

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 2012 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 the latest stock assessment data, recommendations, and resolutions from 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 1 through December 4, 2012, NMFS proposed or enacted a number of actions with regard to Atlantic HMS. These actions were published in the Federal Register and are listed, by species group, in Table 1.1. Actions published from December 2, 2011 – January 1, 2012 are also included, as they were published after release of the 2011 HMS SAFE Report. Actions taken before December 2, 2011, were provided in similar tables in previous HMS SAFE reports. 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 HMS Advisory Panel meetings March 13 – 15, 2012, in Silver Spring, MD (77 FR 4282), and September 19 – 21, 2012, in Bethesda, MD (77 FR 52314). These meetings provided valuable opportunities for comments on a suite of management actions that NMFS pursued or considered in 2012. Meeting presentations and transcripts are posted on the HMS website.

On December 2, 2011 (76 FR 75492), NMFS published a final rule that changed VMS requirements in Atlantic HMS fisheries. All vessels with Atlantic HMS permits that are required to use VMS, including vessels with pelagic longline gear on board, vessels with bottom longline gear on board in the vicinity of the mid-Atlantic closed area (between 33° N and 36° 30' N) from January 1 to July 31, and vessels with shark gillnet gear on board fishing between November 15 and April 15, must comply with the new requirements. The existing requirement

to provide location reports using VMS, on an hourly basis, when vessels are away from port, is maintained. New requirements include: replacing existing mobile transmitting unit (MTU) VMS units with NMFS-approved Enhanced-MTU VMS units (E-MTU); having new or replacement E-MTU VMS installed by a qualified marine electrician; and requiring vessel operators to declare their target species and gear type(s) possessed on board prior to departing from port and provide NMFS advanced notice of landing before a trip has been completed. Due to unforeseeable circumstances, NMFS delayed these requirements from March 1, 2012 to January 1, 2013.

On January 24, 2012, NMFS published a final rule (77 FR 3393) to establish the quotas and opening dates for the 2012 Atlantic shark commercial fishing season. Quotas were adjusted based on over- and/or underharvests experienced during the 2010 and 2011 Atlantic commercial shark fishing seasons.

On July 27, 2012, NMFS published final Atlantic bluefin tuna quota specifications, which became effective August 27, 2012 (77 FR 44161). The final rule: (1) Accounted up front for half of the best estimate of bluefin tuna dead discards (145.2 mt); (2) Carried forward to 2012 the maximum amount of 2011 underharvest allowed by ICCAT (i.e., 94.9 mt of the 159.9-mt underharvest); (3) Allocated the full 2012 baseline quotas to all directed categories; (4) Adjusted the Longline category southern and northern subquotas to the amounts actually taken in 2012 following the closures of those areas (for greater transparency than year-end accounting); and (5) Held the remainder of the 2011 underharvest in the Reserve category, for an adjusted 2012 Reserve category quota of 41.8 mt. The adjusted quota that NMFS published in the July 2012 final rule was 971 mt, reflecting NMFS' accounting for half of the estimated dead discards at the beginning of the fishing year, with the remainder to be accounted for at year-end. For international compliance purposes, the total adjusted 2012 U.S. quota is 1,043.6 mt.

On July 31, 2012, NMFS published a final rule to adjust the 2012 North and South Atlantic swordfish quota specifications and implement other management measures, which became effective August 30, 2012 (77 FR 45273). For the North Atlantic swordfish quotas the final rule: (1) Maintained the existing U.S. baseline quota of 2,937.6 metric tons dw for 2012 and 2013; (2) Transferred 112.8 mt dw from the United States to Morocco to support joint scientific research as required by ICCAT Recommendation; (3) Changed the underharvest carryover amount from 50 percent of the baseline quota (1,468.8 mt dw) to 25 percent of the baseline quota (734.4 mt dw), with a final adjusted quota of 3,672 mt dw for 2012. For the South Atlantic swordfish quotas, the final rule maintained the existing baseline quota at 75.2 mt dw, carryover allowances, quota transfers, and other regulations, with a final adjusted quota of 75.2 mt dw for 2012. For Atlantic swordfish fisheries, the final rule implemented a 25 inch cleithrum to caudal keel measurement as a commercial and recreational minimum size and allowed the existing 47-inch lower jaw fork length measurement to apply to swordfish without a bill, as long as the bill is removed forward of anterior tip of the lower jaw and the head is naturally attached.

On August 8, 2012, NMFS published a final rule that requires Federal Atlantic HMS dealers (excluding dealers reporting Atlantic bluefin tuna) to report receipt of Atlantic sharks, swordfish, and bigeye, albacore, yellowfin, and skipjack (BAYS) tunas through an approved electronic reporting system on a weekly basis beginning on January 1, 2013. Electronic reporting will allow dealers to submit data about Atlantic sharks, swordfish, and BAYS tunas

more efficiently as the requirements are integrated within existing electronic reporting programs (e.g., the Standard Atlantic Fisheries Information System (SAFIS) and state trip ticket programs), reducing duplicative data submissions from different regions. Dealers will also be required to include additional information (e.g., vessel and logbook information) necessary for management purposes. The electronic submission of data will eliminate the delay associated with mailing or faxing hardcopy reports. Thus, HMS landings data will be submitted on a more real-time basis, allowing for timely and efficient data collection for management of Atlantic HMS.

On August 29, 2012, NMFS published a final rule to lift the trade restrictions on importing bigeye tuna from Bolivia and Georgia pursuant to ICCAT Recommendation 11-19 (77 FR 52259). Additionally, the rule changed the regulations containing species-specific harmonized tariff codes to be consistent with recent changes adopted by the U.S. International Trade Commission (ITC).

On October 1, 2012, NMFS published a final rule for Amendment 4 to create an HMS Commercial Caribbean Small Boat permit (Caribbean permit) for fishing for and sales of BAYS tunas, Atlantic swordfish, and Atlantic sharks; to collect HMS landings data through existing territorial government programs; authorize specific gears; restrict the size of vessels eligible to be issued a Caribbean permit; limit the Caribbean permit to fishing in the U.S. Caribbean Region; and specify that the Caribbean permit may not be held in combination with any other Atlantic HMS vessel permit. The Caribbean permit is available through the NMFS Southeast Regional Permits Office, and will be effective January 2, 2013. The purpose of this amendment is to enact HMS management measures that better correspond with the traditional operation of the small-scale HMS fishing fleet in the U.S. Caribbean Region and to provide us with an improved capability to monitor and sustainably manage those fisheries.

On October 4, 2012, NMFS published a final rule (77 FR 60632) to implement ICCAT Recommendation 11-08, which requires fishing vessels operating in ICCAT-managed fisheries to release all silky sharks whether dead or alive, and prohibits retaining on board, transshipping, or landing any part or whole carcass of a silky shark (*Carcharhinus falciformis*). Through this rule, which became effective November 5, 2012, NMFS prohibits the retention of silky sharks specifically on pelagic longline vessels and vessels issued both an HMS Charter/Headboat permit and a commercial shark permit, when tuna, swordfish or billfish are on board the vessel), as well as the storing, selling, or purchasing of silky sharks from those vessels.

On November 26, 2012, NMFS published a proposed rule (77 FR 70552) for Amendment 5 the 2006 Consolidated HMS FMP in response to new stock assessment information on a number of shark species. Proposed measures are designed to be consistent with recent stock assessments for sandbar, dusky, scalloped hammerhead, Gulf of Mexico blacktip, and Atlantic and Gulf of Mexico blacknose sharks, and include establishing a rebuilding plan for Atlantic blacknose and scalloped hammerhead sharks, implementing commercial quota limits consistent with stock assessment recommendations to prevent overfishing and rebuild overfished stocks, modify time/area closures to reduce fishing mortality of overfished/overfishing stocks, and modify recreational minimum size limits.

NMFS completed the first steps in the development of Amendment 7 on bluefin tuna management. Specifically, NMFS published a Notice of Intent to hold public scoping meetings

and to prepare a draft environmental impact statement (EIS) (77 FR 24161); completed a scoping document; solicited public comments; and held public scoping meetings. Amendment 7 may be considering a wide range of potential management measures including a catch cap for pelagic longline vessels, both the reduction of and accounting for dead discards; new and/or modified time and area closures for pelagic longline vessels; and methods to improve reporting and monitoring of discards and landings for all quota categories; among other possibilities.

NMFS is currently preparing a draft Environmental Assessment and a proposed rule for Amendment 8 to the Consolidated HMS FMP, which would establish new and/or modified commercial vessel permit(s) that would allow for a limited number of swordfish to be caught on rod and reel, handline, harpoon, bandit gear, or green-stick gear and sold commercially. The most recent stock assessment, conducted in 2009, indicates that the North Atlantic swordfish population is fully rebuilt (“not overfished”) and overfishing is no longer occurring. From 2007-2011, on average, the United States has caught approximately 70 percent of its base quota allocation of North Atlantic swordfish. The management measures included in Amendment 8 could provide additional opportunities to harvest swordfish and more fully utilize the available United States’ North Atlantic swordfish quota allocation using gears that have low bycatch and bycatch mortality. A pre-draft for Amendment 8 was released to the public in March 2012, and considered alternatives related to vessel permitting, commercial catch reporting, and retention limits. NMFS expects to publish the proposed rule in early 2013.

Table 1.1 Summary of NMFS’ Atlantic HMS Federal Management Actions from December 2, 2011 to December 4, 2012

Federal Register Cite	Date	Rule or Notice
HMS Fisheries (General)		
76 FR 75492	12/2/2011	Final rule to Require New Vessel Monitoring System (VMS) Units and Establish Additional Requirements in Atlantic HMS Fisheries
77 FR 4282	1/27/2012	Notice of Public Meeting for the Atlantic HMS Advisory Panel
77 FR 15701	3/16/2012	Proposed rule for Amendment 4 to the 2006 Consolidated HMS FMP
77 FR 19164	3/30/2012	Public Hearings for Amendment 4 to the 2006 Consolidated HMS FMP
77 FR 32950	6/4/2012	Notice for Atlantic Shark Identification Workshops, and Protected Species, Release, Disentanglement, and Identification Workshops
77 FR 38030	6/26/2012	Proposed Rule Regarding the Trade of HMS
77 FR 38772	6/29/2012	Notice of Public Workshops for the Electronic Dealer Reporting System
77 FR 38775	6/29/2012	Correction Notice for Atlantic Shark Identification Workshops, and Protected Species, Release, Disentanglement, and Identification Workshops
77 FR 44592	7/30/2012	Notice of Public Workshops for the Electronic Dealer Reporting System
77 FR 47303	8/8/2012	Final Rule to Require Electronic Dealer Reporting for Atlantic HMS Dealers
77 FR 52259	8/29/2012	Final Rule Regarding the Trade of HMS
77 FR 52314	8/29/2012	Notice of a Public Meeting for the Atlantic HMS Advisory Panel
77 FR 55464	9/10/2012	Notice for Atlantic Shark Identification Workshops, and Protected Species, Release, Disentanglement, and Identification Workshops
77 FR 59842	10/1/2012	Final Rule for Amendment 4 to the 2006 Consolidated HMS FMP

Federal Register Cite	Date	Rule or Notice
77 FR 60108	10/2/2012	Notice of Additional Public Workshops for the Electronic Dealer Reporting System
77 FR 61727	10/11/2012	Notice to Announce the New Effective Date for the VMS Requirement for HMS
77 FR 64318	10/19/2012	Notice to Solicit Nominations for the Atlantic HMS Advisory Panel
77 FR 69593	10/20/2012	Notice of Intent to Issue Exempted Fishing Permits (EFPs), Scientific Research Permits (SRPs), Display Permits, Letter of Acknowledgement (LOAs), and Chartering Permits
Bluefin and BAYS Tunas		
76 FR 76900	12/9/2011	Inseason Action to Adjust the General Category Atlantic Bluefin Tuna Retention Limit for January 2012
77 FR 3637	1/25/2012	Inseason Action to Close the Atlantic Bluefin Tuna General Category January Fishery
77 FR 15712	3/16/2012	Proposed Rule for the 2012 Bluefin Tuna Quota Specifications
77 FR 21015	4/9/2012	Inseason Action to Adjust the Retention Limits for Atlantic Bluefin Tuna Angling Category and Close the Southern Area Trophy Fishery
77 FR 24161	4/23/2012	Notice of Intent for Amendment 7 to the 2006 Consolidated HMS FMP
77 FR 28496	5/15/2012	Inseason Action to Adjust the General Category (Commercial) Atlantic Bluefin Tuna Retention Limit for June-August 2012
77 FR 31546	5/29/2012	Inseason Action to Close the Atlantic Bluefin Tuna Incidental Longline Category Southern Area Fishery
77 FR 38011	6/26/2012	Inseason Action to Close the Incidental Longline Category Northern Area Fishery for Atlantic Bluefin Tuna
77 FR 44161	7/27/2012	Final Rule for the 2012 Bluefin Tuna Quota Specifications
Sharks		
77 FR 3393	1/24/2012	Final Rule to Establish the Quotas and Opening Dates for the 2012 Atlantic Shark Commercial Fishing Season
77 FR 8218	2/14/2012	NMFS Announces a Public Meeting for Selected Participants of the 2012 Shark Research Fishery
77 FR 32036	5/25/2012	Inseason Action to Close the Commercial Porbeagle Shark Fishery
77 FR 31562	5/29/2012	NMFS Considers Adding Gulf of Mexico Sharks to Amendment 5 to the 2006 Consolidated HMS FMP
77 FR 32036	5/31/2012	Inseason Action to Close the Commercial Porbeagle Shark Fishery
77 FR 35357	6/13/2012	NMFS Announces the Opening Date of the Commercial Atlantic Region Non-Sandbar Large Coastal Fishery
77 FR 37647	6/21/2012	Proposed Rule to Prohibit Retention of Silky Sharks Caught in ICCAT Fisheries
77 FR 39648	7/5/2012	Inseason Action to Close the Commercial Non-Sandbar Large Coastal Shark Fishery in the Gulf of Mexico Region
77 FR 60632	10/4/2012	Final Rule to Prohibit Retention of Silky Sharks Caught in ICCAT Fisheries
77 FR 61562	10/10/2012	Proposed Rule to Establish the Quotas and Opening Dates for the 2013 Atlantic Shark Commercial Fishing Season
77 FR 67631	10/13/2012	Notice of Intent for Applications to the 2013 Shark Research Fishery

Federal Register Cite	Date	Rule or Notice
77 FR 69596	11/20/2012	Notice to Solicit Nominations for the AP for Atlantic HMS Southeast Data, Assessment, and Review (SEDAR Workshops)
77 FR 70552	10/26/2012	Proposed Rule for Amendment 5 to the 2006 Consolidated HMS FMP
Swordfish and Billfishes		
77 FR 25669	5/1/2012	Proposed Rule to Adjust the 2012 North and South Atlantic Swordfish Quotas and Other Measures
77 FR 34025	6/8/2012	Public Scoping Meeting for Amendment 7 to the 2006 Consolidated HMS FMP
77 FR 45273	7/31/2012	Final Rule to Adjust the 2012 North and South Atlantic Swordfish Quotas and Other Measures

1.2 2012 Accomplishments of the International Commission for the Conservation of Atlantic Tunas

ICCAT is an international regional fishery management organization (RFMO) with 48 members, including the United States. The 18th Special Meeting of ICCAT was held in Agadir, Morocco, November 12-19, 2012. 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 critical to U.S. fishermen. ICCAT made progress on a number of issues, including bluefin tuna, billfish, compliance issues, and monitoring, control, and surveillance measures.

Western Atlantic Bluefin Tuna

In 2012, Recommendation 12-02 was adopted, maintaining the western Atlantic bluefin tuna total allowable catch (TAC) at 1,750 mt for 2013, and placing increased emphasis on research to help guide future management actions. This TAC was agreed to in an effort to take into account the two equally plausible recruitment scenarios presented in 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 12-02 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 requests that ICCAT's 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 SCRS 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. In adopting this recommendation, ICCAT agreed to convene a working group of fisheries managers and scientists from relevant Parties in mid-2013 to guide the work of the SCRS leading up to the next western Atlantic bluefin tuna stock assessment. Participants will discuss ways to improve

communication of management goals, stock assessment results, and management advice between scientists and managers. As the recommended TAC is for 2013 only, ICCAT will renegotiate the recommendation in November 2013.

Eastern Atlantic and Mediterranean Bluefin Tuna

The Commission adopted Recommendation 12-03, amending the recovery plan for eastern Atlantic and Mediterranean bluefin tuna. Recommendation 12-03 increased the TAC for Mediterranean bluefin tuna from the 2010 level of 12,900 mt to 13,400 mt for 2013 onward, until changed, with an additional two-year allocation of 100 mt/year to Algeria. The total level of 13,500 mt is within the scientific range advised by SCRS, i.e., it has a 60% chance or greater of recovering the stock by the end of 2022, and represents an increase of 4.4% compared to the 2010 level. It also shifted the purse seine fishery by 10 days so that it will now be open May 26 through June 24, and made several changes to the monitoring and control measures, including measures expected to improve the tracking of Eastern Atlantic and Mediterranean bluefin tuna trade, particularly of farmed fish.

Blue Marlin and White Marlin/Spearfish

The Commission adopted Recommendation 12-04 which, for the first time, sets country-specific quotas for landings of blue marlin and white marlin/spearfish. These quotas are in line with scientific advice and will reduce the number of fish that may be caught by ICCAT Parties. This recommendation includes the adoption of Atlantic-wide minimum sizes that are equivalent to those that are currently in place in the United States for Atlantic blue and white marlin. This binding measure also includes a ban on all sales of recreationally caught marlins, as well as measures to improve data collection in artisanal fisheries and a requirement for all Parties to report on implementation of this recommendation in 2013.

Sharks

The Commission adopted Recommendation 12-05 which requires ICCAT Parties to submit to the ICCAT Secretariat in advance of the 2013 ICCAT annual meeting a report detailing their implementation and compliance with existing ICCAT shark recommendations 04-10, 07-06, 09-07, 10-08, 10-07, and 11-08, and recommendation 11-15.

Monitoring, Control, and Surveillance Measures

The Commission adopted U.S. proposed amendments to ICCAT's at-sea transshipment program that closes several compliance loopholes and adopted a strengthened set of minimum standards for port inspections. ICCAT Parties also adopted a schedule for the implementation of the electronic bluefin tuna catch document (eBCD) program, Recommendation 12-08. According to this schedule, the electronic system will be completed and operational by May 16, 2013. The current paper based BCD will be accepted until the end of February 2014 and as of March 1, 2014, the eBCD will fully replace the paper-based system. ICCAT also adopted a recommendation that establishes a process towards the establishment of a catch certification scheme for tuna and tuna-like species. The Commission will hold workshops to address technical issues associated with the development of a new catch certification scheme in 2013 and 2014. Included in this recommendation is the commitment to review any draft recommendations

on a catch certification scheme at the 2014 ICCAT annual meeting with a goal of implementation of such scheme in 2015.

ICCAT Parties also adopted Recommendation 12-10 that sets up a process for amending the ICCAT Convention and establishes a working group that will meet intersessionally to discuss issues such as Convention scope, in particular shark conservation and management, decision making processes and procedures, and non-party participation. The intersessional meetings will occur in 2013, 2014, and 2015 with the goal of producing draft convention amendment text and draft recommendations to be considered at the annual ICCAT meetings.

1.3 State Regulations

Table 1.2 outlines the state regulations regarding HMS species as of November 1, 2012. 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. This FMP was modified via Coastal Sharks Addendum I in September 2009 and was effective as of January 1, 2010. 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.

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: 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 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
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

State	Species				Cite Reference	Regulatory Details	Contact Information
	Tunas	Swordfish	Billfish	Sharks			
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
	Tunas	Swordfish	Billfish	Sharks			
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 – 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
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 yds 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	Billfish	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 (6) 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/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 Swordfish/Billfish - FL Administrative Code 68B-33	<p>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)</p> <p>Swordfish - Minimum size - 47 in LJFL/29" CK; 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 and a federal LAP for swordfish, so federal regulations apply in state waters unless state regulations are more restrictive; Recreational catch reporting requirement (all non-tournament landings must be reported to NOAA within 24 hours)</p> <p>Sharks – Commercial/recreational: min size – 54" except no min. size on blacknose, blacktip, bonnethead, smoothhound, 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 in state waters, direct and continuous transit through state waters to place of landing of lemon, sandbar, tiger, great hammerhead, smooth hammerhead, and scalloped hammerhead sharks legally caught in federal waters is allowed.</p>	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	<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>Tuna/swordfish/billfish/sharks - 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 & commercial: bag limit – 1 sharpnose/person/day and 1 bonnethead/person/day; no min size; all other sharks – 1/person/day; min size – 54" FL or 30" dressed; 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</p> <p>Commercial-state waters close 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>AL Department of Conservation and Natural Resources, Marine Resources Division Phone: (251) 861 2882 www.outdooralabama.com</p>

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 in LJFL), white marlin (66" LJFL), sailfish (63 in LJFL), swordfish (29 in carcass length or 33 lbs 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: 4/1-6/30; 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 BFT fishing; only recreational anglers can retain incidentally caught BFT 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; bag limit - LCS/Pelagics 1/person (possession limit) up to 3/vessel (possession limit); SCS 4/person (possession limit); 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.</p> <p>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>http://www.caribbeanfmc.com/REGULATIONS%20PR-USVI/reg%20pesca%20pr/Rgl6768-%20feb%202004.pdf</p>	<p>Puerto Rico Department of Natural and Environmental Resources Craig Lilystrom 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>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>