Regulation Summary

American Samoa Pelagic Longline Fishing

(Revised July 11, 2022)

This guide summarizes regulations for the American Samoa pelagic longline fishery and serves as a Small Entity Compliance Guide, complying with section 212 of the Small Business Regulatory Enforcement Fairness Act of 1996. Regulations are subject to change, and any discrepancies between this summary and the official regulations will be resolved in favor of those published in the Code of Federal Regulations (CFR). For the official regulations, refer to Title 50, CFR, Parts 229, 300, 404, 600, and 665.

Fishing Permits and Certificates

The following permits, licenses, and certificates are required. Please visit the NOAA National Marine Fisheries Service (NMFS) <u>Permits webpage</u> to download applications, or contact the NMFS Pacific Islands Regional Office (PIRO), Sustainable Fisheries Division (see Contact Information).

American Samoa Longline Limited Entry Permit: A valid American Samoa longline limited entry permit is required for using longline gear to fish for pelagic management unit species (PMUS) within the U.S. Exclusive Economic Zone (EEZ) around American Samoa, or to land or transship PMUS shoreward of the outer boundary of the EEZ. NMFS issues American Samoa longline permits for two vessel size classes—small and large. Length overall is the length of the hull, measured parallel to the waterline, from the tip of the bow to the end of the stern, not including projecting parts like bowsprits, rudders, outboard motor brackets, or other accessories. A vessel must be registered to a valid permit (see 50 CFR 665.816). Expires 3 years from date of issuance for renewed or additional permits. The expiration date does not reset for a transferred permit.

Vessel Size	Vessel Length Overall
Small	Less than 50 ft (<15.2m)
Large	Equal to or over 50 ft (≥ 15.2 m)

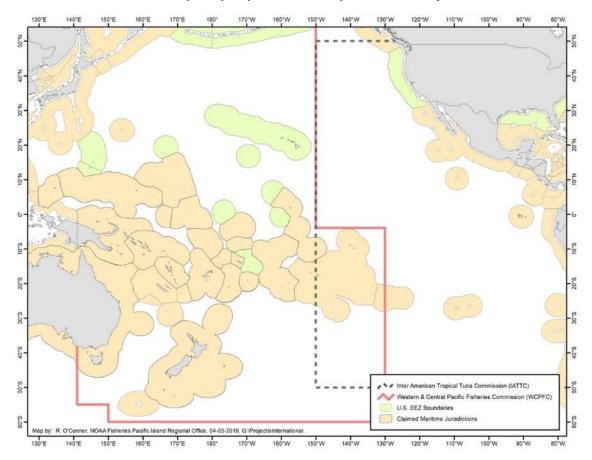
High Seas Fishing Compliance Act (HSFCA) Permit: A vessel must have an HSFCA permit to fish beyond the EEZ (outside 200 nm from shore). *Expires 5 years from date of issuance.*

Western and Central Pacific Fisheries Commission (WCPFC) Area Endorsement: A supplemental registration to a valid HSFCA permit is required to fish beyond the EEZ in the WCPFC Convention area (see map below). *Expires when the associated HSFCA permit expires*.

Marine Mammal Authorization Program (MMAP) Certificate: A vessel registered to an American Samoa longline permit must have and carry on board an MMAP certificate issued by PIRO. *Expires at the end of each calendar year*.

Protected Species Workshop (PSW) Certificate: The owner and operator of a vessel registered to an American Samoa longline permit must have and carry on board a PSW certificate issued by PIRO. The vessel owner must have a valid PSW certificate for the permit holder to renew a longline permit. (See Protected Species Workshop section below). *Expires 1 year from date of issuance.*

Western Pacific Receiving Vessel Permit: A U.S. vessel must be registered for use with a valid receiving vessel permit if that vessel is used to land or transship any PMUS harvested with longline gear shoreward of the outer boundary of the EEZ around American Samoa, Hawaii, Guam, the Commonwealth of the Northern Mariana Island (CNMI), or Pacific Remote Island Areas (PRIA). *Expires March 3 of each calendar year*.



WCPCF and Inter-American Tropical Tuna Commission Convention Areas

Reporting, Monitoring, and Vessel and Gear Identification

NMFS Western Pacific Daily Longline Fishing Log.

If your vessel is longer than 50 ft (15.2 m):

• The vessel operator must use a NMFS-certified electronic logbook (tablet computer) and transmit completed logbook information via the Vessel Monitoring System (VMS) to NOAA Pacific Islands Fisheries Science Center (PIFSC) within 24 hours after the completion of each fishing day. If there is a technology malfunction, the vessel operator must complete a paper or electronic logbook within 24 hours of the end of each fishing day, and submit the completed logbook information to NMFS within 72 hours of returning to port. Logbooks, user accounts, training, and/or tablet repair or replacements are available from PIFSC (see Contact Information). Contact the NOAA Office of Law Enforcement to report a malfunctioning VMS system.

If your vessel is 50 ft or shorter:

• The vessel operator must complete a paper logbook within 24 hours of the end of each fishing day, and submit the completed logbook to NMFS within 72 hours of returning to port.

NMFS Pacific Transshipment Declaration Form: The vessel operator with a Western Pacific Receiving Vessel Permit must submit a Pacific Transshipment Declaration Form for each day of transshipment activity to PIFSC

within 24 hours after completion of the transshipment. For details on transshipment requirements, see the Compliance Guide for Transhipping, Bunkering, and Catch Retention/Discard Requirements.

MMAP Mortality/Injury Reporting Form: If a marine mammal interaction (hooking or entanglement) occurs, the vessel operator must complete and submit a <u>MMAP Mortality/Injury Reporting Form</u> online or on paper to NMFS within 48 hours after the end of the trip. You can mail this pre-addressed, postage paid form to NMFS. Forms are available from PIRO (see Contact Information).

Vessel Monitoring System: If your vessel is longer than 50 ft (15.2 m), you must carry an operational NOAA Enforcement–owned and installed VMS unit onboard whenever the vessel is at sea. The VMS transmits your vessel's position to NMFS for monitoring compliance with prohibited areas and other regulations. The VMS also transmits your electronic logbook information. Contact the NOAA Office of Law Enforcement in Honolulu for information (see Contact Information).

Vessel Identification: You must display your vessel's international radio call sign (IRCS) on both sides of the hull and on a deck surface. If you do not have an IRCS, you must display your vessel's official number (U.S. Coast Guard documentation number or state/territory vessel registration number) on both sides of the hull and on a deck surface. The official number must be preceded by "USA –" (for example, *USA – 1234567*). For details on the requirements, see the Compliance Guide for Vessel Identification.

Gear Identification: You must display your vessel's official number (U.S. Coast Guard documentation number or state/territory vessel registration number) on every longline buoy and float. Markings must be legible and permanent, and they must be of a color that contrasts with the background material.

Notification and Observer Placement

- The vessel owner, permit holder, designated agent, or operator must notify the PIRO American Samoa Observer Program (see Contact Information) at least 72 hours before departing on a fishing trip (not including weekends or federal holidays).
- The vessel must carry a NMFS observer if assigned. The Observer Program will notify you if an observer is assigned at least 24 hours before departing on the trip.
- You must follow the observer guidelines provided to you at the pre-trip observer placement meeting.

Protected Species Workshop

Each year, the owner and operator of a vessel registered to an American Samoa limited entry permit must attend and be certified in the Protected Species Workshop (PSW) conducted by PIRO. The workshop covers identification, mitigation, handling, and release techniques for sea turtles, seabirds, and marine mammals.

- The PSW is offered in person and online. Please contact PIRO PSW to attend a scheduled workshop (see Contact Information).
- PIRO will issue a PSW Certificate upon completion of the workshop, valid for 1 year. The PSW certificate may be renewed before it expires.
- The owner of a vessel registered for use under an American Samoa longline limited entry permit must maintain and have on file a valid PSW Certificate to maintain or renew the permit.
- The operator must have a valid PSW Certificate (or a readable copy) in their name on board the vessel.

Sea Turtle, Marine Mammal, and Protected Shark and Ray Safe Handling and Mitigation Measures

You must carry and use specific equipment for handling and releasing sea turtles and marine mammals. You must also follow specific procedures if you hook or entangle these animals.

Sea Turtles

For details on sea turtle requirements, see the <u>Compliance Guide for Handling</u>, <u>Resuscitation and Release of Sea</u> Turtles.

Marine Mammals

NMFS distributes recommended guidelines for handling marine mammals at the PSW. Animals must be handled according to those guidelines and returned to the ocean unless directed otherwise by NMFS personnel, a NMFS contractor, or an official observer, or otherwise authorized by a scientific research permit held by the operator. You must report marine mammal interactions on a MMAP Mortality/Injury Reporting Form on paper or online within 48 hours after the end of a fishing trip, even if an observer was aboard.

Protected Sharks and Rays

Protected sharks include the oceanic whitetip shark and the silky shark. Protected rays include the mobula rays (manta and devil rays).

- You may not retain or land any part of any oceanic whitetip shark or mobula ray caught in the WCPFC and Inter-American Tropical Tuna Commission (IATTC) Convention areas (see map above). You may not retain or land any part of any silky shark caught in the WCPFC.
- You must release all oceanic whitetip sharks and mobula rays caught in the WCPFC and IATTC, and all silky sharks caught in the WCPFC, as soon as possible after catching them, taking reasonable steps for releasing them in a manner that will result in the least possible harm to the animal without compromising human safety. Hooked oceanic whitetip sharks must be brought to the side of the vessel and be released using a dehooker or line clippers to remove trailing gear from the animal. When using line clippers, cut the branch line as close to the hook as possible.
- You must allow and assist in collecting samples from these sharks and rays if an observer requests it, and it is safe to do so.

For details on protected shark and ray requirements and restrictions, see <u>50 CFR 300.226</u>, <u>300.27</u>, and <u>665.811</u>; <u>C-15-04</u> and <u>C-11-10</u>; <u>CMM 2019-04</u> and <u>CMM 2019-05</u>. See also <u>Fishing Restrictions Related to the Oceanic Whitetip</u>, Silky, and Whale Sharks.

Shark Finning, Landing, and Requirements of All Other Shark Species

- You may possess and land shark fins only if the fins are naturally attached to the corresponding shark carcass (attached to the carcass through some portion of uncut skin).
- You may land a shark carcass only if its fins are naturally attached.
- You may transfer or receive fins between vessels at sea only if the fins are naturally attached to the corresponding carcass.
- While at sea, you may not remove any fins from a retained shark, including the tail.
- Sharks that are caught and are not to be retained, should be hauled alongside the vessel before being cut free to facilitate a species identification when an observer or electronic monitoring camera is present, taking into account the safety of the observer and crew.
- Where sharks are unwanted bycatch they should be released alive using techniques that result in minimal harm, taking into account the safety of the crew in the WCPFC.
- For details, see <u>50 CFR 600.1203</u> and <u>CMM 2019-04</u>.

For more information on protected species identification, handling, and release information, see the <u>Protected Species Workshop Handling</u>, Release, and Identification Guidelines for Pacific Islands Pelagic Fisheries.

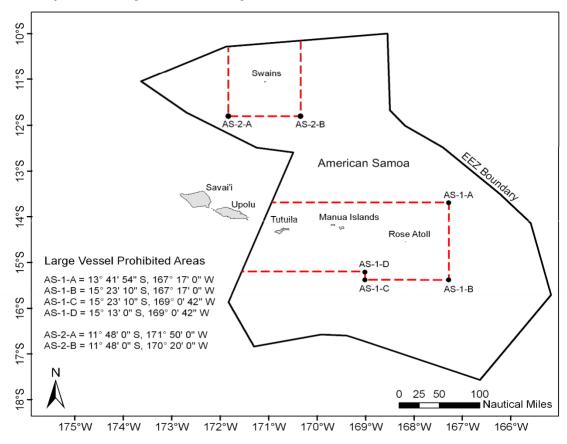
Gear Requirements for Fishing South of the Equator

To reduce interactions with ESA-listed sea turtles, any federally permitted U.S. longline vessel longer than 40 ft (12.2 m), including vessels with American Samoa longline limited entry permits, must meet the following conditions when fishing south of the Equator (see <u>50 CFR 665.813(k)</u>). (*Note, NMFS does not allow shallow-set fishing in the South Pacific*).

- Each float line must be at least 30 m long.
- There must be at least 70 m of blank mainline (without hooks attached) before and after all floats with hooks between them.
- When hooks are deployed, there must be at least 15 branch lines attached between each float.
- Each branch line must be at least 10 m long.
- No metal wire line within 1 m of the hook if the vessel is licensed as a Hawaii longline fishing vessel on a trip where deep setting occurs.
- Shark lines, a type of fishing gear used to target sharks, are prohibited.

American Samoa Large Vessel Prohibited Areas

Vessels 50 ft and longer are prohibited from fishing for pelagic fish in specific areas around Tutuila, the Manua Islands, Rose Atoll, and Swains Island. NMFS revised the prohibited area around Tutuila, the Manua Islands, and Rose Atoll in July 2012 to match the boundaries of the Rose Atoll Marine National Monument. In July 2021, NMFS exempted large longline vessels from certain parts of the Large Vessel Prohibited Areas (see 50 CFR 665.818). See the map below for the updated coordinates.



The solid line indicates the boundary of the U.S. EEZ around American Samoa. The dashed lines show the boundaries of the large vessel prohibited areas.

Exemption from American Samoa Large Vessel Prohibited Areas

U.S. pelagic longline vessels that are 50 ft and longer may fish in specific areas within the large vessel prohibited areas (see 50 CFR 665.818), except that no large vessel may fish within the following three areas:

(1) EEZ waters around Tutuila Island enclosed by straight lines connecting the following coordinates (the datum for these coordinates is World Geodetic System 1984 (WGS84)): (2) EEZ waters around the Manua Islands enclosed by straight lines connecting the following coordinates (WGS84):

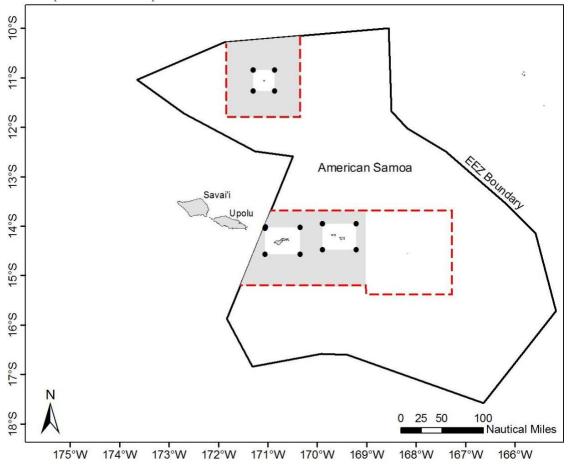
(3) EEZ waters around Swains Island enclosed by straight lines connecting the following coordinates (WGS84):

POINT	S. LAT.	W. LONG.
TU-1	14° 01' 42"	171° 02′ 36″
TU-2	14° 01' 42"	170° 20' 22"
TU-3	14° 34′ 31″	170° 20' 22"
TU-4	14° 34′ 31″	171° 03′ 10″
TU-5	14° 02' 47"	171° 03′ 10"
T-1	14° 01' 42"	171° 02′ 36″

POINT	S. LAT.	W. LONG.
MA-1	13° 57' 16"	169° 53' 37"
MA-2	13° 57' 16"	169° 12' 45"
MA-3	14° 28' 28"	169° 12' 45"
MA-4	14° 28' 28"	169° 53' 37"
MA-1	13° 57' 16"	169° 53' 37"

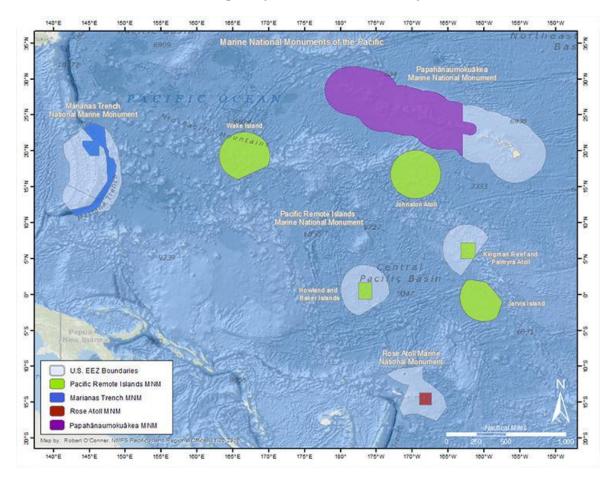
POINT	S. LAT.	W. LONG.
SW-1	10° 50' 42"	171° 17' 42"
SW-2	10° 50' 42"	170° 51' 39"
SW-3	11° 16' 08"	170° 51' 39"
SW-4	11° 16' 08"	171° 17' 42"
SW-1	10° 50' 42"	171° 17' 42"

This map shows the exempted areas:



The solid line indicates the boundary of the U.S. EEZ around American Samoa. The dashed lines show the boundaries of the large vessel prohibited areas.

Marine National Monuments: Commercial fishing is prohibited in the Pacific Remote Islands, Rose Atoll, and Papahanaumokuakea Marine National Monuments, and in the Islands Unit of the Marianas Trench Marine National Monument. In the Rose Atoll Marine National Monument, all fishing is prohibited within 12 nautical miles (nm) of the atoll. Fishing vessels may transit through the Monuments, but entering and leaving the Papahanaumokuakea Monument requires notifying the Papahanaumokuakea Monument office (See Contact Information). For the coordinates of the boundary of each marine national monument and other requirements, see 50 CFR 404 or contact the Marine National Monuments Program (see Contact Information).



Marine National Monuments of the Pacific

No-Take Marine Protected Areas: Longline fishing is prohibited shoreward of the 50-fm curve at Jarvis, Howland, and Baker Islands, and Kingman Reef, and shoreward of the 50-fm curve around Rose Atoll in American Samoa.

Guam Longline Fishing Prohibited Area: Longline fishing is prohibited within approximately 50–100 nm from shore around the island. For the coordinates and map of the prohibited area, see the <u>Western Pacific General Longline Regulation Summary</u>.

CNMI Longline Fishing Prohibited Area: Longline fishing is prohibited within approximately 30 nm from shore around the islands. For the coordinates and map of the prohibited area, see the <u>Western Pacific General Longline</u> <u>Regulation Summary</u>.

Pacific Pelagic Management Unit Species

Tunas

Common Name	Scientific Name
Albacore	Thunnus alalunga
Bigeye tuna	Thunnus obesus
Kawakawa	Euthynnus affinis
Pacific bluefin tuna	Thunnus orientalis
Skipjack tuna	Katsuwonus pelamis
Yellowfin tuna	Thunnus albacares
Tuna relatives	Auxis spp., Scomber spp., Allothunus spp.

Billfishes

Common Name	Scientific Name
Black marlin	Istiompax indica
Pacific blue marlin	Makaira nigricans
Sailfish	Istiophorus platypterus
Shortbill spearfish	Tetrapturus angustirostris
Striped marlin	Kajikia audax
Swordfish	Xiphias gladius

Sharks

Common Name	Scientific Name
Bigeye thresher shark	Alopias superciliosus
Blue shark	Prionace glauca
Common thresher shark	Alopias vulpinus
Longfin mako shark	Isurus paucus
Oceanic whitetip shark	Carcharhinus longimanus
Pelagic thresher shark	Alopias pelagicus
Salmon shark	Lamna ditropis
Shortfin mako shark	Isurus oxyrinchus
Silky shark	Carcharhinus falciformis

Other Pelagic Fish

Common Name	Scientific Name
Mahimahi, Dolphinfish	Coryphaena spp.
Moonfish, Opah	Lampris spp.
Oilfish	family Gempylidae
Pomfret	family Bramidae
Wahoo, Ono	Acanthocybium solandri

Squids

Common Name	Scientific Name
Diamondback squid	Thysanoteuthis rhombus
Neon flying squid	Ommastrephes bartramii
Purpleback flying squid	Sthenoteuthis oualaniensis

Contact Information

American Samoa Field Office

American Samoa Observer Program (departure notification/observer placement)

Pago Plaza, Suite 202

Pago Pago, Tutuila Phone: (684) 633-5325

Fishing Permits, Certificates, MMAP Report Forms, Compliance Guides, and Other Information

Sustainable Fisheries Division NMFS Pacific Islands Regional Office 1845 Wasp Blvd., Bldg. 176 Honolulu, HI 96818

Phone: (808) 725-5190 Fax: (808) 725-5215

Email: piro-permits@noaa.gov

Web: <a href="https://www.fisheries.noaa.gov/pacific-islands/resources-fishing/pacific-islands-fishing-islands

permits

Logbooks

NMFS Pacific Islands Fisheries Science Center 1845 Wasp Blvd., Bldg. 176

Honolulu, HI 96818 For Electronic Logbooks: Phone: (808)725-5604

Email: pifsc.elogsupport@noaa.gov

For Paper Logbooks: Phone: (808)725-5324 Email: russell.ito@noaa.gov

Protected Species Workshop

NMFS Honolulu Service Center at Pier 38 1139 N. Nimitz Hwy, Suite 220

Honolulu, HI 96817 Phone: (808) 725-5000 Email: piropsw@noaa.gov

Web: https://www.fisheries.noaa.gov/pacific- islands/resources-fishing/pacific-islands-protected-

species-workshops

VMS, Enforcement Information, or to Report a Violation

NOAA Office of Law Enforcement 1845 Wasp Blvd., Bldg. 176 Honolulu, HI 96818

Phone: (808) 725-6110

Confidential hotline: (800) 853-1964

Fax: (808) 725-6199

Web:

https://www.fisheries.noaa.gov/topic/enforcement

Marine National Monuments in the Pacific

Habitat Conservation Division – Monuments Program

NMFS Pacific Islands Regional Office

1845 Wasp Blvd., Bldg. 176

Honolulu, HI 96818 Phone: (808) 725-5000 Fax: (808) 725-5215

Email: pirohonolulu@noaa.gov

Web: <a href="https://www.fisheries.noaa.gov/pacific-islands/habitat-conservation/marine-national-islands/habitat-conservation/marine-nation-nation-nation-nation-nation-nation-nation-nation-nation-nati

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