lingo Phone: (956) 350-4490 Fax: (956) 350-3470

State	Species				Cite Reference	Regulatory Details	Contact Information
	Tunas	Swordfish	Billfish	Sharks			
Puerto Rico	X	X	X	X	Regulation #6768 Article 8 – General Fishing Limits Article 13 – Limitations Article 17 – Permits for Recreational Fishing (March 2004)	<p>Illegal to sell, offer for sale, or traffic in any billfish or marlin, either whole or processed, captured in jurisdictional waters of Puerto Rico. Swordfish or billfish, tuna, and shark are covered under the federal Atlantic HMS regulations (50 CFR, Part 635); Fishers who capture these species are required to comply with said regulation; billfish captured incidentally with long line must be released by cutting the line close to the fishhook, avoiding the removal of the fish from the water; in the case of tuna and swordfish, fishers shall obtain a permit according to the requirements of the federal government; Year-round closed season on nurse sharks.</p> <p><a href="http://www.caribbeanfmc.com/REGULATIONS%20PR-USVI/reg%20pesca%20pr/RqI6768-%20feb%202004.pdf">http://www.caribbeanfmc.com/REGULATIONS%20PR-USVI/reg%20pesca%20pr/RqI6768-%20feb%202004.pdf</a></p>	<p>Puerto Rico Department of Natural and Environmental Resources Craig Lilyestrom Phone: (787) 999-2200 x2689 Fax: (787) 999-2271</p>
U.S. Virgin Islands	X	X	X	X	V.I.C., Title 12, Chapter 9A.	<p>Federal regulations and federal permit requirements apply in territorial waters.</p> <p><a href="http://caribbeanfmc.com/pdfs/booklet%20usvi%20Commercial%202009.pdf">http://caribbeanfmc.com/pdfs/booklet%20usvi%20Commercial%202009.pdf</a></p>	<p>6291 Estate Nazareth St. Thomas, VI 00802 Phone: (340) 775-6762</p> <p>45 Mars Hill Complex Frederiksted, St. Croix, VI 00840 Phone: (340) 773-1082</p>