

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 2014 SAFE Report for Atlantic HMS managed under the 2006 Consolidated Atlantic HMS FMP and its amendments.

Consistent with the NS 2 guidelines, 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, 2014, 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 14, 2013 – January 1, 2014 are also included, as they were published after release of the 2013 Atlantic 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 two Atlantic HMS Advisory Panel meetings in 2014: April 3-4 in Silver Spring, MD, and September 10-11 in Bethesda, MD. These meetings provided valuable opportunities for comments on a suite of management actions that NMFS pursued or considered in 2014. Meeting presentations and transcripts are posted on the HMS website.

On March 24, 2014, NMFS published a notice of initiation of 5-year EFH review and request for information (79 FR 15959). NMFS also solicited new information from HMS consulting parties, the HMS Advisory Panel, and other interested parties. Published and unpublished scientific reports, fishery dependent and independent datasets, and expert and anecdotal information detailing the habitats used by Atlantic HMS are being evaluated and synthesized with existing species and habitat descriptions into a 5-year review document.

On March 31, 2014, NMFS requested reinitiation of Section 7 consultation under the Endangered Species Act (ESA) on the Atlantic pelagic longline fishery. Despite sea turtle takes

that were lower than specified in the ITS, leatherback mortality rates and total mortality levels had exceeded the level specified in the reasonable and prudent alternative[s] (RPA[s]) in the 2004 biological opinion. Additionally, new information has become available about leatherback and loggerhead sea turtle populations and sea turtle mortality. While the mortality rate measure will be re-evaluated during consultation, the overall ability of the RPA to avoid jeopardy is not affected, and NMFS is continuing to comply with the terms and conditions of the RPA and RPMs pending completion of consultation. NMFS also has confirmed that there will be no irreversible or irretrievable commitment of resources that would foreclose the formulation or implementation of any reasonable and prudent alternative measures pending completion of consultation, consistent with section 7(d) of the Act.

On July 3, 2014, NMFS issued the final determination to list the Central and Southwest Atlantic Distinct Population Segment (DPS) of scalloped hammerhead shark (*Sphyrna lewini*) as a threatened species pursuant to the ESA. On August 27, 2014, NMFS published a final rule to list the following 20 coral species as threatened: five in the Caribbean including Florida and the Gulf of Mexico (*Dendrogyra cylindrus*, *Orbicella annularis*, *O. faveolata*, *O. franksi*, and *Mycetophyllia ferox*); and 15 in the Indo-Pacific (*Acropora globiceps*, *A. jacquelineae*, *A. lokani*, *A. pharaonis*, *A. retusa*, *A. rudis*, *A. speciosa*, *A. tenella*, *Anacropora spinosa*, *Euphyllia paradivisa*, *Isopora crateriformis*, *Montipora australiensis*, *Pavona diffluens*, *Porites napopora*, and *Seriatopora aculeata*). Additionally, in that August 2014 rule, two species that had been previously listed as threatened (*A. cervicornis* and *A. palmata*) in the Caribbean were found to still warrant listing as threatened. The Central and Southwest Atlantic DPS of scalloped hammerhead sharks and seven Caribbean species of corals occur within the management area of Atlantic HMS commercial and recreational fisheries which are managed by NMFS's Office of Sustainable Fisheries, HMS Management Division. Therefore, on October 30, 2014, NMFS requested reinitiation of ESA section 7 consultation on the continued operation and use of HMS gear types (bandit gear, bottom longline, buoy gear, handline, and rod and reel) and associated fisheries management actions in the 2006 Consolidated Atlantic HMS FMP and its amendments.

On July 7, 2014, NMFS published final bluefin tuna specifications (79 FR 38255) that adjusted the annual U.S. baseline bluefin tuna quota recommended by ICCAT to account for underharvest of the adjusted 2013 U.S. bluefin quota. The final rule: Allocated the full 2014 baseline quotas to all directed categories, including the Purse Seine category, and the Reserve category; used an updated estimate of bluefin tuna dead discards of 140.8 mt that could be expected in 2014; accounted for half of the dead discard estimate up front in the specifications process, as proposed; and allocated 99.2 mt to the Longline category, not including the separate 25-mt allocation for the Northeast Distant Gear Restricted Area.

On August 7, 2014, NMFS published a proposed rule (79 FR 46217) for Amendment 9 to the 2006 Consolidated Atlantic HMS FMP. This proposed rule considered: 1) establishing an effective date for previously-adopted smoothhound shark management measures finalized in Amendment 3 to the 2006 Consolidated HMS FMP and in the 2011 HMS Trawl Rule; 2) adjusting the commercial quota for the smoothhound shark fishery based on updated landings data; 3) implementation of the smooth dogfish-specific provisions of the Shark Conservation Act of 2010; 4) implementation of shark gillnet fishing requirements to comply with the 2012 Shark biological opinion; and, 5) making geographic applicability of Atlantic shark gillnet VMS requirements consistent with the Atlantic Large Whale Take Reduction Plan requirements. The

comment period for the proposed rule closed on November 14, 2014, and a final rule is expected sometime in 2015.

On August 22, 2014, NMFS published final North and South Atlantic swordfish specifications (79 FR 49719) that adjusted the 2014 fishing season quotas for North and South Atlantic swordfish based upon 2013 commercial quota underharvests and international quota transfers consistent with the ICCAT Recommendations 13-02 and 13-03. Additionally, this final rule modified regulations to reflect that carryover of underharvest of North Atlantic swordfish accrued in 2014 and beyond is limited to 15 percent of the United States' baseline quota, consistent with Recommendation 13-02.

Based on this determination and results of the SEDAR 34 assessment, NMFS intends to consider implementing total allowable catches (TAC) and commercial quotas for the non-blacknose SCS complexes in the Atlantic and Gulf of Mexico regions in a proposed rule for Amendment 6 to the 2006 Consolidated HMS FMP. The proposed rule could consider a range of other management measures for the commercial shark fisheries including modifying the commercial retention limits, implementing regional and sub-regional quotas in the Atlantic and Gulf of Mexico, and removing upgrading restrictions for shark directed permit holders.

On November 20, 2014, NMFS announced the availability of the Final Atlantic HMS Management-Based Research Needs and Priorities document. This document was developed by the HMS Management Division of NOAA Fisheries to communicate key research needs that directly support Atlantic HMS management. The document contains a list of near- and long-term research needs and priorities that can be used by individuals and groups interested in Atlantic HMS to identify key research needs, improve management, reduce duplication, prioritize limited funding, and form a potential basis for future funding.

On December 2, 2014, NMFS published a final rule (79 FR 71331) that establishes quotas and opening dates for the 2015 Atlantic commercial shark fisheries. The quota adjustments are based on over- and/or underharvests experienced during 2014 and previous fishing seasons. In addition, the 2015 Atlantic commercial shark fishing seasons for the Gulf of Mexico blacktip shark, Gulf of Mexico aggregated LCS, Gulf of Mexico hammerhead shark, non-blacknose shark SCS, blacknose shark, sandbar shark, blue shark, and pelagic shark (other than porbeagle or blue sharks) management groups in the northwestern Atlantic Ocean, including the Gulf of Mexico and the Caribbean Sea, will open on January 1, 2015. The aggregated LCS and hammerhead shark management groups in the Atlantic region will open on July 1, 2015.

On December 2, 2014, NMFS published a final rule (79 FR 71510) to implement Amendment 7 to the 2006 Consolidated HMS FMP. The final rule implements measures to address ongoing management challenges in the Atlantic bluefin tuna fishery as well as minor regulatory changes to the management of other Atlantic HMS. Amendment 7 implements the following: 1) revised allocations of U.S. bluefin tuna quota among domestic fishing categories; 2) new measures applicable to the pelagic longline fishery, including Individual Bluefin Quotas (IBQs), two new Gear Restricted Areas, 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 in the pelagic longline fishery, mandatory retention of legal-sized bluefin tuna caught as bycatch, and expanded monitoring requirements, including electronic

monitoring via cameras and bluefin tuna catch reporting via Vessel Monitoring System (VMS); 3) revised transiting provisions for pelagic and bottom longline vessels; 4) VMS use and reporting by the Purse Seine category; 5) changes to the start date of the Purse Seine category from July 15 to a date within a range of June 1 to August 15, to be established by an annual action; 6) use of the online Catch Reporting System by the General, Harpoon, and Charter/Headboat categories; 7) additional flexibility for inseason adjustment of the General category quota and Harpoon category retention limits; 9) changes to the availability of purse seine quota for purse seine fishery participants based on the previous year's catch and provisions for trade of purse seine quota with IBQ participants; and 10) changes to the allocation of the Angling category Trophy South subquota for the Gulf of Mexico. Also, Amendment 7 implements several measures not directly related to bluefin tuna management, including a U.S. North Atlantic albacore tuna quota and modified rules regarding permit category changes.

With two exceptions, the effective date of Amendment 7 measures is January 1, 2015. The effective date for the electronic monitoring requirements is being delayed for an effective date of June 1, 2015, rather than the originally-proposed January 1, 2015. This delay is intended to allow fishery participants to coordinate system installations in an efficient manner while mitigating any impacts on regular fishing operations. Under the IBQ program, the requirement for a minimum IBQ allocation for a permit holder to depart on a fishing trip using pelagic longline gear will be effective January 1, 2016, rather than the originally-proposed January 1, 2015. The later effective date will provide flexibility for IBQ participants to adapt their fishing practices by allowing some accrual of quota debt beyond the trip level in the initial year, while still requiring annual accountability for that quota debt, and provides time for permitted vessel owners or operators to become familiar with the new IBQ, VMS, and electronic monitoring systems and requirements.

To further combat illegal, unregulated, and unreported (IUU) fishing activities, and to strengthen its monitoring, control, and surveillance regime, ICCAT in 2012 and 2013 adopted recommendations that pertain to the transshipment of Atlantic HMS (Recommendation 12-06); international port inspection for vessels landing Atlantic HMS in foreign ports or making port calls in foreign ports (Recommendation 12-07); and, unique vessel identifiers (Recommendation 13-13). In response, on December 8, 2014, NMFS published a final rule (79 FR 72557) to implement these recommendations. The resulting regulations prohibit the transfer of any tuna, tuna-like species, or other HMS between HMS-permitted vessels (or vessels required to have an Atlantic HMS permit) both in port and at sea, and also prohibit the transfer of these species outside the ICCAT Convention Area, regardless of where the fish were harvested. The sole exception is that Atlantic tuna Purse Seine category vessels would continue to be allowed to transfer Atlantic bluefin tuna from the catch vessel to the receiving vessel.

NMFS also implemented regulations for U.S.-permitted vessels landing tuna, tuna-like species, or other HMS in foreign ports or making port calls in foreign ports. The final rule describes additional information about notification requirements prior to arrival in a foreign port, additional items that may be inspected by an authorized official of a Port State, and procedures for reporting the results by a Port State of any inspection conducted by an authorized official of the Port State. These regulations will ensure that U.S.-permitted vessels have the most current information when landing HMS in foreign ports or making port calls in foreign ports.

ICCAT Recommendation 13-13 requires vessels 20 meters or greater to obtain an International Maritime Organization (IMO)/Lloyd's Registry (LR) number by no later than January 1, 2016. While no regulatory changes for Recommendation 13-13 are being implemented, vessel owners of commercial HMS-permitted vessels (20 meters or greater in length) will need to obtain an IMO/LR number and include that number on their permit application by no later than January 1, 2016. For more information about obtaining an IMO/LR number, please visit: <http://www.imonumbers.lrfairplay.com/>.

Table 1.1 Summary of NMFS' Atlantic HMS Federal Management Actions from December 14, 2013 to December 17, 2014

Federal Register Cite	Date	Rule or Notice
HMS Fisheries (General)		
79 FR 13040	3/7/2014	Notice for Atlantic Shark Identification Workshops, and Protected Species, Release, Disentanglement, and Identification Workshops
79 FR 14483	3/14/2014	Notice of Public Meeting for the Atlantic HMS Advisory Panel
79 FR 15959	3/24/2014	Initiation of 5-Year EFH Review
79 FR 32533	6/5/2014	Notice for Atlantic Shark Identification Workshops, and Protected Species, Release, Disentanglement, and Identification Workshops
79 FR 39367	7/10/2014	Notice of Availability of the Atlantic HMS Management-Based Research Needs and Priority Document
79 FR 48125	8/15/2014	Notice of Public Meeting for the Atlantic HMS Advisory Panel
79 FR 52305	9/3/2014	Notice for Atlantic Shark Identification Workshops, and Protected Species, Release, Disentanglement, and Identification Workshops
79 FR 54247	9/11/2014	Proposed Rule Addressing the Transshipment of Atlantic HMS, Inspection of Vessels Landing HMS in Foreign Ports, and Unique Vessel Identifiers
79 FR 63602	10/24/2014	Notice to Request Nominations for the Atlantic HMS Advisory Panel
79 FR 63896	10/27/2014	Notice of Intent to Issue Exempted Fishing Permits (EFPs), Scientific Research Permits (SRPs), Display Permits, Letter of Acknowledgement (LOAs), and Chartering Permits
79 FR 68135	11/14/2014	Technical Amendment to the Atlantic HMS Regulations
79 FR 69097	11/20/2014	Final Atlantic HMS Management-Based Research Needs and Priorities
79 FR 71982	12/4/2014	Notice for Atlantic Shark Identification Workshops, and Protected Species, Release, Disentanglement, and Identification Workshops
79 FR 72557	12/8/2014	Final Rule Addressing the Transshipment of Atlantic HMS, Inspection of Vessels Landing HMS in Foreign Ports, and Unique Vessel Identifiers for Commercially Permitted Vessels Greater Than 20 Meters
Bluefin and BAYS Tunas		
78 FR 77362	12/23/2013	Inseason Action to Adjust the General Category (Commercial) Atlantic Bluefin Tuna Retention Limit for January 2014
78 FR 78322	12/26/2013	Public Hearings Conference Call and Webinar for Draft Amendment 7 to the 2006 Consolidated HMS FMP
79 FR 15924	3/24/2014	Inseason Action to Close the General Category (Commercial) Atlantic Bluefin Tuna Fishery
79 FR 18870	4/4/2014	Proposed Rule for the 2014 Bluefin Tuna Quota Specifications
79 FR 20108	4/11/2014	Inseason Action to Close the Angling Category Atlantic Bluefin Tuna Southern Area Trophy Fishery
79 FR 25707	5/6/2014	Inseason Action to Adjust the Atlantic Bluefin Tuna Recreational Daily Retention Limit
79 FR 30745	5/29/2014	Inseason Action to Adjust the General Category (Commercial) Atlantic Bluefin Tuna Retention Limit for June-August 2014
79 FR 36728	6/30/2014	Notice of Receipt of Pure Seine EFP Application
79 FR 38255	7/7/2014	Final Rule for the 2014 Bluefin Tuna Quota Specifications
79 FR 47381	8/13/2014	Inseason Action to Transfer Atlantic Bluefin Quota from Reserve Category

Federal Register Cite	Date	Rule or Notice
79 FR 50854	8/26/2014	to the Harpoon Category Inseason Action to Maintain the Four-Fish General Category Daily Retention Limit for September-December 2014
79 FR 71510	12/2/2014	Final Rule for Amendment 7 to the 2006 Consolidated HMS FMP
79 FR 74652	12/16/2014	Notice of Public Webinars for Amendment 7 to the 2006 Consolidated HMS FMP
Sharks		
79 FR 12155	3/4/2014	Public Meeting for Selected Participants of the 2014 Shark Research Fishery
79 FR 28849	5/20/2014	NMFS Closes the Gulf of Mexico Aggregated LCS and Hammerhead Shark Management Groups
79 FR 30064	5/27/2014	Notice of Intent to Prepare an EA for Amendment 6 to the 2006 Consolidated HMS FMP
79 FR 31227	6/2/2014	NMFS Closes the Gulf of Mexico Blacktip Shark Management Group
79 FR 33509	6/11/2014	12-Month Finding on Petitions to List the Great Hammerhead Sharks as Threatened or Endangered under the Endangered Species Act
79 FR 38214	7/3/2014	Final Rule to List Four Distinct Segments of Scalloped Hammerhead Shark as under the Endangered Species Act
79 FR 43267	7/25/2014	Closure of the Commercial Blacknose Shark and Non-Blacknose SCS Management Groups in the Atlantic Region
79 FR 46217	8/7/2014	Proposed Rule to Implement Amendment 9 to the 2006 Consolidated HMS FMP
79 FR 53024	9/5/2014	Stock Status Determination for Atlantic Sharpnose and Bonnethead Sharks
79 FR 53344	9/9/2014	Closure of the Commercial Blacknose Shark and Non-Blacknose SCS Management Groups in the Gulf of Mexico Region
79 FR 54252	9/11/2014	Proposed Rule to Establish the Quotas and Opening Dates for the 2015 Atlantic Shark Commercial Fishing Season
79 FR 56047	9/18/2014	Public Hearings for Draft Amendment 9 to the 2006 Consolidated HMS FMP
79 FR 64750	10/31/2014	Notice of Intent for Applications to the 2014 Shark Research Fishery
79 FR 71029	12/1/2014	Closure of the Commercial Aggregated LCS and Hammerhead Shark Management Groups in the Atlantic Region
79 FR 71331	12/2/2014	Final Rule to Establish the Quotas and Opening Dates for the 2015 Atlantic Shark Commercial Fishing Season
79 FR 73555	12/11/2014	Nominations for the Atlantic HMS SEDAR Pool
79 FR 74684	12/16/2014	12-Month Finding on Petition to List the Northwest Atlantic Population of the Dusky Shark Under the Endangered Species Act
79 FR 75068	12/17/2014	Closure of Commercial Fishing for Porbeagle Sharks in 2014 and for the Entire 2015 Fishing Season
Swordfish and Billfishes		
79 FR 27553	5/14/2014	Proposed Rule to Adjust the 2014 North and South Atlantic Swordfish Quotas
79 FR 49719	8/22/2014	Final Rule to Adjust the 2014 North and South Atlantic Swordfish Quotas

1.2 2014 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 49 members, including the United States. The 19th Special Meeting of ICCAT was held in Genoa, Italy November 10-17, 2014. The United States helped develop recommendations aimed at promoting the conservation, management, and rebuilding of Atlantic highly migratory fish stocks (e.g., tunas, billfish, sharks), including those important to U.S. fishermen. ICCAT made progress on a number of issues, including bluefin tuna, tropical tunas, compliance issues, and monitoring, control, and surveillance measures.

Western Atlantic Bluefin Tuna: In 2014, Recommendation 14-05 was adopted, which raised the western Atlantic bluefin tuna total allowable catch (TAC) from 1750 mt to 2,000 metric tons (mt) whole weight (ww) for 2015 and 2016. This TAC is within the range of scientific advice and allows for continued growth in spawning stock biomass under both the low and high recruitment scenarios for the entire period of the 20-year rebuilding program, which extends through 2018. Recommendation 14-05, 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 addresses other research needs and reflects collaborative work agreed to at the 2nd Meeting of the ICCAT Working Group of Fisheries Managers and Scientists in Support of the Western Bluefin Tuna Stock Assessment.

Eastern Atlantic and Mediterranean Bluefin Tuna: The Commission adopted Recommendation 14-04, amending the recovery plan for eastern Atlantic and Mediterranean bluefin tuna. Recommendation 14-04 increases the eastern Atlantic/Mediterranean TAC to 16,142 mt ww for 2015; 19,296 mt for 2016; and 23,155 mt for 2017. It maintains the allocation percentages from the prior Recommendation but also makes provisions (within the TACs) for some Parties that have requested allocations or the ability to carry forward unused quota. In addition, the extensive monitoring, control and surveillance measures that were originally adopted in the eastern Atlantic and Mediterranean bluefin tuna fisheries have been maintained with minor adjustments.

For both bluefin tuna stocks, the next full assessment is scheduled for 2016.

Sharks: The Commission adopted Recommendation 14-06 for Atlantic shortfin mako sharks. This recommendation requires parties to improve domestic data reporting systems and provide additional information to ICCAT about how they monitor catches and manage shortfin mako sharks. Recommendation 14-06 also requests the SCRS to conduct a stock assessment for shortfin mako sharks in 2016, if possible, and advise on appropriate management measures.

Monitoring, Control and Surveillance Measures: The Permanent Working Group (PWG) discussed the current progress of the functionality and implementation of the electronic bluefin tuna catch documentation program (eBCD). The system is still encountering significant technical difficulties based on the results of the coordinated international test that was completed in the fall 2014. In addition, the development of certain core system functionalities is pending

and these functionalities will not be available for testing until sometime in February 2015 at the soonest. Given these difficulties, the PWG recommended that the Commission make a determination pursuant to paragraph 5 of *Recommendation by ICCAT Supplementing the Recommendation for an Electronic Bluefin Tuna Catch Document (eBCD) System* (Recommendation 13-17) that the eBCD system cannot be ready for full implementation by the March 1, 2015, deadline and, therefore, that paper documents can continue to be used until the Commission determines the system can be fully implemented. ICCAT also adopted Recommendation 14-09 related to vessel monitoring systems (VMS) that requires Parties to reduce the VMS transmission rate from 6 hours to 4 hours and includes a review by SCRS in 2017 to determine the efficacy of this new measure.

1.3 State Regulations

Table 1.2 outlines the state regulations regarding HMS species as of November 3, 2014. While the HMS Management Division updates this table annually, 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 for Atlantic tunas 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 Tunas 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 ASMFC 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 legislative bans on the possession and trade of shark fins, but not all are effective as of November 3, 2014. Currently, Delaware, Maryland, and New York have restrictions on shark fin possession, although some allow limited exemptions 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	Billfishes	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 (blue or white marlin, sailfish, roundscale spearfish, and longbill spearfish), personal use only Sharks – See list for prohibited sharks (http://gencourt.state.nh.us/rules/state_agencies/fis600.html) – 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 from state waters; 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	Billfishes	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: http://www.mass.gov/dfwele/dmf/commercialfishing/cmr_index.htm	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: http://www.dem.ri.gov/pubs/regs/regs/fishwild/rimftoc.htm RIMFC Regulations part VII 7.24 are available online at: http://www.dem.ri.gov/pubs/regs/regs/fishwild/rimf7.pdf	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	Billfishes	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) 444-0435 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

State	Species				Cite Reference	Regulatory Details	Contact Information
	Tunas	Swordfish	Billfishes	Sharks			
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
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; all recreationally harvested sharks must have heads, tails, and fins attached naturally to the carcass through landing; all commercially harvested sharks other than smoothhounds must have tails and fins attached naturally to carcass through landing; smoothhound sharks harvested commercially may have dorsal, pectoral and caudal fins removed (caudal fins may not exceed 4% of total dressed weight of smoothhound shark carcasses on board; dorsal and pectoral fins may not exceed 8% of total dressed weight of smoothhound shark carcasses on board)	MD Department of Natural Resources Gina Hunt Phone: (410) 260-8326

State	Species				Cite Reference	Regulatory Details	Contact Information
	Tunas	Swordfish	Billfishes	Sharks			
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
NC	X		X	X	Tuna - NC Administrative Code tit. 15A 03M.0520 Billfish -NC Administrative Code tit. 15A, r.3M.0507 and 15A 03M.0507 Sharks -NC Administrative Code tit. 15A, NCAC, 03M .0512 Compliance with Fishery Management Plans	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 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 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	NC Division of Marine Fisheries Randy Gregory Phone: (252) 726-7021 Fax: (252) 726-0254

State	Species				Cite Reference	Regulatory Details	Contact Information
	Tunas	Swordfish	Billfishes	Sharks			
SC	X	X	X	X	Tuna/Swordfish - SC Code Ann. ' 50-5-2725 and 2730 Billfish - SC Code Ann. ' 50-5-1700, 1705, 2725 and 2730 ; 50-1-30 (7) Sharks - SC Code Ann. ' 50-5-2725, 2730	Tuna/Swordfish – Defer to federal regulations 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 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	SC Department of Natural Resources Wallace Jenkins Phone: (843) 953-9835 Fax: (843) 953-9386
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 for sharks from the Small Shark Composite (bonnethead, Atlantic sharpnose, and spiny dogfish), min size 30" FL. All other sharks - 1 shark/person or boat, whichever is less, min size 54" FL. Hammerheads (great, scalloped and smooth)- 1/person, minimum size – 78" 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	Billfishes	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 spiny dogfish, lemon, sandbar, silky, tiger, great hammerhead, smooth hammerhead, and scalloped hammerhead sharks, direct and continuous transit through state waters to place of landing for spiny dogfish, lemon, sandbar, silky, 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	Billfishes	Sharks			
AL	X	X	X	X	<p>Tunas/Swordfish/Billfish/Sharks – AL Administrative Code r.220-3-.30</p> <p>Sharks - AL Administrative Code r.220-3-.30, r.220-3-.37, and r.220-2-.77</p>	<p>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</p> <p>Tuna - Recreational and commercial fishermen must have a federal permit to fish for tunas; Yellowfin and bigeye – 27” CFL min size</p> <p>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).</p> <p>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.</p> <p>www.outdooralabama.com</p>	<p>AL Department of Conservation and Natural Resources, Marine Resources Division MAJ Scott Bannon Phone: (251) 861-2882</p>

State	Species				Cite Reference	Regulatory Details	Contact Information
	Tunas	Swordfish	Billfishes	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 & 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	Billfishes	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.</p> <p>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	Billfishes	Sharks			
Puerto Rico	X	X	X	X	Regulation #7949 Article 13 – Commercial Fishing Limits Article 18 – Recreational Fishing Limits	<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), which also apply in territorial waters; 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>http://www.drna.gobierno.pr/biblioteca/reglamentos_folder/Reglamento%20de%20Pesca%20de%20Puerto%20Rico%20-%207949</p>	<p>Puerto Rico Department of Natural and Environmental Resources Craig Lilyestrom Phone: (787) 772-2022</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>http://caribbeanfmc.com/pdfs/booklet%20usvi%20Commercial%202009.pdf</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>