



NOAA FISHERIES

Sustainable Fisheries West Coast Region

Fishery Management Plan for U.S. West Coast Fisheries for Highly Migratory Species Draft Compliance Guide

December 17, 2014

This guide is intended to provide a plain-language summary of how small businesses can comply with federal regulations in place to implement the Fishery Management Plan for U.S. West Coast Fisheries for Highly Migratory Species (HMS FMP). Because fishery regulations change frequently, fishermen must familiarize themselves with the latest regulations and are responsible for complying with the current official regulations set forth in the Code of Federal Regulations (CFR)¹. **The regulations take precedence if a discrepancy occurs between them and the information given in this Guide.**

¹ ecfr.gov/cgi-bin/text-idx?SID=b8624f8cd5dd800ab5d9e84c52124c0c&node=pt50.13.660&rgn=div5

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Summary of the HMS FMP Management Measures and Regulations

The HMS FMP² rules and regulations are necessary for federal management of the HMS fisheries. The FMP identifies 11 HMS as management unit species (Table 1) and defines legal gear types and management measures used to harvest them. These regulations apply to

Table 1: HMS management unit species

Common Name	Species
striped marlin	<i>Kajikia audax</i>
swordfish	<i>Xiphias gladius</i>
common thresher shark	<i>Alopias vulpinus</i>
shortfin mako (bonito shark)	<i>Isurus oxyrinchus</i>
blue shark	<i>Prionace glauca</i>
North Pacific albacore	<i>Thunnus alalunga</i>
yellowfin tuna	<i>Thunnus albacares</i>
bigeye tuna	<i>Thunnus obesus</i>
skipjack tuna	<i>Katsuwonus pelamis</i>
Pacific Bluefin tuna	<i>Thunnus orientalis</i>
dorado (mahi mahi, dolphinfish)	<i>Coryphaena hippurus</i>

all U.S. vessels that fish for HMS within the West Coast (California, Oregon, Washington) exclusive economic zone (EEZ = 3-200 nautical miles from the coast). They also apply to U.S. vessels that target HMS on the high seas (seaward of the EEZ) but land their fish in California, Oregon or Washington. It does not apply to U.S. vessels that fish for HMS on the high seas and land in a non-U.S. port.

Since the promulgation of the first set of HMS FMP regulations in 2004, several regulatory amendments have occurred (Table 2). The HMS FMP

incorporated many of the existing federal and state regulations in place for California, Oregon, and Washington and sets forth additional requirements including:

- Establishment of harvest guidelines for common thresher and shortfin mako sharks
- Definitions of prohibited and protected species
- Establishment of incidental HMS catch allowances for non-HMS gear
- Requirements for a federal HMS vessel permit
- Requirements for vessel markings
- Requirements for logbook reporting and submission
- Requirements for carrying fishery observers
- Requirements for minimizing and mitigating bycatch
- Summary of mandatory time/area closures

Overlapping Regulations

There are other regulations (international, federal, and state) that overlap with the fisheries managed under this plan. For example: authorized gear in Washington is more limited than the gear authorized in this FMP. To ensure compliance, state and other fisheries regulations should be consulted. Information regarding related federal and international regulations can be found on the NOAA Fisheries West Coast Region site for HMS³.

² <http://www.pcouncil.org/wp-content/uploads/HMS-FMP-Jul11.pdf>

³ http://www.westcoast.fisheries.noaa.gov/fisheries/migratory_species/highly_migratory_species_rules_req.html

Table 2: History of HMS FMP domestic regulatory amendments

<u>Title of Regulation</u>	<u>Federal Register Number</u>	<u>Date Published</u>	<u>Date Effective</u>
Taking of Threatened or Endangered Species Incidental to Commercial Fishing Operations	69 FR 11540	3/11/04	4/12/04
Revised Method for Renewing and Replacing Permits Issued under the HMS FMP	72 FR 10935	6/12/07	4/11/07
Amended Regulatory Text Governing Closures of the Swordfish Drift Gillnet Fishery in the Pacific Loggerhead Sea Turtle Conservation Area during an El Niño Event	72 FR 31756	6/8/07	7/9/07
Amended Vessel Identification Regulations for HMS Recreational Charter Vessels	72 FR 43563	8/6/07	9/5/07
Daily Bag Limits for Sport Caught Albacore and Bluefin Tuna in the EEZ off California	72 FR 58258	10/15/07	11/14/07
Establishment of an HMS Permit Fee	74 FR 37177	7/28/09	08/27/09
Amendment 2 to the HMS FMP, Annual Catch Limits and Accountability Measures	76 FR 56327	9/13/11	10/13/11

GEAR

Q1. What fishing gear is allowed? ([§660.702](#))

The following gears are authorized for the commercial and recreational harvest of HMS in the EEZ by HMS permitted vessels and beyond the EEZ by vessels landing in West Coast ports.

HMS Commercial Gear

Harpoon: fishing gear consisting of a pointed dart or iron attached to the end of a line several hundred feet in length, the other end of which is attached to a flotation device. Harpoon gear is attached to a pole or stick that is propelled only by hand, and not by mechanical means.

Surface hook and Line: one or more hooks attached to one or more lines (includes troll, rod and reel, handline, albacore jig, live bait, and bait boat; excludes pelagic longline and mousetrap gear⁴). Surface hook and line is always attached to the vessel.

Drift gillnet: a panel of netting, a *minimum* of 14 inch (35.56 cm) stretched mesh or greater, suspended vertically in the water by floats along the top and weights along the bottom, which is neither stationary nor anchored to the bottom.

Purse seine: a floated and weighted encircling net that is closed by means of a purse line threaded through rings attached to the bottom of the net (includes encircling net, purse seine, ring net, drum purse seine, lampara net).

⁴ Mousetrap gear means a free-floating set of gear thrown from a vessel, composed of a length of line with a float on one end and one or more hooks or lures on the opposite end.

Pelagic longline: a main line that is suspended horizontally in the water column, which is neither stationary nor anchored, and from which dropper lines with hooks (gangions) are attached. *Specific longline regulations are detailed in Appendix 2.

HMS Recreational Gear

Rod and reel (pole and line): a hand-held (including rod holder) fishing rod with a manually or electrically operated reel attached.

Spear: a sharp, pointed, or barbed instrument on a shaft operated manually or shot from a gun or sling.

Hook & line: one or more hooks attached to one or more lines (not mousetrap gear).

Q2. If I fish with non-HMS gear, can I keep any HMS as incidental catch? ([§660.711](#))

Yes, incidental commercial landings of HMS are authorized within the limits detailed below for non-HMS gear (e.g. bottom longline, trawl, pot gear). Incidental catch refers to harvest of HMS that are unavoidably caught while fishing for other species, or fishing with gear that is unauthorized for HMS harvest.

- Drift gillnets with mesh less than 14 inches are permitted to land 10 HMS fish, **except** swordfish which are not permitted to be landed as incidental catch.
- Bottom longline (set line) fishery landings are restricted to 3 HMS sharks or 20% of total landings by weight of HMS sharks, whichever is greater.
- Trawl and pot gear may land either a maximum of 1% of total weight per landing for all HMS sharks combined or 2 HMS sharks, whichever is greater.

Q3. Can I keep HMS catch if fishing with a drift gillnet under 14 inches stretched mesh as permitted by state regulations? ([§660.711](#))

A drift gillnet vessel with a stretched mesh size less than 14 inches will not be able to target HMS. However, an incidental landing of 10 non-swordfish HMS per trip will be allowed.

Q4. Can I continue to use small mesh drift gillnets to opportunistically catch albacore while fishing in the surface hook and line fishery?

No, albacore surface hook and line vessels may not deploy small mesh drift gillnets to target albacore as was customarily practiced by selected vessels prior to the HMS FMP final rule.

PERMITS AND REPORTING

Q5. What are the HMS permit requirements? ([§660.707](#))

A commercial fishing vessel of the U.S. must have an HMS permit that endorses the use of all gear types used by the vessel. A recreational charter vessel must have a HMS permit if that vessel is used to fish for HMS in the U.S. EEZ off the States of California, Oregon and Washington.

Q6. Do I need proof of previous fishing effort & landings for an HMS permit? ([§660.707](#))

No, at this time there are no qualifying criteria, such as minimum landing amount, to obtain a permit or to endorse specific gear. The HMS permit does not eliminate existing state permit

or licensing requirements or federal permits under the High Seas Fishing Compliance Act. Permits and gear endorsements are subject to sanctions, including revocation, as provided by Section 308(g) of the Magnuson-Stevens Act.

Q7. How do I renew or apply for a new HMS vessel permit and what is the cost? ([§660.707](#))

The HMS permit application for renewals and new permits is available online and can either be completed and submitted online⁵, or can be downloaded⁶ and mailed. A \$30 processing fee is required, which can also be paid online or mailed. Check, credit, and debit are accepted forms of payment online. Mailed applications and payments (check or money order) should be sent to:

National Marine Fisheries Service
(Attention: Permits Office)
501 W. Ocean Blvd., Suite 4200
Long Beach, CA, 90802

Q8. When will my permit expire? ([§660.707](#))

Permits are valid for two years from date of issuance and expire on the last day of the permit owner's birth month. NMFS will send renewal notices to permit holders approximately 90 days prior to the permit expiration date.

Q9. How do I display my permit once it has been issued? ([§660.707](#))

The HMS permit must be onboard the vessel at all times and must be available for inspection upon the request of an authorized officer.

Q10. What are the HMS FMP reporting requirements? ([§660.708](#))

Catch, effort, and catch composition data are critical for monitoring HMS fisheries, assessing stock status and evaluating management effectiveness. All commercial and recreational vessels are required to maintain federal logbooks. Information specified on the logbook forms must be recorded within 24 hours after the completion of each fishing day. Each form must be signed and dated by the fishing vessel operator. Logbooks can be found on the NMFS West Coast Region (WCR) website⁷.

Q11. When do I turn the logbooks in? ([§660.708](#))

The original logbook form for each day of the fishing trip must be submitted to NMFS or the appropriate state management agency within 30 days of each landing or transshipment of HMS.

Q12. I already keep a logbook; do I need a separate one for the HMS FMP? ([§660.708](#))

Examples of logbooks that meet the logbook reporting requirement may be found on the NMFS WCR website. Federal and State logbooks currently required under the following

⁵ fisheriespermits.noaa.gov - Online application instructions at:

westcoast.fisheries.noaa.gov/publications/fishery_management/hms_program/pacifichms_online_permit_instructions.pdf

⁶ westcoast.fisheries.noaa.gov/publications/fishery_management/hms_program/hms_appfill_exp2016.pdf

⁷ westcoast.fisheries.noaa.gov/fisheries/migratory_species/highly_migratory_species_logbooks.html

authorities satisfy the HMS FMP reporting requirements and duplicate logbooks **will not** be required for vessels that:

- Fish under the authority of the High Seas Fishing Compliance Act of 1995 (§300.17).
- Fish tuna under authority of the Tuna Conventions Act of 1950 (§300.21).
- Fish under authority of the regulations for the Fishery Management Plan for Pelagic Fisheries of the Western Pacific Region (§660.14).
- Use any logbook required by the fishery management agency of the States of California, Oregon, or Washington. These logbooks, tailored to specific gear, are acceptable under the HMS FMP.
- Troll fish for albacore and use a Federal logbook as mandated under the HMS FMP⁸.

Any holder of an HMS permit that does not submit logbooks under any of the above authorities must provide a written request to the NMFS WCR office (see list of contacts) for the appropriate logbook. The applicant must provide his or her name and address, the name of the vessel and the type of fishing gear used.

VESSEL REQUIREMENTS

Q13. What are the vessel marking requirements? ([§660.704](#))

Each HMS permitted commercial fishing vessel must display its official number on the port and starboard sides of the deckhouse or hull and on an appropriate weather deck visible from enforcement vessels and aircraft. Markings must be legible and of a color that contrasts with the background. The official number must be affixed to each vessel in block Arabic numerals. Size requirements for numbers are as follows:

- For vessels greater than 25 ft. (7.62 m) but equal to or less than 65 ft. (19.81 m) in length, numbers must be at least 10 inches (25.40 cm) in height
- For vessels greater than 65 ft. (19.81 m) in length, numbers must be at least 18 inches (45.72 cm) in height

These requirements do **not** apply to recreational charter vessels.

Q14. Am I required to install a vessel monitoring system on my boat? ([§660.712](#); [§300.219](#))

- U.S. vessels with Western and Central Pacific Fisheries Commission (WCPFC) area endorsements are required to install, activate, carry and operate vessel monitoring system (VMS) units. The VMS units must be on and operating at all times while the vessel is at sea, inside and outside the WCPFC, which includes the U.S. West Coast.
- Specifically, vessel owners or operators in the longline fishery are required to install, activate, carry and operate VMS units if requested by NMFS - see Appendix 2.
- Additionally, proposed rules regarding VMS requirements for the drift gillnet fishery⁹ as well as tuna-fishing vessels 24 meters or more in length¹⁰ are posted and in the process of being finalized sometime in 2015.

⁸ Mail completed albacore logbooks to Albacore Logbook Program, SWFSC, 8609 La Jolla Shores Dr. La Jolla, CA 92037-1508.

⁹ federalregister.gov/articles/2014/09/15/2014-21902/fisheries-off-west-coast-states-highly-migratory-fisheries-california-swordfish-drift-gillnet

¹⁰ federalregister.gov/articles/2014/02/06/2014-02598/international-fisheries-pacific-tuna-fisheries-establishment-of-tuna-vessel-monitoring-system-in-the-h-10

Q15. What are the requirements for carrying observers? ([§660.719](#); [§600.746](#))

With few exceptions, U.S. fishing vessels operating in HMS fisheries (including catcher/processors, at-sea processors, and vessels that embark from Washington, Oregon, or California and land catch in another area) may be required to carry a NMFS certified observer when directed to do so by NMFS. **If NMFS determines an observer must be on board, the vessel may not engage in the fishery without taking the observer.**

Specifically, vessel owners or operators in the longline fishery are *required* to notify NMFS 24 hours prior to departing on a fishing trip. Similarly, a proposed rule requiring vessel owners and operators in the drift gillnet fishery to notify NMFS 48 hours prior to departing on a fishing trip⁹ is posted and in the process of being finalized sometime in 2015.

Requirements when observers are on board are as follows:

- The vessel must comply with U.S. Coast Guard safety requirements and display a current commercial fishing vessel safety examination decal
- The vessel owner or operator must also allow an observer to visually inspect any safety or accommodation requirement if requested
- The permit holder must provide living quarters comparable to crew members and the same meals, snacks, and other considerations normally provided to vessel personnel
- The permit holder, vessel operator and crew must cooperate with the observer and allow access to VMS, communication and navigation equipment necessary for observer duties
- The observer must be notified before commercial fishing operations begin and end
- The observer must be provided with accurate vessel locations by latitude and longitude or loran coordinates upon request

TIME / AREA**Q16. What is the management area under which these regulations apply?** ([§660.703](#))

The HMS fishery management area is as follows:

a) Southern boundary: United States-Mexico International Boundary:

32°35'22" N. lat. 117°27'49" W. long.

32°37'37" N. lat. 117°49'31" W. long.

31°07'58" N. lat. 118°36'18" W. long.

30°32'31" N. lat. 121°51'58" W. long.

b) Northern boundary: United States-Canada Provisional International Boundary:

48°29'37.19" N. lat. 124°43'33.19" W. long.

48°30'11" N. lat. 124°47'13" W. long.

48°30'22" N. lat. 124°50'21" W. long.

48°30'14" N. lat. 124°54'52" W. long.

48°29'57" N. lat. 124°59'14" W. long.

48°29'44" N. lat. 125°00'06" W. long.

48°28'09" N. lat. 125°05'47" W. long.

48°27'10" N. lat. 125°08'25" W. long.

48°26'47" N. lat. 125°09'12" W. long.

48°20'16" N. lat. 125°22'48" W. long.

48°18'22" N. lat. 125°29'58" W. long.

48°11'05" N. lat. 125°53'48" W. long.

47°49'15" N. lat. 126°40'57" W. long.

47°36'47" N. lat. 127°11'58" W. long.

47°22'00" N. lat. 127°41'23" W. long.

46°42'05" N. lat. 128°51'56" W. long.

46°31'47" N. lat. 129°07'39" W. long.

c) Adjacent waters on the high seas in which persons subject to this subpart fish.

Q17. What is the annual fishing season? (§660.709)

The fishing year for all HMS fisheries will begin at 0801 GMT (0001 local time) on April 1 and terminate at 0800 GMT on March 31 (2400 local time) the following year.

Q18. What are the specific HMS FMP regulations for area closures? (§660.713; §229.31)

A suite of time and area drift gillnet closures to protect marine mammals and sea turtles in the U.S. EEZ have been adopted into the HMS FMP. Mainland area closures off the coasts of California, Oregon and Washington for the drift gillnet fishery are listed under §660.713(d). Closures in place to protect sea turtles include:

- a Pacific leatherback conservation area in which drift gillnet use is prohibited from August 15 through November 15
- a Pacific loggerhead conservation zone which prohibits the use of drift gillnets June through August during El Niño events (see Appendix 1)

Additional area restrictions for longline gear are included in Appendix 2.

OTHER SPECIES**Q19. What species are prohibited to retain? (§660.705, §660.711)**

Prohibited species (Table 3) must be released immediately if caught, unless other provisions for their disposition are established in accordance with existing state and federal guidelines.

In addition, U.S. citizens fishing in waters covered under existing HMS FMP regulations are bound by provisions set forth in the Shark Finning Prohibition Act of 2002¹¹ and Shark Conservation Act of 2010¹². These Acts prohibit, among other things, any person subject to U.S. jurisdiction from (a) engaging in shark finning, (b) possessing shark fins aboard a U.S. fishing vessel without the corresponding carcass, or (c) landing shark fins without a corresponding carcass.

NMFS published a final rule¹³ in the Federal Register that implements provisions of the

Table 3: Prohibited HMS species

<u>Common Name</u>	<u>Species</u>
Any species of salmon	<i>i.e.</i>
	<i>Onchorhynchus gorbuscha</i>
	<i>Onchorhynchus tshawytscha</i>
	<i>Onchorhynchus keta</i>
	<i>Onchorhynchus nerka</i>
	<i>Onchorhynchus kisutch</i>
great white shark	<i>Carcharodon carcharias</i>
basking shark	<i>Cetorhinus maximus</i>
megamouth shark	<i>Megachasma pelagio</i>
Pacific halibut	<i>Hippoglossus stenolepis</i>

¹¹ <http://www.govtrack.us/congress/bills/106/hr5461/text>

¹² <http://www.gpo.gov/fdsys/pkg/PLAW-111publ348/pdf/PLAW-111publ348.pdf>

¹³ federalregister.gov/articles/2013/01/16/2013-00703/high-seas-driftnet-fishing-moratorium-protection-act-identification-and-certification-procedures-to

Shark Conservation Act of 2010 to address shark conservation in areas beyond national jurisdiction by amending the High Seas Driftnet Fishing Moratorium Protection Act¹⁴.

The Billfish Conservation Act of 2012¹⁵ was signed into law on October 2012 and prohibits the sale, and possession for purposes of sale, of all billfish (excluding swordfish). The Act exempts billfish caught by U.S. vessels and landed in Hawaii or Pacific Insular Areas - it should be noted that if the billfish are landed there, they can then enter commerce for sale throughout the rest of the U.S.

The Act also specifies that *recreational* fishermen may possess, but not sell billfish and are subject to limits imposed by existing state and federal regulations. The U.S. west coast highly migratory species most commonly affected by this Act is striped marlin. Striped marlins are considered to have greater value as a recreational species rather than a commercial target species and are prohibited to be sold commercially under the HMS FMP.

Q20. What are protected species regulations? ([§660.712](#), [.713](#), [.720](#); [229.31](#); [223.206](#))

Longline and drift gillnet vessels encounter sea turtles and marine mammals during fishing operations. Various federal laws provide protection for marine species inhabiting the waters bound by the HMS FMP, including the Endangered Species Act, the Marine Mammal Protection Act, and the Migratory Bird Treaty Act. The HMS FMP adopts measures to minimize interactions of HMS gears with protected species and to ensure that the fisheries are operating consistent with federal law. These measures include, among others:

- Time and area closures
- Gear requirements such as pingers and extenders as specified in the Pacific Offshore Cetacean Take Reduction Plan
- Safe handling and release techniques for protected seabirds and sea turtles¹⁶
- Vessel monitoring system (VMS) if requested by NMFS Office of Law Enforcement
- Vessel owners and operators to attend a NMFS protected species workshop (longline) or a skipper education workshop (drift gillnet)

LIMITS

Q21. Are there any quotas, annual catch limits, or harvest guidelines?

A quota is a specified numerical harvest objective, the attainment of which triggers the closure of the fishery or fisheries for that species. At this time, there are *no quotas* in the HMS FMP domestic regulations.

The United States has put regulations in place to implement international annual catch limits for the Inter-American Tropical Tuna Commission (IATTC).

- For the calendar year 2014, the United States may catch up to 500 metric tons of Pacific bluefin tuna in the eastern Pacific Ocean.
- For calendar years 2014, 2015, and 2016, the catch of bigeye tuna by longline vessels over 24 meters in length in the eastern Pacific Ocean is limited to 500 metric tons/yr.

¹⁴ <http://www.gpo.gov/fdsys/pkg/FR-2013-01-16/pdf/2013-00703.pdf>

¹⁵ <https://www.govtrack.us/congress/bills/112/hr2706/text>

¹⁶ For free hard copies of the guides for safe handling and release, contact Lyle Enriquez at (562) 980-4025.

A harvest guideline is a numerical harvest level that is a general objective and is *not a quota*. If the harvest guidelines have been reached, NMFS will initiate review of the species according to provisions in the HMS FMP and in consideration of Pacific Fishery Management Council recommendations. The HMS FMP final rule establishes harvest guidelines of

- 340 metric tons for common thresher sharks
- 150 metric tons for shortfin mako sharks.

Because total catches and basic population dynamic parameters for these shark species are poorly known, they are being managed using precautionary harvest guidelines.

Q22. What are the recreational fishing bag limits? ([§660.721](#))

Commercial passenger fishing vessel operators are responsible for ensuring that the bag limits of this section are not exceeded for each 24-hour period at sea, regardless of the number of trips per day. A recreational fisherman may take or retain no more than:

- 25 albacore – if fishing in the U.S. EEZ from the California-Oregon border south to Point Conception (Santa Barbara County)
- 10 albacore – if fishing in the U.S. EEZ from Point Conception south to the U.S.-Mexico border
- 10 bluefin tuna – if fishing in the U.S. EEZ off the coast of California.
- If the State of California requires a multi-day possession permit for albacore or bluefin tuna harvested and landed in California, aggregating daily trip limits for multi-day trips are acceptable.
- Off the California coast, each fisherman aboard a vessel may continue to fish until the *combined* daily limits of HMS for all anglers has been attained (additional state restrictions on boat limits may apply).

List of Contacts

NMFS West Coast Regional Office

Sustainable Fisheries Division (SFD)

501 W. Ocean Blvd., Suite 4200, Long Beach, CA 90802-4221

Ph: (562) 980-4030

Fax: (562) 980-4047

website: www.westcoast.fisheries.noaa.gov

Heidi Taylor, HMS Branch Chief

Ph: (562) 980-4039

email: Heidi.Taylor@noaa.gov

Craig D'Angelo, HMS permits lead

Ph: (562) 980-4024

email: Craig.Dangelo@noaa.gov

NMFS Pacific Islands Regional Office

Sustainable Fisheries Division (SFD)

1845 Wasp Blvd., Building 176, Honolulu, HI 96818

Ph: (808) 725-5000

Fax: (808) 725-5215

website: www.fpir.noaa.gov

Bob Harman, Supervisory Fish & Wildlife Administrator

Ph: (808) 725-5170

email: Bob.Harman@noaa.gov

NOAA Office of Law Enforcement

501 W. Ocean Blvd., Suite 4400-A, Long Beach, CA 90802-4221

Ph: (562) 980-4050

Fax: (562) 980-4058

website: www.nmfs.noaa.gov/ole

24-hour toll-free hotline (800) 853-1964

Field Office contacts

Arcata, CA (707) 826-9247

Pacific Grove, CA (831) 647-4220

Vancouver, WA (360) 418-4246

Monterey, CA (831) 647-4203

Santa Rosa, CA (707) 575-6070

San Francisco, CA (415) 561-6628

San Diego, CA (619) 557-5494

Astoria, OR (503) 325-5934

Newport, OR (541) 867-0504

Roseburg, OR (541) 957-3388
Coos Bay, OR (541) 267-0767
Bellingham, WA (360) 676-9268

Pacific Fishery Management Council

Mr. Kit Dahl, 7700 NE Ambassador Place, Suite 200, Portland, OR, 97220-1384
Ph: (503) 820-2280
Fax: (503) 820-2299
Toll Free: (866) 806-7204
website: www.pcouncil.org

California Department of Fish and Wildlife

Ms. Elizabeth Hellmers, 8901 La Jolla Shores Drive, La Jolla, CA 92037-1508
Ph: (858) 334-2813
Fax:
website: www.dfg.ca.gov
Cal-Tip Poaching hotline (1-888-334-2258)

Oregon Department of Fish and Wildlife

Ms. Cyreis Schmitt, 2040 SE Marine Science Dr., Newport, OR 97365
Ph: (541) 867-4741
Fax: (541) 867-0311
website: www.dfw.state.or.us
Wildlife Violations: (1-800-452-7888)

Washington Department of Fish and Wildlife

Mr. Kirt Hughes, Region 6 Office, 48A Devonshire Rd., Montesano, WA 98563-9618
Ph: (360) 249-1211
Fax: (360) 664-0689
Website: www.wdfw.wa.gov
Emergency Hotline (1-800-477-6224)

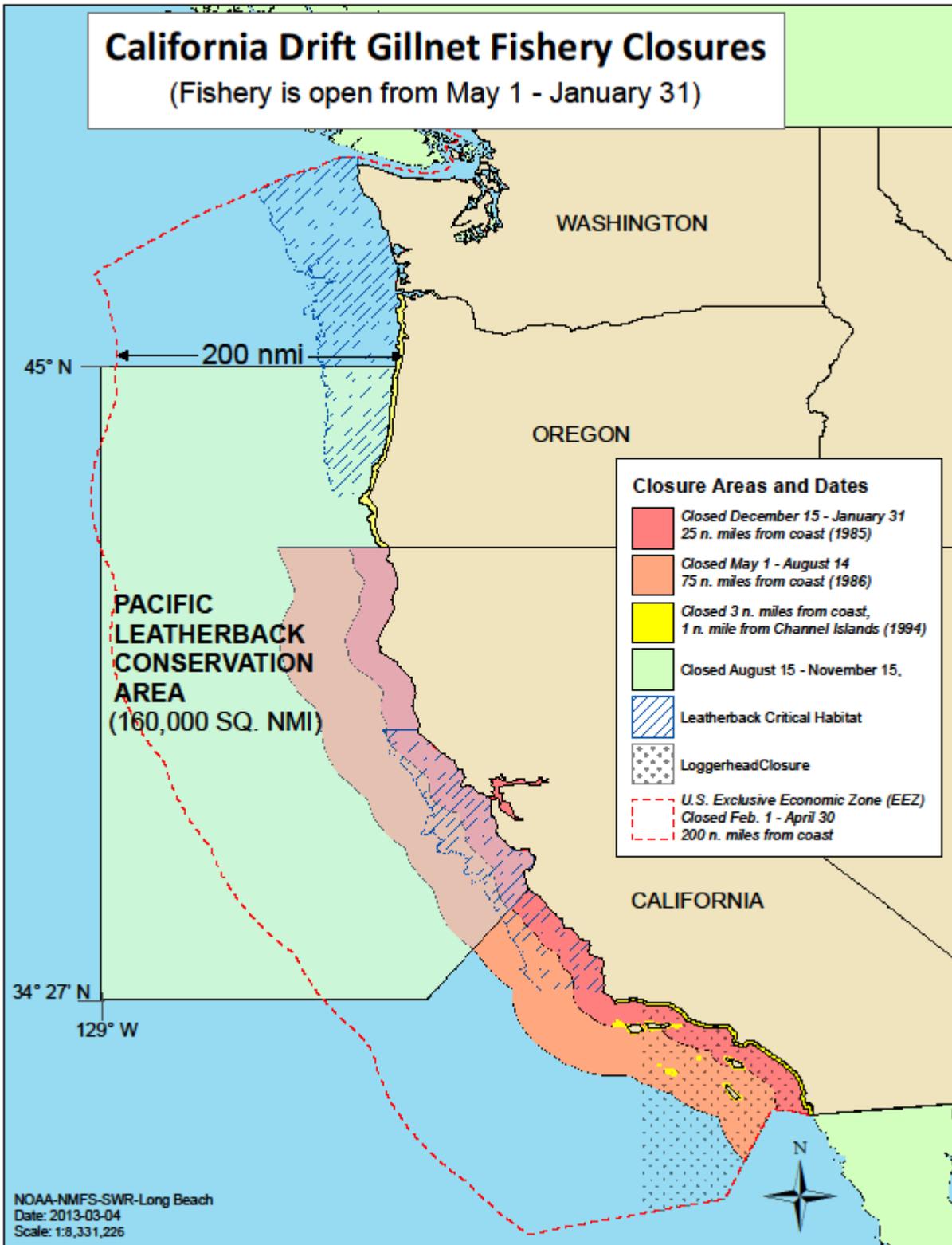
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Appendix 1: Map of California Drift Gillnet Fishery Closures



Appendix 2: Requirements & Restrictions for Vessels Using Longline Gear

Observer Requirements ([§ 660.719](#))

The permit holder must notify the Regional Administrator or designated observer service provider¹⁷ 24 hours prior to embarking on a fishing trip. NMFS or the observer service provider shall advise the permit holder or the designated agent if the vessel is assigned an observer for the fishing trip; **the vessel may not engage in the fishery without taking an assigned observer.** When carrying an observer:

- The vessel must comply with U.S. Coast Guard safety requirements and display a current commercial fishing vessel safety examination decal
- An observer must be allowed to visually inspect any safety or accommodation requirement if requested
- The observer must be provided with living quarters comparable to crew members and the same meals, snacks, and other considerations normally provided to vessel personnel.
- The permit holder, vessel operator and crew must cooperate with the observer and allow access to VMS, communication and navigation equipment necessary for observer duties
- The observer must be provided with accurate vessel locations by latitude and longitude or loran coordinates upon request

Time and Area Restrictions ([§ 660.712](#))

Owners and operators of vessels registered for use of longline gear may **not**:

- Use either shallow-set or deep-set longline gear to target HMS within the U.S. EEZ or use shallow-set longline gear to target swordfish in the adjacent high seas.
- Use longline gear, receive HMS harvested by longline from another vessel or land/transship HMS harvested by longline gear from April 1 through May 31 in waters bounded on the south by 0° lat., on the north by 15° N. lat., on the east by 145° W. long., and on the west by 180° long.
- Target swordfish east of 150°W longitude without a western Pacific longline permit.

Gear Restrictions ([§ 660.712](#))

Owners and operators of vessels registered for use of longline gear may **not**:

- Possess a lightstick or floatline and deploy any float line (a line used to suspend the main longline beneath a float) that is shorter than or equal to 20 m (65.6 ft or 10.9 fm) west of 150° W longitude and north of the equator.
- Possess more than 10 swordfish from a fishing trip when using any J-type fishing hooks or more than 25 swordfish from a fishing trip when using only circle hook-type fishing hooks if no observer is on board. If a NMFS-approved observer is on board for the duration of the fishing trip, there is no limit on swordfish retention.
- Have fewer than 15 branch lines set between any 2 floats for a conventional longline or 10 branch lines between any 2 floats for a basket-style longline. The deepest point of the main longline between any 2 floats must be greater than 100 m (328.1 ft, 54.6 fm) below the sea surface.

¹⁷ Frank Orth and Associates (800) 522-7622 or (562) 427-1822.

The permit holder will be notified by NOAA Office of Law Enforcement's Special Agent in Charge (SAC) of the installation date for a vessel monitoring system (VMS) on the permit holder's vessel. The vessel must carry the VMS unit whenever the vessel is at sea and cannot remove or relocate the VMS unit without prior approval from the SAC. The permit holder will not be assessed any fee or other charges to obtain and use a VMS unit related directly to requirements under this section. However, communication charges related to any additional equipment attached to the VMS unit are the responsibility of the owner or operator and not NMFS.

Protected species requirements ([§ 660.712](#))

- Owners and operators must attend an annual Protected Species Workshop. A valid protected species workshop certificate or copy issued by NMFS must be on board the vessel and must be on file in order to maintain or renew vessel registration.
- Owners and operators must carry line clippers, dip nets and wire or bolt cutters to disengage any hooked or entangled animals.

Sea turtles ([§ 660.712](#))

- All sea turtles brought aboard for dehooking/disentanglement must be handled in a manner that minimizes injury and promotes post-hooking survival.
- Place the turtle on its belly and elevate the hindquarters.
- Perform a reflex test at least every 3 hours to determine if the sea turtle is responsive.
- Keep the turtle shaded and moist by placing a water-soaked towel over the eyes, carapace, and flippers.
- Live turtles must be returned to the sea after handling away from deployed gear and with the vessel engine in neutral gear.

Seabirds ([§ 660.712](#))

- When fishing north of 23° N latitude, use a line setting machine or line shooter to set the main longline when making deep sets west of 150° W longitude.
- Use completely thawed bait dyed blue (minimum of two cans on board vessel) to an intensity level specified by a color quality control card issued by NMFS.
- Discharge fish, fish parts (offal), or spent bait, with hooks removed while setting or hauling gear on the opposite side of the vessel from the gear.
- If a seabird is hooked or entangled, stop the vessel to reduce line tension and bring the seabird on board using a dip net.
- Cover the seabird with a towel to protect its feathers from oils or damage.
- Remove any entangled lines and hooks from the seabird.
- Cut the fishing line as close as possible to ingested or inaccessible hooks.
- Leave the bird in a safe enclosed space to recover until its feathers are dry then release seabirds by placing them on the sea surface.
- See regulations for additional measures when short-tailed albatross are encountered.