NOAA FISHERIES
Pacific Islands Regional Office

Compliance Guide

Regulations for the Implementation of the Western and Central Pacific Fisheries Convention

Revised October 2015[1]

The National Marine Fisheries Service (NMFS) issues regulations under the authority of the Western and Central Pacific Fisheries Convention Implementation Act to implement provisions of the Convention on the Conservation and Management of Highly Migratory Fish Stocks in the Western and Central Pacific Ocean (Convention). NMFS also issues regulations under the same authority to implement decisions of the Commission for the Conservation and Management of Highly Migratory Fish Stocks in the Western and Central Pacific Ocean, which was established by the Convention.

This compliance guide is for a set of regulations issued by NMFS in 2010 to implement many of the provisions of the Convention. These regulations are not the only regulations implementing the provisions of the Convention or the decisions of the Commission.

The final regulations were published in the *Federal Register* on January 21, 2010 (see 75 FR 3335) and entered into effect on April 21, 2010. These regulations for the implementation of the Convention have been codified in the Code of Federal Regulations at 50 CFR Part 300, Subpart O.

Some of the regulations that were issued in 2010 have since been modified as part of the final rule for transshipping, bunkering, and catch retention/discard requirements, published in the *Federal Register* on December 3, 2012 (see 77 FR 71501). NMFS prepared a separate compliance guide for the transshipping, bunkering, and catch retention/discard requirements final rule (available at *http://www.fpir.noaa.gov/SFD/SFD_regs_2.html*), which provides a detailed explanation of the regulations in that rule. Additionally, some regulations related to observers and vessel monitoring systems were also modified as part of a final rule, published in the *Federal Register* on October 1, 2015 (see 80 FR 59037). NMFS has revised this compliance guide where appropriate to take into consideration the modifications.

This guide[2] provides a summary of how owners and operators of affected vessels, and other affected entities, can comply with the regulations. Regulations are subject to change, so this guide may become out of date. Any discrepancy between the contents of this guide and regulations will be resolved in favor of regulations published in the *Federal Register* and codified in the Code of Federal Regulations.

For more information or to obtain additional copies of this guide please contact:

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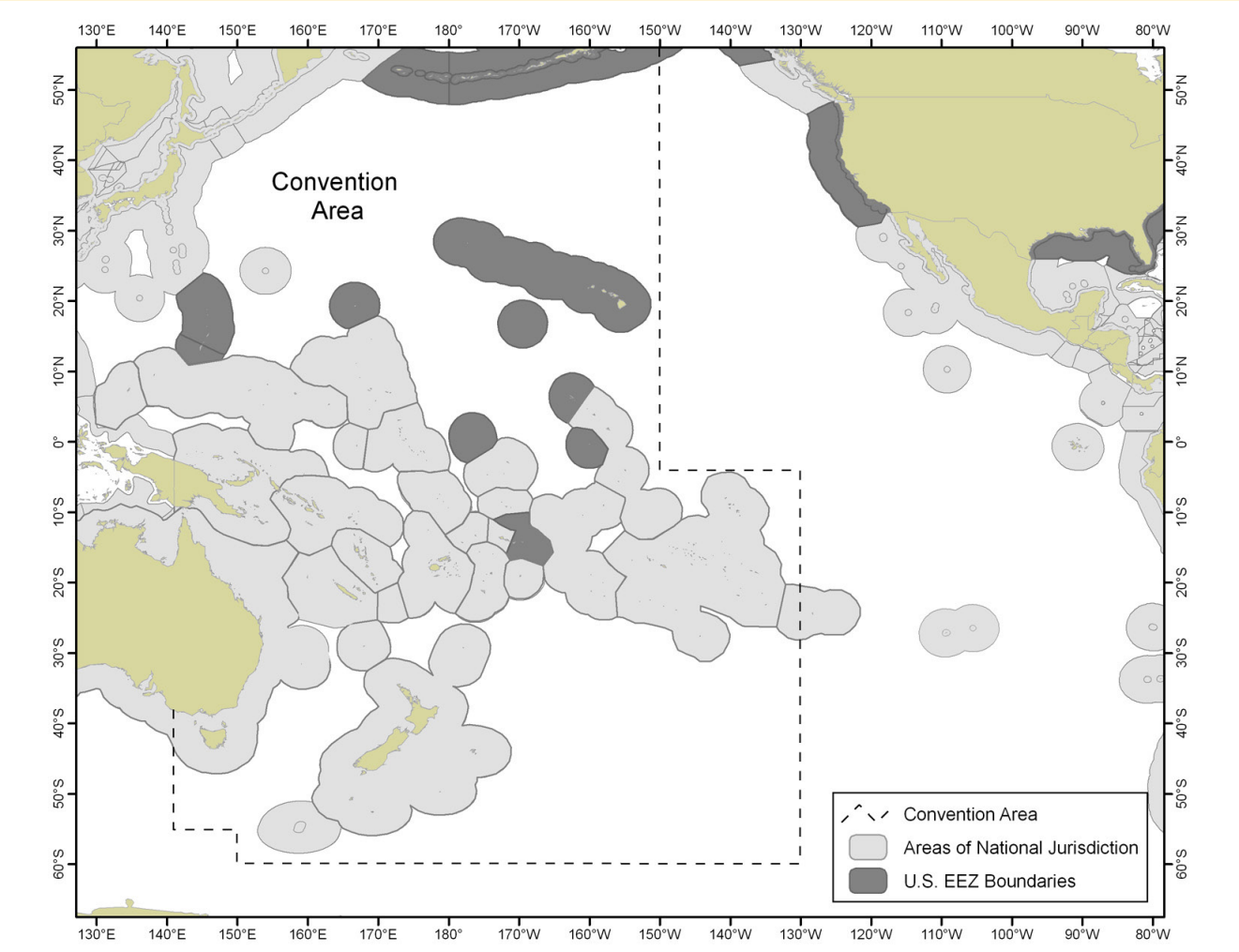
1 This guide replaces a compliance guide of the same title, dated May 2014, which superseded a version dated January 2010.

2 This compliance guide is a "small entity compliance guide" issued in accordance with Section 212 of the Small Business Regulatory Enforcement Fairness Act of 1996: Title II of Public Law 104-21.

Area of Effect

The requirements apply to U.S. vessels used for fishing in the Convention Area (Figure 1). Some of the requirements also apply to such vessels while they are outside the Convention Area.[3]

Figure 1.Convention Area: high seas (in white); U.S. Exclusive Economic Zone (EEZ) (in dark gray); and foreign jurisdictions ("claimed maritime jurisdictions," in light gray)



3 For example, the vessel monitoring system requirements apply both inside and outside the Convention Area and the reporting and recordkeeping requirements, some of which have been in effect through other regulations, apply more broadly.

Explanation of the Regulations

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Category 1: Authorization to Fish (50 CFR 300.212)

Fishing vessel **owners** and **operators** are required to obtain a NMFS-issued fishing authorization, called a WCPFC Area Endorsement, if the vessel is to be used for commercial fishing for HMS on the high seas in the Convention Area.

The requirement to obtain this authorization triggers a number of other requirements, including:

- submitting information about the subject vessel (via the WCPFC Area Endorsement application, as specified below);
- carrying and using a vessel monitoring system (VMS) unit (see Category 2);
- accepting observers from the Commission for the Conservation and Management of Highly Migratory Fish Stocks in the Western and Central Pacific Ocean (Commission) observer program (see Category 3);
- accepting transshipment inspectors authorized by the Commission or other **members of the Commission** (see Category 9)
- marking the vessel in a specified manner (see Category 4);
- monitoring particular international radio frequencies (see Category 9);
- carrying a copy of the International Code of Signals (see Category 9);
- stowing fishing gear when in areas in which the vessel is not authorized to fish (see Category 9);
- not fishing in areas under the jurisdiction of other nations unless authorized to do so by such nations, and carrying any fishing authorizations issued by other nations (see Category 8); and
- complying with the relevant laws of other nations when in their areas of jurisdiction (see Category 8).

Key Questions and Answers

Question 1: What are HMS?

Answer: HMS, for the purposes of these regulations, are any of the following species: albacore (*Thunnus alalunga*), Pacific bluefin tuna (*Thunnus orientalis*), southern bluefin tuna (*Thunnus maccoyii*), bigeye tuna (*Thunnus obesus*), skipjack tuna (*Katsuwonus pelamis*), yellowfin tuna (*Thunnus albacares*), little tuna (*Euthynnus affinis*), frigate mackerel (*Auxis thazard; Auxis rochei*), pomfrets (Family Bramidae), marlins (*Tetrapturus angustirostris; Kajikia audax; Makaira mazara, Makaira indica, Makaira nigricans*), sail-fishes (*Istiophorus platypterus*), swordfish (*Xiphias gladius*), dolphinfish (*Coryphaena hippurus; Coryphaena equiselis*), and oceanic sharks (*Hexanchus griseus; Cetorhinus maximus;* Family Alopiidae; Rhincodon typus; Family Carcharhinidae; Family Sphyrnidae; Family Isuridae (or Lamnidae)). For reference, Appendix E lists additional common and local names used for many of these species.

Question 2: What does the term "fishing" include?

Answer: Fishing, as defined at 50 CFR 300.211, is using any vessel, vehicle, aircraft or hovercraft for any of the following activities, or attempting to do so: (1) searching for, catching, taking, or harvesting fish; (2) engaging in any other activity which can reasonably be expected to result in the locating, catching, taking, or harvesting of fish for any purpose; (3) placing, searching for, or recovering fish aggregating devices or associated electronic equipment such as radio beacons; (4) engaging in any operations at sea directly in support of, or in preparation for, any of the activities described in activities (1) through (3) above, including, but not limited to, bunkering; and (5) engaging in transshipment, either unloading or loading fish.

Question 3: Do I need to have any permits before applying for a WCPFC Area Endorsement?

Answer: WCPFC Area Endorsements are issued as endorsements on the "high seas fishing permits" required under 50 CFR 300.13. Only a fishing vessel that has a valid high seas fishing permit is eligible to receive a WCPFC Area Endorsement. The **owner** or **operator** of a fishing vessel may apply for a WCPFC Area Endorsement at the same time he or she applies for a high seas fishing permit, or he or she may apply for a high seas fishing permit first. If you apply for a

high seas fishing permit first, you can submit your application for a WCPFC Area Endorsement while your application for the high seas fishing permit is pending. Please see 50 CFR 300.13, as well as the contact information in Appendix B of this guide, for more information on applying for a high seas fishing permit.

Question 4: How do I obtain a WCPFC Area Endorsement?

Answer: To obtain a WCPFC Area Endorsement, you will need to submit a completed application form (available at *http://www.fpir.noaa.gov/SFD/SFD_permits_index.html*) with all the required information as well as the application fee to the NMFS Pacific Islands Regional Administrator. A blank application form, including instructions, is included in Appendix A to this guide.[4] Note that a valid high seas fishing permit is required in order for a vessel to be eligible to receive a WCPFC Area Endorsement. Please see Question 3 for additional information on this requirement.

Question 5: What other information do I need to submit with my WCPFC Area Endorsement application that I do not provide in the application form itself?

Answer: The application must be accompanied by a bow-to-stern side-view photograph of the vessel in its current form and appearance. The photograph must meet the specifications prescribed on the application form and clearly show that the vessel is marked in accordance with the vessel identification requirements, as detailed in Category 4 below. The photograph can be submitted in paper or electronic format, and electronic photographs can be submitted by email.

Question 6: What is the application fee for the WCPFC Area Endorsement?

Answer: The amount of the fee is determined in accordance with the procedures of the NOAA Finance Handbook, which is available from the NMFS Pacific Islands Regional Administrator.

The fee and instructions for payment are specified on the WCPFC Area Endorsement application form.

Question 7: How long do I have to wait to get my WCPFC Area Endorsement after submitting my application?

Answer: The NMFS Pacific Islands Regional Administrator will issue a WCPFC Area Endorsement within 30 days of receipt of a properly completed and submitted application package.

Question 8: If I haven't filled out my application for the WCPFC Area Endorsement properly, how will I know?

Answer: If an incomplete or improperly completed application is submitted, the NMFS Pacific Islands Regional Administrator will notify the applicant that the application is deficient within 30 days of the date of receipt of the application.

Question 9: How much time will I have to fix my application for a WCPFC Area Endorsement if it is found to be deficient?

Answer: You will have 30 calendar days from the date of the notification of the deficiency to send a complete and accurate application to the NMFS Pacific Islands Regional Administrator. After 30 days, the application will be considered withdrawn and no further action will be taken to process the application. Following withdrawal, an applicant may at any time submit a new application for consideration.

Question 10: May I fish on the high seas in the Convention Area while I am waiting for my application for a WCPFC Area Endorsement to be processed?

Answer: No, you must have a valid high seas fishing permit and WCPFC Area Endorsement to fish commercially for HMS on the high seas in the Convention Area.

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4 Please note that the "WCPFC Area Endorsement Application" form included in Appendix A is subject to replacement and may become obsolete. Current application forms will be maintained on the Web site identified above.

Question 11: How long is a WCPFC Area Endorsement valid for? How often do I have to renew a WCPFC Area Endorsement?

Answer: A WCPFC Area Endorsement is valid as long as the underlying high seas fishing permit is valid. A WCPFC Area Endorsement expires when the underlying high seas fishing permit expires. Currently, high seas fishing permits are valid for five years from the date of issuance (see 50 CFR 300.13). For example, if you already have a high seas fishing permit for the fishing vessel and it is due to expire in one month, your WCPFC Area Endorsement will also expire in only one month. Renewal of the WCPFC Area Endorsement prior to its expiration is the responsibility of the WCPFC Area Endorsement holder.

Question 12: What happens if some of the information that I provided in my application changes after I send it in?

Answer: Any change in the required information provided in an approved or pending application for a WCPFC Area Endorsement must be reported by the fishing vessel owner or operator to the NMFS Pacific Islands Regional Administrator in writing within 15 days of such change (see contact information in Appendix B).

The photograph submitted with the application must also be kept updated. If the vessel's form or appearance materially changes (including, but not limited to, the vessel is painted another color, the vessel is renamed, or the vessel undergoes a structural modification) or if the photograph becomes more than five years old, you must submit to the NMFS Pacific Islands Regional Administrator a new photograph of the fishing vessel within 15 days of the change or of the photograph becoming five years old.

Question 13: May I transfer my WCPFC Area Endorsement to someone else who has a high seas fishing permit, or to another fishing vessel?

Answer: No. A WCPFC Area Endorsement is valid only for the vessel, **owner**, and high seas fishing permit to which it is issued and is not transferable or assignable to another high seas fishing permit or to another vessel.

Question 14: Do I have to keep the WCPFC Area Endorsement on my fishing vessel or can I store it somewhere else?

Answer: You can store the original WCPFC Area Endorsement somewhere else if you would like to do so. However, a valid WCPFC Area Endorsement, or a photocopy or facsimile copy of the permit, must be on board the vessel and available for inspection by any **authorized officer** while the vessel is at sea. Additionally, it must be available for inspection by any **WCPFC inspector** while the vessel is on the high seas in the Convention Area.

Category 2: Vessel Monitoring System (50 CFR 300.219)

Any fishing vessel of the United States with a WCPFC Area Endorsement or for which a WCPFC Area Endorsement is required shall obtain and have installed on the fishing vessel a VMS unit, sometimes known as a "mobile transmitting unit" or "automatic location communicator." The VMS unit must be operated at all times except while the vessel is in port or otherwise not at sea.

Key Questions and Answers

Question 1: Is there a certain type of VMS unit that I must have?

Answer: Yes. The VMS unit must be type-approved by NMFS for fisheries governed under the Western and Central Pacific Fisheries Convention Implementation Act. NMFS makes available lists of type-approved VMS units. The current type-approval lists can be obtained by contacting the NOAA Office of Law Enforcement's VMS Helpdesk by telephone at 808-725-6110 or email at *ole.helpdesk@noaa.gov*. The unit must be installed in accordance with instructions provided by NMFS and the VMS unit manufacturer.

Question 2: Who receives my VMS unit transmissions?

Answer: The Commission and NMFS are authorized to receive and relay transmissions – called position reports – from the VMS unit. For the transmissions to NMFS, the vessel **owner** and **operator** shall arrange for a NMFS-approved mobile communications service provider to receive and relay transmissions from the VMS unit to NMFS. NMFS makes information available regarding approved mobile communications service providers. The current approved mobile communications service providers can be obtained by contacting the NOAA Office of Law Enforcement's VMS Helpdesk by telephone at 808-725-6110 or email at *ole.helpdesk@noaa.gov*.

Question 3: Who will be able to access the data in my VMS unit transmissions?

Answer: The data are collected by NMFS and will also be available to the U.S. Coast Guard, as well as other parties that receive authorization to receive and use the data pursuant to applicable regulations, policies and procedures (including regulations at 50 CFR 300.220, NOAA Directive 06-101 *VMS Data Access and Dissemination Policy*, and NOAA Administrative Order (NAO) 216-100 *Protection of Confidential Fisheries Statistics*). Under these regulations, policies, and procedures, the data are considered and treated as confidential information. Any of the collected data used by NMFS in the preparation of publicly disseminated information would first be aggregated and /or summarized to maintain the confidentiality of the data pertaining to the individual vessels.

The data will also be available to the Commission Secretariat, and in certain circumstances, to the **members of the Commission**. For example, the position reports generated while a fishing vessel is in waters under the jurisdiction of another **member of the Commission** will be provided to that member if requested by that member. The Commission maintains rules that govern access to the data and their treatment. Under the Commission's *Rules and Procedures for Protection of, Access to, and Dissemination of, Data Compiled by the Commission*, VMS data are defined as non-public domain data, and as such, the dissemination of the data will be authorized in accordance with the policies of confidentiality and security established in the Commission's Information Security Policy and related rules. The Commission's rules for access and dissemination of data, and other applicable Commission decisions, are available on its Web site – see *http://www.wcpfc.int/guidelines-procedures-and-regulations*.

Question 4: Are there certain requirements for activating my VMS unit?

Answer: Yes. Certain requirements apply when the VMS unit has not yet been activated, if the VMS unit has been newly installed or reinstalled, if the mobile communications service provider has changed since the previous activation, or if directed by the **Special Agent-In-Charge**. These requirements include, prior to leaving port: (1) turning on the VMS unit to make it operational; (2) submitting a written activation report via mail, facsimile or email to the **Special Agent-In-Charge** that includes the vessel's name, the vessel's **official number**, the VMS unit manufacturer and identification number, and the telephone, facsimile or email contact information for the vessel **owner** or **operator**; and (3) receiving verbal or written communication from NMFS that proper transmissions are being received from the VMS unit.

Question 5: What is the contact information for the Special Agent-In-Charge?

Answer: The contact information for the **Special Agent-In-Charge** is: NOAA Office of Law Enforcement, Pacific Islands Division, 1845 Wasp Blvd., Bldg. 176, Honolulu, HI 96818; telephone: 808-725-6100; facsimile: 808-725-6199; email: *pidvms@noaa.gov*. The business hours of the **Special Agent-In-Charge** are: Monday through Friday, except Federal holidays, 8 a.m. to 4:30 p.m, Hawaii Standard Time.

Question 6: May I turn my VMS unit off when my vessel is fishing outside the Convention Area?

Answer: No. As long as the vessel has a WCPFC Area Endorsement, the VMS unit must be turned on and continuously operated at all times while the vessel is at sea, regardless of its location at sea.

Question 7: Do I have to do anything if I wish to turn off my VMS unit when I reach port?

Answer: Yes. If you wish to shut down your VMS unit while in port or otherwise not at sea, you must first report either to the **Special Agent-In-Charge** or to the NOAA Office of Law Enforcement's VMS Helpdesk, via facsimile or email, the following information: the intent to shut down the VMS unit; the vessel's name; the vessel's **official number**; and the telephone, facsimile or email contact information for the vessel **owner** or **operator**. Your VMS unit may be turned off only while the fishing vessel is in port or otherwise not at sea, such as in a shipyard.

Question 8: What is the contact information for the NOAA Office of Law Enforcement's VMS Helpdesk?

Answer: The contact information for the NOAA Office of Law Enforcement's VMS Helpdesk is: 808-725-6110 or *ole.helpdesk@noaa.gov*. The business hours of the Helpdesk are Monday through Friday, except Federal holidays, 7 a.m. to 11 p.m., Eastern Time.

Question 9: Do I have to do anything when turning my VMS unit back on prior to leaving port?

Answer: Yes. When turning the VMS unit back on after it has been turned off, you must provide the following information before you depart to either the **Special Agent-In-Charge** or the NOAA Office of Law Enforcement's VMS Helpdesk, via mail, facsimile or email: (1) that the VMS unit has been turned on; (2) the vessel's name; (3) the vessel's **official number**; and (4) the telephone, facsimile or email contact information for the vessel **owner** or **operator**. In addition, prior to leaving port, you must receive verbal or written confirmation from the **Special Agent-In-Charge** that proper transmissions are being received from the VMS unit.

Question 10: What do I do if my VMS unit stops working properly (e.g., I notice that the transmission of position reports has been interrupted; NMFS notifies me that the position reports are not being received; or an inspection indicates that the VMS unit has a problem)?

Answer: If you are in port when your VMS unit stops working, you must repair or replace the VMS unit and ensure it is operable before your vessel leaves port. You will then need to follow the VMS unit activation procedures discussed in the answer to Question 4 above prior to leaving port. If you are at sea when your VMS unit stops working, you must contact the **Special Agent-In-Charge** by telephone, facsimile, or email at the earliest opportunity during the **Special Agent-In-Charge's** business hours and identify the caller and the vessel. The **Special Agent-In-Charge** may require you to do one or more of the following: cease fishing; stow your fishing gear; return to port; submit periodic position reports at specified intervals by other means; repair or replace the VMS unit and ensure it is operable before starting the next trip; or take some other action.

Question 11: I'm already required to operate a VMS unit under other fishing regulations. Do I need to do anything additionally or differently to comply with these regulations?

Answer: If you already have installed, carry, and operate a VMS unit in compliance with the requirements set forth at 50 CFR Part 300, 50 CFR Part 660, or 50 CFR Part 665, you do not have to do anything else, so long as:

1) you operate your VMS unit continuously and at all times while the vessel is at sea;
2) the VMS unit is type-approved by NMFS for fisheries governed under the Western and Central Pacific Fisheries Convention Implementation Act;
3) the **owner** and **operator** have authorized the Commission and NMFS to receive and relay transmissions from the VMS unit; and
4) you follow the requirements set forth in the Answer to Question 10, above, when your VMS unit stops functioning properly.

Question 12: If my VMS unit is owned by NMFS, who is responsible for repairing or replacing the unit if it malfunctions?

Answer: NMFS is normally responsible for repairing or replacing VMS units that it owns. However, the vessel **owner** or **operator** is responsible for ensuring that the VMS unit is operable before leaving port or starting the next trip.

Question 13: If I have to buy a VMS unit, will NMFS reimburse me for the cost?

Answer: Generally, no. The vessel **owner** and **operator** are responsible for all costs associated with the purchase, installation, and maintenance of the VMS unit, and for all charges levied by the mobile communications service provider. However, in limited circumstances, you may be eligible for full or partial reimbursement for the required purchase costs of authorized VMS units, to the extent appropriations allow. Questions concerning reimbursement eligibility can be directed to the NOAA Office of Law Enforcement's VMS Helpdesk by telephone at 808-725-6110 or email at *ole.helpdesk@noaa.gov*, and further information is available on the Web site of the Pacific States Marine Fisheries Commission: *http://www.psmfc.org/program/vessel-monitoring-system-reimbursement-program-vms.*

Question 14: What happens if NMFS is currently paying for the costs associated with my VMS unit that I am using to comply with the regulations mentioned in Question 11, above? Am I now responsible for the costs?

Answer: No. If NMFS is currently paying for certain costs associated with your VMS unit pursuant to other regulations, NMFS will continue to pay those costs.

Question 15: Do I have any responsibilities for making sure that the VMS unit is properly maintained?

Answer: Yes. Vessel **owners** and **operators** need to make sure that VMS units are not tampered with, disabled, destroyed, damaged or operated improperly, and that their operation is not impeded or interfered with.

Question 16: Should I expect inspection of my VMS unit to make sure it is functioning?

Answer: Yes. Vessel **owners** and **operators** need to make the VMS unit, including its antenna, connectors and antenna cable, available for inspection by **authorized officers**, by employees of the Commission, by persons appointed by the Executive Director of the Commission for this purpose, and by **WCPFC inspectors** (when a vessel is on the high seas in the Convention Area – see the requirements of Category 9 for more about inspections on the high seas in the Convention Area).

Question 17: What other types of communication devices must I carry on board?

Answer: Communication devices must be carried on board in *addition* to the VMS unit to satisfy two requirements. First, while the vessel is at sea, vessel **operators** must have on board and continuously monitor a two-way communication device that is capable of real-time communication with the **Special Agent-In-Charge**. Second, in order to submit the position reports that might be required when a VMS unit fails, vessel **operators** must carry on board a communication device that is capable of transmitting communications by telephone, facsimile, email, or radio to the Commission, in Pohnpei, Federated States of Micronesia, while the vessel is on the high seas in the Convention Area. Vessel operators may choose to use the same device to satisfy both requirements, but the device must be capable of satisfying both requirements. The VMS unit may not be used to satisfy either of these two requirements.

Category 3: Vessel Observers (50 CFR 300.215)

Any fishing vessel of the United States with a WCPFC Area Endorsement or for which a WCPFC Area Endorsement is required must, when directed to do so by NMFS, carry a **WCPFC observer** on fishing trips that take place partially or fully in the Convention Area. Any fishing vessel of the United States used for commercial fishing that receives or offloads in the Convention Area a transshipment of HMS at sea must carry an observer during the transshipment unless they are subject to certain exceptions.

Key Questions and Answers

Question 1: Do I have to pick up the observer at a particular location?

Answer: Yes. The **operator** and crew of each vessel must allow and assist **WCPFC observers** both to embark and to disembark at a place and time determined by NMFS or otherwise agreed to by NMFS and the vessel **operator**.

Question 2: What areas of the vessel must I allow the observer to access?

Answer: You must provide the **WCPFC observer** access to and use of all facilities and equipment on board as necessary to conduct observer duties, including, but not limited to the following: (1) full access to the bridge; (2) full access to the fish on board, and areas which may be used to hold, process, weigh and store fish; (3) full access to the vessel's records, including its logs and documentation, for the purpose of inspection and copying; (4) full access to, and use of, navigational equipment, charts and radios; and (5) access to other information relating to fishing.

Question 3: Am I responsible for helping the observer carry out his or her duties?

Answer: Yes. The **operator** and crew of each vessel must assist **WCPFC observers** to carry out all duties safely, including removing samples. The **operator** and crew also must not assault, obstruct, resist, delay, refuse boarding to, intimidate, harass or interfere with **WCPFC observers** in the performance of their duties, or attempt to do any of the same.

Question 4: Am I responsible for providing the observer's room and board while the observer is on my vessel?

Answer: Yes. The **operator** of each vessel must provide the **WCPFC observer**, while on board the vessel, with food, accommodation and medical facilities of a reasonable standard equivalent to those normally available to an officer on board the vessel, at no expense to the **WCPFC observer**. In the case of observers deployed as part of the NMFS observer program for longline vessels in the Hawaii and American Samoa fleets (which are considered "**WCPFC observers**" for the purpose of this requirement – see Question 5 below for more details), however, costs incurred for providing subsistence for the observers will be eligible for reimbursement, as currently provided at 50 CFR Part 665.

Question 5: What if I am already carrying an observer due to other requirements? Will I now need to carry two observers on a fishing trip or carry observers from a different observer program?

Answer: If you are subject to other regulations that require you to carry observers deployed as part of a NMFS-administered observer program or as part of an observer program administered by the Pacific Islands Forum Fisheries Agency (FFA), those observers have been authorized by the Commission to be part of the Commission's observer program. Those observers are considered "**WCPFC observers**" and they will be deployed to satisfy both those other regulations and these regulations. Consequently, it is unlikely you will ever have to carry two observers at once. However, because Commission authorization of national and sub-regional observer programs such as the NMFS and FFA observer programs is subject to periodic review and examination by the Commission, it is possible that you will be directed to carry observers from programs other than those administered by NMFS or the FFA, and it is possible that you will, in rare cases, have to carry more than one observer at once.

Question 6: What are the specific observer coverage requirements for at-sea transshipments?

Answer: Please see the compliance guide for the final rule on transshipping, bunkering, and catch retention/discard requirements, available at: *http://www.fpir.noaa.gov/SFD/SFD_regs_2.html*

Question 7: Are there other observer coverage requirements for U.S. purse seine vessels operating in the western and central Pacific Ocean?

Answer: Yes. As specified at 50 CFR 300.43, U.S. fishing vessels operating under the South Pacific Tuna Treaty must carry observers on certain trips (see Question 5).

Category 4: Vessel Identification (50 CFR 300.217)

Any fishing vessel of the United States with a WCPFC Area Endorsement or for which a WCPFC Area Endorsement is required must be marked as follows:

With its International Radio Call Sign (IRCS)[5], or if it has not been assigned an IRCS, then with its Federal, State, or other documentation number, preceded by the characters "USA-".

Key Questions and Answers

Question 1: Are there detailed requirements for displaying the markings, such as particular specifications as to the location and size of the markings?

Answer: Yes. Please see Appendix C for examples of vessel markings. The markings must be displayed at all times on the vessel's side or superstructure, port and starboard, as well as on a deck. The markings must be placed so that they do not extend below the waterline, are not obscured by fishing gear, whether stowed or in use, and are clear of flow from scuppers or overboard discharges that might damage or discolor the markings. Block lettering and numbering must be used for the markings, and the height of the letters and numbers must be as follows:

- The height (*h*) of the letters and numbers marked on decks must be at least 0.3 m (11.8 inches).
- The height (*h*) of the letters and numbers marked on the hull or superstructure must be in proportion to vessel size, as follows:

Vessel Length	Minimum Height of Letters and Numbers
25 m (82.0 ft) or more.....	1.0 m (39.4 inches)
At least 20 m (65.6 ft) but less than 25 m (82.0 ft).....	0.8 m (31.5 inches)
At least 15 m (49.2 ft) but less than 20 m (65.6 ft).....	0.6 m (23.6 inches)
At least 12 m (39.4 ft) but less than 15 m (49.2 ft).....	0.4 m (15.7 inches)
At least 5 m (16.4 ft) but less than 12 m (39.4 ft)	0.3 m (11.8 inches)
Less than 5 m (16.4 ft).....	0.1m (3.9 inches)

- The length of any hyphen must be half the height (*h*/2) of the letters and numbers. For example, if the height of the letters and numbers is 1.0 m then the length of the hyphen must be 0.5 m.

5 International Radio Call Sign (IRCS) is a unique designation for a particular radio transmitting station, such as a vessel. In the United States, this IRCS is assigned by the Federal Communications Commission, generally begins with a "W" or "K", and usually contains a mix of letters and numbers.

- The stroke width for all letters, numbers, and hyphens must be *h*/6. (There is no requirement for the overall width of letters or numbers.)
- The space between letters and/or numbers must not exceed *h*/4 nor be less than *h*/6.
- The space between adjacent letters having sloping sides must not exceed *h*/8 nor be less than *h*/10.
- The markings must be white on a black background, or black on a white background. The background must extend to provide a border around the markings of no less than *h*/6. The markings and background must be maintained in good condition at all times.

Question 2: I carry other watercraft on board my vessel. Do these need to have markings on them as well?

Answer: Yes. Any boat, skiff, or other watercraft carried on board the fishing vessel must be marked with the same identification markings as the fishing vessel and in the same manner.

Question 3: Aside from this required vessel identification mark, what other marks can I place on the hull?

Answer: With the exception of the vessel's name and hailing port, the vessel identification mark described above shall be the only vessel identification mark consisting of letters and numbers to be displayed on the hull and superstructure.

Question 4: My vessel has a west coast HMS permit or fishes under the U.S.-Canada Albacore Treaty, so do these identification requirements apply to my vessel?

Answer: Yes, you must follow all the applicable requirements, including those described here and those at 50 CFR 660.704 (for commercial fishing vessels that fish for HMS off or land HMS in the States of California, Oregon, and Washington), 50 CFR 300.173 (for vessels that fish under the U.S.-Canada Albacore Treaty), and/or 50 CFR 665.16 (for vessels fishing in the western Pacific Ocean).

Question 5: If I've recently repainted the markings on my vessel so that the markings are similar to what is required here, but not exactly what is required (for example, my Federal documentation number is followed by "-USA" rather than preceded by "USA-", but all other specifications for these requirements have been met) what happens?

Answer: You will need to repaint the markings so that they meet all the requirements specified in the regulations.

Category 5: Vessel Information (50 CFR 300.213)

The **owner** or **operator** of any fishing vessel of the United States that is used for fishing for HMS in the Convention Area in waters under the jurisdiction of any nation other than the United States must submit the following information to the NMFS Pacific Islands Regional Administrator:

1) Specified information about the vessel and its ownership and operation
2) Specified information about authorized fishing activities
3) A photograph of the vessel that meets certain specifications

Key Questions and Answers

Question 1: Is this a different requirement than the WCPFC Area Endorsement?

Answer: Yes. This requirement applies to fishing vessels that do not necessarily need a WCPFC Area Endorsement, since the WCPFC Area Endorsement applies only to vessels used for fishing on the high seas. This requirement applies to any U.S. vessel that is used for fishing for HMS in the Convention Area in waters under the jurisdiction of any nation other than the United States.

Question 2: When do I need to submit this information?

Answer: You must submit this information prior to beginning any fishing activities in the Convention Area in waters under the jurisdiction of any nation other than the United States.

Question 3: To whom do I submit this information and in what format do I submit it?

Answer: You must submit this information to the NMFS Pacific Islands Regional Administrator (please see the contact information in Appendix B). You may obtain the form to be used for submitting this information from the NMFS Pacific Islands Regional Administrator. A blank form, termed here "Foreign EEZ Form," is included in Appendix A to this document and is available at the following Web site: *http://www.fpir.noaa.gov/SFD/SFD_permits_index.html.* [6]

Question 4: What do you mean by information about authorized fishing activities?

Answer: You must provide information about any permits, licenses, or other types of authorizations issued for the fishing vessel to be used for fishing in waters under the jurisdiction of a given nation. In addition to providing the information as specified on the Foreign EEZ Form, available from the NMFS Pacific Islands Regional Administrator, you must also submit to the NMFS Pacific Islands Regional Administrator copies of any such permits, licenses, or authorizations.

Question 5: What type of photograph must be submitted?

Answer: The photograph must be a bow-to-stern side-view photograph of the vessel in its current form and appearance, and the photograph must meet the specifications prescribed on the Foreign EEZ Form.

Question 6: What happens if any of the information I submit changes after I submit it?

Answer: If any of the submitted information changes, the vessel **owner** or **operator** must report the updated information to the NMFS Pacific Islands Regional Administrator in writing within 15 days of the change.

The photograph submitted with the Foreign EEZ Form must also be kept updated. If the vessel's form or appearance materially changes (including, but not limited to, the vessel is painted another color, the vessel is renamed, or the vessel undergoes a structural modification) or if the photograph becomes more than five years old, you must submit to the NMFS Pacific Islands Regional Administrator a new photograph of the fishing vessel within 15 days of the change or of the photograph becoming five years old

Question 7: What if I've already submitted this information as part of my application for a WCPFC Area Endorsement?

Answer: If any of the information or the vessel photograph has been submitted as part of an application for either a high seas fishing permit or an application for a WCPFC Area Endorsement, then this information need not be submitted again, as long as the high seas fishing permit or WCPFC Area Endorsement is valid, the information provided is true, accurate and complete, and the photograph meets the specifications indicated in the form. The instructions included with the "Foreign EEZ Form" provide detailed instructions in this regard.

6 The full title of the form used for this purpose is "Information Required for U.S. Vessels Used for Commercial Fishing for Highly Migratory Species in the Western and Central Pacific Fisheries Convention Area in Areas under the Jurisdiction of any Nation other than the United States." Please note that the form included in Appendix A is subject to replacement and may become obsolete. Current forms will be maintained on the Web site identified above.

Category 6: Transshipment Restrictions (50 CFR 300.216)

No fishing vessel of the United States may be used to receive a transshipment of fish from a U.S. or foreign purse seine vessel at sea in the Convention Area.

Fish may not be transshipped from a U.S. purse seine vessel at sea in the Convention Area to another vessel.

Fish caught in the Convention Area may not be transshipped from a U.S. purse seine vessel at sea to another vessel (anywhere).

No fishing vessel of the United States may be used to receive a transshipment of fish caught in the Convention Area from a U.S. or foreign purse seine vessel at sea (anywhere).

The above restrictions do not apply to emergency transshipments (i.e., a transshipment conducted under circumstances of force majeure or other serious mechanical breakdown that could reasonably be expected to threaten the health or safety of the vessel or crew or cause a significant financial loss through fish spoilage).

NMFS has issued more detailed requirements regarding transshipment which are explained in the compliance guide for the final rule on transshipping, bunkering, and catch retention/discard requirements, available at: *http://www.fpir.noaa.gov/SFD/SFD_regs_2.html*

Category 7: Reporting and Recordkeeping (50 CFR 300.218)

The **owner** or **operator** of a fishing vessel of the United States used for commercial fishing for HMS in the Pacific Ocean must maintain and report to NMFS catch and effort and other operational information for all such fishing activities.

Key Questions and Answers

Question 1: What information must I report to NMFS regarding my fishing activities?

Answer: The reports to NMFS must include at a minimum the following information: (1) identification information for the vessel; (2) a description of fishing gear used; (3) dates, times and locations of fishing; and (4) species and amounts of fish retained and discarded.

Question 2: How do I report information regarding my fishing activities to NMFS?

Answer: If your fishing activities are subject to other reporting requirements (the Western Pacific pelagic fisheries reporting requirements at 50 CFR 665.14; the West Coast HMS fisheries reporting requirements at 50 CFR 660.708(a); the Pacific tuna fisheries reporting requirements at 50 CFR 300.22; the South Pacific tuna fisheries reporting requirements at 50 CFR 300.34(c)(1); the high seas fisheries reporting requirements at 50 CFR 300.17(a); the Canada albacore fisheries reporting requirements at 50 CFR 300.174; or specific state reporting requirements) you must report information regarding your fishing activities in the manner specified under those requirements. Any fishing activities that are not subject to those requirements must be recorded on paper or electronic forms specified or provided by the NMFS Pacific Islands Regional Administrator (see contact information in Appendix B). The forms will specify the information required. This information must be recorded on paper or electronically within 24 hours of the completion of each fishing day. The information recorded must, for each fishing day, include a dated signature of the vessel **operator** or other type of authentication as specified by the NMFS Pacific Islands Regional Administrator. The vessel **operator** must, unless otherwise specified

by the NMFS Pacific Islands Regional Administrator, submit the information for each fishing day to the NMFS Pacific Islands Regional Administrator within 72 hours of the first landing or port call after the fishing day, and must submit the information in the manner specified by the NMFS Pacific Islands Regional Administrator.

Question 3: What about fishing activities that take place in waters under state or territorial jurisdiction?

Answer: Catch and effort information for fishing activities that take place in waters under state or territorial jurisdiction must be maintained and reported only in cases where the reporting of such activity is required under state law or under federal regulations at 50 CFR 300.22, 50 CFR 300.34, 50 CFR 660.708, or 50 CFR 665.14.

Question 4: What about fishing activities that take place in waters under federal jurisdiction around American Samoa, Guam, or the Northern Mariana Islands?

Answer: Catch and effort information for fishing activities that take place in waters under Federal jurisdiction around American Samoa, Guam or the Northern Mariana Islands need not be reported under this section unless reporting of such activity is required under regulations in 50 CFR Chapter VI (Parts 600 to end), which includes 50 CFR Part 665 (Fisheries in the Western Pacific).

Category 8: Compliance with the Laws of Other Nations (50 CFR 300.214)

The **owner** and **operator** of fishing vessels of the United States, as well as their crew, must comply with the applicable laws and requirements of other nations when operating the vessel in areas under the jurisdiction of other nations, as specified in the questions and answers below.

Key Questions and Answers

Question 1: If my vessel has, or is required to have, a WCPFC Area Endorsement and it is used for fishing-related activities in an area under the jurisdiction of another nation, what are my obligations?

Answer: You must obtain all licenses, permits, and other authorizations required by another nation – anywhere in the world – prior to fishing, retaining on board, or landing fish in areas under the jurisdiction of such nation.

Question 2: If my vessel has, or is required to have, a WCPFC Area Endorsement and it is used for fishing-related activities in the Convention Area in an area under the jurisdiction of another member of the Commission, what are my obligations?

Answer: You must operate the vessel in compliance with, and ensure your crew complies with, the applicable national laws of such other **member of the Commission**.

Question 3: If my vessel is used for HMS fishing-related activities in the Convention Area in an area under the jurisdiction of another nation (but does not necessarily have or need to have a WCPFC Area Endorsement), what are my obligations?

Answer: You must obtain all licenses, permits, and other authorizations required by that nation prior to fishing for HMS, retaining HMS on board, or landing HMS in areas under the jurisdiction of such nation. Additionally, if the vessel is used for commercial fishing for HMS in the Convention Area in an area under the jurisdiction of another **member of**

the Commission, you must comply with, and ensure your crew complies with, the applicable national laws of such other **member of the Commission**, including any laws related to carrying vessel observers or the operation of VMS units.

Question 4: How do I find out about the applicable laws and requirements of the other nations?

Answer: It is the responsibility of vessel **owners** and **operators** to understand the requirements and laws of the other nations under whose jurisdiction they fish. Contacting the relevant fishing authorities in foreign nations may provide a basis for this information.

Category 9: Facilitation of Enforcement and Inspection (50 CFR 300.221)

When in the Convention Area, a fishing vessel of the United States with a WCPFC Area Endorsement or for which a WCPFC Area Endorsement is required, including the vessel's **operator** and each member of the vessel's crew, are subject to the following requirements:

- The U.S. Coast Guard Certificate of Documentation or State or other documentation for the vessel, or a copy thereof, shall be carried on board the vessel.
- Any license, permit or other authorization to use the vessel to fish, retain fish, transship fish, or land fish issued by a nation or political entity other than the United States, or a copy thereof, shall be carried on board the vessel.
- For the purpose of facilitating communication with the fisheries management, surveillance and enforcement authorities of the **members of the Commission**, the **operator** shall ensure the continuous monitoring of the international safety and calling radio frequency 156.8 MHz (Channel 16, VHF-FM) and, if the vessel is equipped to do so, the international distress and calling radio frequency 2.182 MHz (HF).
- The **operator** shall ensure that an up-to-date copy of the International Code of Signals is on board and accessible at all times.
- When engaged in transshipment on the high seas or in an area under the jurisdiction of a **member of the Commission** other than the United States, the **operator** and crew shall:

  1) Provide any **WCPFC transshipment monitor** with full access to, and use of, facilities and equipment which such authorized person may determine is necessary to carry out his or her duties to monitor transshipment activities, including full access to the bridge, fish on board, and all areas which may be used to hold, process, weigh and store fish, and full access to the vessel's records, including its log and documentation for the purpose of inspection and photocopying.
  2) Allow and assist any **WCPFC transshipment monitor** to collect and remove samples and gather any other information required to fully monitor transshipment activities.
  3) Not assault, obstruct, resist, delay, refuse boarding to, intimidate, harass, interfere with, unduly obstruct or delay any **WCPFC transshipment monitor** in the performance of such person's duties, or attempt to do any of the same.

The **operator** and crew of a fishing vessel of the United States, when on the high seas in the Convention Area, shall be subject to the following requirements:

- The **operator** and crew shall immediately comply with instructions given by an officer on board a **WCPFC inspection vessel** to move the vessel to a safe location and/or to stop the vessel, provided that the officer has, prior to the issuance of such instructions:

1) Provided information identifying his or her vessel as a **WCPFC inspection vessel**, including its name, registration number, IRCS and contact frequency.
2) Communicated to the vessel **operator** his or her intention to board and inspect the vessel under the authority of the Commission and pursuant to the boarding and inspection procedures adopted by the Commission.

- The **operator** and crew shall accept and facilitate prompt and safe boarding by any **WCPFC inspector**, provided that an officer on board the **WCPFC inspection vessel** has, prior to such boarding:
  1) Provided information identifying his or her vessel as a **WCPFC inspection vessel**, including its name, registration number, IRCS and contact frequency.
  2) Communicated to the vessel **operator** an intention to board and inspect the vessel under the authority of the Commission and pursuant to the boarding and inspection procedures adopted by the Commission.

When a fishing vessel of the United States that is used for commercial fishing for HMS is in the Convention Area and is either on the high seas without a valid WCPFC Area Endorsement or is in an area under the jurisdiction of a nation other than the United States without an authorization by that nation to fish in that area, all the fishing gear and fishing equipment on the fishing vessel shall be stowed in a manner so as not to be readily available for fishing.

Key Questions and Answers

Question 1: Will someone actually check to make sure that I am carrying all required documentation on board?

Answer: These documents must be available for inspection by any **authorized officer**. If your vessel is on the high seas, the licenses, permits, and authorizations shall also be made available for inspection by any **WCPFC inspector**. If the vessel is in an area under the jurisdiction of a **member of the Commission** other than the United States, they shall be made available for inspection by any authorized enforcement official of that member.

Question 2: What are my responsibilities regarding WCPFC inspectors?

Answer: Provided that the **WCPFC inspector** has presented to you his or her identity card identifying him or her as an inspector authorized to carry out boarding and inspection procedures under the auspices of the Commission, and a copy of the text of the relevant conservation and management measures in force in the relevant area of the high seas, you must do the following: (1) cooperate with and assist any **WCPFC inspector** in the inspection of the vessel, including its authorizations to fish, gear, equipment, records, facilities, fish and fish products and any relevant documents necessary to verify compliance with the conservation and management measures in force; (2) allow any **WCPFC inspector** to communicate with the crew of the **WCPFC inspection vessel**, the authorities of the **WCPFC inspection vessel** and the authorities of the vessel being inspected; (3) provide any **WCPFC inspector** with reasonable facilities, including, where appropriate, food and accommodation; and (4) facilitate safe disembarkation by any **WCPFC inspector**. Additionally, the operator and crew shall not assault, obstruct, resist, delay, refuse boarding to, intimidate, harass, interfere with, unduly obstruct or delay any **WCPFC inspector** in the performance of such person's duties, or attempt to do so.

Question 3: Am I required to allow a WCPFC inspector to board and inspect my vessel?

Answer: Yes, provided the **WCPFC inspector** has met the criteria for boarding and inspection set forth in Question 2, above, you must allow the inspector to board and inspect your vessel.

Question 4: How do I stow my gear so that it is not readily available to fishing?

Answer: If the fishing vessel is used for purse seining and equipped with purse seine gear, the boom must be lowered as far as possible so that the vessel cannot be used for fishing, but the skiff may be accessible for use in emergency situations; the helicopter, if any, must be tied down; and the launches must be secured. If the fishing vessel is used for longlining and equipped with longline gear, the branch or dropper lines and floats used to buoy the mainline must be stowed and not available for immediate use, and any power-operated mainline hauler on deck must be covered in such a manner that it is not readily available for use. If the fishing vessel is used for trolling and equipped with troll gear, no lines or hooks may be placed in the water; if outriggers are present on the vessel, they must be secured in a vertical position; if any power-operated haulers are located on deck they must be covered in such a manner that they are not readily available for use. If the fishing vessel is used for pole-and-line fishing and equipped with pole-and-line gear, any poles rigged with lines and hooks must be stowed in such a manner that they are not readily available for use. For any other type of fishing vessel, all the fishing gear and equipment on the vessel must be stowed in a manner so as not to be readily available for use.

Appendix A – Blank Forms

WCPFC AREA ENDORSEMENT APPLICATION (below)

U.S. DEPARTMENT OF COMMERCE
NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION
NATIONAL MARINE FISHERIES SERVICE

OMB No. 0648-0595
Expires: 01/31/2016

WCPFC AREA ENDORSEMENT APPLICATION

(Please print legibly or type)

SECTION 1. VESSEL INFORMATION

USCG DOC. OR STATE REG. NO	VESSEL NAME	TOTAL FISH HOLD CAPACITY
		_____ cubic meters or _____ short tons

RADIO CALL SIGN (Indicate whether an International Radio Call Sign has been assigned to the vessel, and if yes, specify the call sign.)

☐ No ☐ Yes: _____

REFRIGERATION/FREEZER TYPE AND CAPACITY (Check and provide numbers for all that apply. See instructions for details.)

☐ ICE	No. ice-making units:_____	Ice-making capacity:_____	tons/24hr
☐ BRINE	No. chiller units:_____	Nominal size of each unit:_____	tons
☐ RSW	No. chiller units:_____	Nominal size of each unit:_____	tons
☐ BLAST	No. freezer units:_____	Nominal size of each unit:_____	tons
☐ PLATE	No. freezer units:_____	Fish-freezing capacity:_____	tons/24hr
☐ TUNNEL	No. freezer units:_____	Fish-freezing capacity:_____	tons/24hr
☐ OTHER:_____	No. units:_____	Fish-freezing capacity:_____	tons/24hr

SECTION 2. FISHING METHODS

(Check each fishing gear type used or intended to be used on the vessel. Check as many boxes as apply. Check at least one box unless the vessel is a carrier, bunker, or other support vessel and is not used to harvest fish. Your responses under this section are for informational purposes only; they will not be used to place conditions on the WCFPC Area Endorsement, if issued.)

☐ Purse Seines	☐ Vertical Lines – Hand-operated (non-squid)	☐ Trolling lines
☐ Driftnets	☐ Vertical Lines – Mechanized (non-squid)	☐ Poles and lines
☐ Drifting Longlines	☐ Vertical Lines – Squid Jigs	☐ Harpoons

☐ Other type(s) of gears (specify:)_____

SECTION 3. VESSEL COMMUNICATION TYPES AND NUMBERS (For each communication type listed, check the "yes" or "no" box to indicate whether the communication type is available on the vessel. If yes, provide the number/address, and check or write in the Inmarsat service.)

Yes No

☐ ☐ Voice Inmarsat mobile number:_____

Inmarsat service: ☐B ☐C ☐M ☐Mini-M ☐F Other:_____

☐ ☐ Fax Inmarsat mobile number:_____

Inmarsat service: ☐B ☐C ☐M ☐Mini-M ☐F Other:_____

☐ ☐ Email Inmarsat address:_____

Inmarsat service: ☐B ☐C ☐M ☐Mini-M ☐F Other:_____

☐ ☐ Telex Inmarsat mobile number:_____

Inmarsat service: ☐B ☐C ☐M ☐Mini-M ☐F Other:_____

☐ ☐ Satellite telephone number (other than Inmarsat):_____

☐ ☐ Single sideband radio

SECTION 4. VESSEL OPERATOR INFORMATION
(Provide the name(s) and citizenship of vessel operator(s) (i.e., the master on board the vessel.)

Last name	First name	Middle name	Suffix	Country of citizenship
1.				
2.				
3.				
4.				

SECTION 5. COLOR PHOTOGRAPH OF VESSEL (Provide a photograph of the vessel in its current form and appearance. Indicate whether an electronic or paper photograph is being provided or indicate that a photograph has already been provided. If an electronic or paper photograph is being provided, enter the date the photograph was taken. If the vessel's form or appearance materially changes (including, but not limited to, the vessel is painted another color, the vessel is renamed, or the vessel undergoes a structural modification) or if the photograph becomes more than five years old, you must submit to NMFS a new photograph of the vessel within 15 days of the change or of the photograph becoming five years old).

☐ Electronic photograph ☐ Paper photograph Date photograph taken:_____ (mm/dd/yyyy)	☐ Photograph already provided with application for high seas fishing permit

SECTION 6. SIGNATURE (All applications must be signed and dated)

By signing this application, the undersigned owner or operator of the vessel identified above declares under penalty of law that all information in this application is true, accurate, and complete. A non-refundable application fee of $46.00 in the form of a check or money order made payable to "U.S. Department of Commerce – NOAA" must accompany each application.

Signature	Name (Print legibly or type)	Date (mm/dd/yyyy)

Submission of this application information is mandatory. The information will be used for determining eligibility for a WCPFC Area Endorsement as well as for recordkeeping and reporting under the Western and Central Pacific Fisheries Convention Implementation Act, the High Seas Fishing Compliance Act, the South Pacific Tuna Act, and other applicable law. The public reporting burden for this collection of information is estimated to average 60 minutes per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining data needed, and completing and reviewing the information. Send comments regarding this burden estimate or suggestions for reducing this burden to: Regional Administrator, NMFS Pacific Islands Regional Office, 1845 Wasp Blvd., Building 176, Honolulu, HI 96818. Notwithstanding any other provision of law, no person is required to respond to, nor shall any person be subject to a penalty for failure to comply with, a collection of information subject to the requirements of the Paperwork Reduction Act, unless that collection of information displays a currently valid OMB Control Number.

OMB No. 0648-0595
Expires: 01/31/2016

INSTRUCTIONS FOR
WCPFC AREA ENDORSEMENT APPLICATION

Any fishing vessel of the United States used for commercial fishing for highly migratory species on the high seas in the Western and Central Pacific Fisheries Convention Area must have on board a valid high seas fishing permit that has a valid WCPFC Area Endorsement. Note that "fishing" includes receiving fish in the course of a transshipment or supporting fish-harvesting vessels, such as by bunkering or providing supplies.

For the definition of "high seas", see the regulations at 50 CFR Part 300 Subpart B. For the definitions of "commercial", "fishing", "highly migratory species", Western and Central Pacific Fisheries "Convention Area", "high seas fishing permit", and "WCPFC Area Endorsement", see the regulations at 50 CFR Part 300 Subpart O.

The owner or operator of a U.S. fishing vessel may apply for a WCPFC Area Endorsement by completing this application form, providing the required vessel photograph, and paying the required application fee.

In order to obtain a WCPFC Area Endorsement, a high seas fishing permit for the vessel must have already been issued or applied for in accordance with 50 CFR Part 300 Subpart B. You may obtain an application form and instructions for a high seas fishing permit by contacting any National Marine Fisheries Service (NMFS) Regional Administrator or by visiting the website at http://www.nmfs.noaa.gov/ia/services/highseas.htm

If there are any changes to the information provided after this form has been submitted, you must inform NMFS in writing of the changes within 15 days of the changes. This may be done by submitting to NMFS another copy of this form that indicates the updated information.

If there are any material changes to the form or appearance of the vessel after this form has been submitted, such as being painted another color, being renamed, or undergoing a structural modification, you must inform NMFS and submit a new photograph of the vessel within 15 days of the changes.

SECTION 1. VESSEL INFORMATION

Enter the U.S. Coast Guard Official Documentation Number assigned to the vessel. If the vessel is not USCG-documented, enter the vessel's current state or tribal registration number.

Enter the current name of the vessel.

Enter the vessel's total fish hold capacity, in either cubic meters or short tons.

Indicate whether or not an International Radio Call Sign (IRCS) has been assigned to the vessel (by the Federal Communications Commission), and if so, write in the IRCS.

Indicate all the refrigeration/freezer type(s) on board the vessel that are used for the catch (ignore freezers and refrigerators used only for bait and other non-catch items). For each type used, enter the number of units on board and their capacity, as follows:

If the vessel uses an *ice* system (including ice slurry), indicate the number of ice-making units on board and the total ice-making capacity, expressed as the number of short tons of ice that can

be produced per 24-hour period. If the vessel uses ice produced shoreside and does not have an ice-maker on board, the “ice” box should be checked and “0” should be entered for number of ice-making units and ice-making capacity.

If the vessel uses a *brine* system, indicate the number of chiller units on board and the nominal size of each chiller unit, expressed in short tons.

If the vessel uses an *RSW* (refrigerated seawater) system, indicate the number of chiller units on board and the nominal size of each chiller unit, expressed in short tons. If seawater is cooled with ice to make an ice slurry, check the “ice” box, not the “RSW” box.

If the vessel uses a *blast* freezer system, indicate the number of freezer units on board and the nominal size of each chiller unit, expressed in short tons.

If the vessel uses a *plate* freezer system, indicate the number of freezer units on board and the total fish-freezing capacity of the system, expressed as the number of short tons of fish that can be frozen per 24-hour period.

If the vessel uses a *tunnel* freezer system, indicate the number of freezer units on board and the total fish-freezing capacity of the system, expressed as the number of short tons of fish that can be frozen per 24-hour period.

If the vessel uses a refrigeration/freezer type not listed above, indicate the refrigeration/freezer type, the number of units on board, and the total fish-freezing capacity of the system, expressed as the number of short tons of fish that can be chilled or frozen per 24-hour period.

SECTION 2. FISHING METHODS

Check the boxes for all the fishing gears used or intended to be used. Check at least one box unless the vessel is a carrier, bunker, or other support vessel and it is not used to harvest fish. If the fishing gear(s) is not included in the list provided, check the box for “Other type(s) of gears” and describe the fishing gear(s). Your responses are for informational purposes only; they will not be used to place conditions on the WCFPC Area Endorsement, if issued.

SECTION 3. VESSEL COMMUNICATION TYPES AND NUMBERS

For each communication type listed, check the “yes” or “no” box to indicate whether the communication type is available on the vessel. For each available communication type except “single sideband radio”, enter the mobile number, email address, or satellite telephone number, as appropriate. For each available communication type other than “satellite telephone number (other than Inmarsat)” and “single sideband radio”, circle the Inmarsat service used (B, C, M, Mini-M, F, or other), and in the case of “other”, specify the service.

SECTION 4. VESSEL OPERATOR INFORMATION

Enter the full name and country of citizenship of the vessel operator or operators. “Operator” means the master or other individual aboard and in charge of the vessel. If it is anticipated that the vessel will be operated by more than one individual during the period of validity of the WCPFC Area Endorsement, as many as four individuals may be listed.

SECTION 5. COLOR PHOTOGRAPH OF VESSEL

This application must be accompanied by a full-color photograph of the vessel in its current form and appearance, in either electronic or paper format. If a photograph has already been provided to NMFS as part of an application for a high seas fishing permit, an additional photograph does not have to be submitted with this application, provided that the photograph meets the specifications described below. If the appearance of the vessel materially changes after this form and the photograph have been submitted (including, but not limited to, the vessel is painted another color, the vessel is renamed, or the vessel undergoes a structural modification) or if the photograph becomes more than five years old, you must inform NMFS and submit a new photograph of the vessel within 15 days of the change or of the photograph becoming five years old.

The photograph must meet the following specifications:

The photograph must show a bow-to-stern side-view of the vessel, clearly and legibly displaying the vessel name and markings, and such markings must be in accordance with the vessel identification requirements of 50 CFR Part 300 Subpart O.

The photograph must have been taken within the last five years.

Paper photographs must be at least 5 by 7 inches and no greater than 8½ by 11 inches in size.

Electronic photographs must: (1) be in either jpg or tiff file formats; (2) have a resolution of at least 300 pixels per inch at a size of 5 by 7 inches; and (3) be of a file size no greater than 2 megabytes (MB).

Paper photographs may be submitted together with this form, or if the form is being submitted online or by other electronic means, paper photographs may be sent to: NMFS Pacific Islands Regional Office; International Fisheries Program; 1845 Wasp Blvd., Bldg. 176; Honolulu, HI 96818. In that case, write clearly on the back of the photograph or a separate piece of paper the following information: “WCPFC Area Endorsement”, name of applicant (for WCPFC Area Endorsement), name of vessel, vessel’s documentation or registration number, and date photograph was taken (mm/dd/yyyy).

Electronic photographs may be sent via email to PIR.WCPFC@noaa.gov. Identify the message subject as: “Vessel photograph for WCPFC Area Endorsement” and include in the message body the following information: name of the applicant (for WPCFC Area Endorsement), name of vessel, vessel’s documentation or registration number, and date photograph was taken (mm/dd/yyyy).

SECTION 6. SIGNATURE

Sign and print your name and enter the date the application was signed. Be sure to include your application fee of $69.00 in the form of a check or money order made payable to the “U.S. Department of Commerce – NOAA.”

Appendix A – Blank Forms cont.

INFORMATION REQUIRED FOR U.S. VESSELS USED FOR COMMERCIAL FISHING FOR HIGHLY MIGRATORY SPECIES IN THE WESTERN AND CENTRAL PACIFIC FISHERIES CONVENTION AREA IN AREAS UNDER THE JURISDICTION OF ANY NATION OTHER THAN THE UNITED STATES (below)

U.S. DEPARTMENT OF COMMERCE
NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION
NATIONAL MARINE FISHERIES SERVICE

OMB No. 0648-0595
Expires: 01/31/2016

INFORMATION REQUIRED FOR U.S. VESSELS USED FOR COMMERCIAL FISHING FOR HIGHLY MIGRATORY SPECIES IN THE WESTERN AND CENTRAL PACIFIC FISHERIES CONVENTION AREA IN AREAS UNDER THE JURISDICTION OF ANY NATION OTHER THAN THE UNITED STATES

(Please print legibly or type)

SECTION 1. VESSEL INFORMATION

USCG DOC. OR STATE REG. NO	VESSEL NAME	RADIO CALL SIGN (Indicate whether an International Radio Call Sign has been assigned to the vessel, and if yes, specify the call sign.) ☐ No ☐ Yes: _____

SECTION 2. HIGH SEAS FISHING PERMITS (Indicate whether a high seas fishing permit and/or a WCPFC Area Endorsement for the subject vessel has been received or applied for.)

Has a high seas fishing permit been issued or applied for? ☐ Yes ☐ No

If yes, you may skip Sections 3-6, provided that the information in your high seas fishing permit application is true, accurate, and complete.

Has a WCPFC Area Endorsement been issued or applied for? ☐ Yes ☐ No

If yes, you may skip Sections 3-11, provided that the information in your WCPFC Area Endorsement application is true, accurate, and complete.

SECTION 3.

CREW SIZE (Including officers)	SHAFT HORSEPOWER

SECTION 4. FISHING VESSEL TYPE (Check the box for the vessel type that best describes your vessel. Check only one.)

PURSE SEINERS

☐ 0228 – Tuna Purse Seiner

☐ 0229 – Purse Seiner Other

GILL NETTERS

☐ 0410 – Drift Netter

☐ 0490 – Gill Netter Other

LONGLINERS

☐ 0623 – Freezer Longliner

☐ 0624 – Factory Longliner

☐ 0626 – Tuna Longliner

☐ 0627 – Longliner Other

SUPPORT VESSELS

☐ Fish Carrier

☐ Bunker

☐ Supply Other

OTHER LINERS

☐ 0705 – Jigging Line Vessel (squid only)

☐ 0710 – Handliner

☐ 0720 – Pole and Line Vessel

☐ 0730 – Troller

OTHER TYPES OF VESSELS

☐ Specify:_____

SECTION 5. VESSEL OWNERSHIP INFORMATION (Managing Owner as shown on USCG Form 1270 or State Registration. If more than one owner, provide name, address, and telephone information on separate sheets of paper.)

Company Name (If vessel owner is incorporated)		Date of incorporation (mm/dd/yyyy):_____ Phone number:_____ Fax number:_____		
Owner Name Last	First name	Middle name	Suffix	Phone #
Mailing Address	City	State	Zip code	Fax #

SECTION 6. PREVIOUS VESSEL FLAGS AND NAMES

Has the vessel identified above flown the flag of another nation within the last three years?

☐ Yes ☐ No

If yes, provide the following information for each period during which the vessel operated under other than the U.S flag (If necessary provide additional information on a separate sheet of paper).

Beginning of period of validity (mm/dd/yyyy)	End of period of validity (mm/dd/yyyy)	Vessel name	International radio call sign	Homeport	Flag
1.					
2.					
3.					

SECTION 7. FISH HOLD AND FREEZER INFORMATION

TOTAL FISH HOLD CAPACITY

_____ cubic meters or _____ short tons

REFRIGERATION/FREEZER TYPE AND CAPACITY (Check and provide numbers for all types that apply. See instructions for details.)

☐ ICE	No. ice-making units:_____	Ice-making capacity:_____	tons/24hr
☐ BRINE	No. chiller units:_____	Nominal size of each unit:_____	tons
☐ RSW	No. chiller units:_____	Nominal size of each unit:_____	tons
☐ BLAST	No. freezer units:_____	Nominal size of each unit:_____	tons
☐ PLATE	No. freezer units:_____	Fish-freezing capacity:_____	tons/24hr
☐ TUNNEL	No. freezer units:_____	Fish-freezing capacity:_____	tons/24hr
☐ OTHER:_____	No. units:_____	Fish-freezing capacity:_____	tons/24hr

SECTION 8. FISHING METHODS

(Check each fishing gear type used or intended to be used on the vessel. Check as many boxes as apply. Check at least one box unless the vessel is a carrier, bunker, or other support vessel and is not used to harvest fish.)

☐ Purse Seines	☐ Vertical Lines – Hand-operated (non-squid)	☐ Trolling lines
☐ Driftnets	☐ Vertical Lines – Mechanized (non-squid)	☐ Poles and lines
☐ Drifting Longlines	☐ Vertical Lines – Squid Jigs	☐ Harpoons

☐ Other type(s) of gears (specify:)_____

SECTION 9. VESSEL COMMUNICATION TYPES AND NUMBERS

(For each communication type listed, check the "yes" or "no" box to indicate whether the communication type is available on the vessel. If yes, provide the number/address, and check or write in the Inmarsat service.)

Yes	No		
☐	☐	Voice Inmarsat mobile number:_____	
		Inmarsat service: ☐B ☐C ☐M ☐Mini-M ☐F	Other:_____
☐	☐	Fax Inmarsat mobile number:_____	
		Inmarsat service: ☐B ☐C ☐M ☐Mini-M ☐F	Other:_____
☐	☐	Email Inmarsat address:_____	
		Inmarsat service: ☐B ☐C ☐M ☐Mini-M ☐F	Other:_____
☐	☐	Telex Inmarsat mobile number:_____	
		Inmarsat service: ☐B ☐C ☐M ☐Mini-M ☐F	Other:_____
☐	☐	Satellite telephone number (other than Inmarsat):_____	
☐	☐	Single sideband radio	

SECTION 10. VESSEL OPERATOR INFORMATION

Provide the name(s) and citizenship of vessel operator(s) (i.e., the master on board the vessel).

Last name	First name	Middle name	Suffix	Country of citizenship
1.				
2.				
3.				
4.				

SECTION 11. COLOR PHOTOGRAPH OF VESSEL (Provide a photograph of the vessel in its current form and appearance. Indicate whether an electronic or paper photograph is being provided or indicate that a photograph has already been provided. If an electronic or paper photograph is being provided, enter the date the photograph was taken. If the vessel's form or appearance materially changes (including, but not limited to, the vessel is painted another color, the vessel is renamed, or the vessel undergoes a structural modification) or if the photograph becomes more than five years old, you must submit to NMFS a new photograph of the vessel within 15 days of the change or of the photograph becoming five years old).

☐ Electronic photograph ☐ Paper photograph Date photograph taken:_____ (mm/dd/yyyy)	☐ Photograph already provided with application for high seas fishing permit or WCPFC Area Endorsement

SECTION 12. AUTHORIZATIONS TO FISH (Identify each foreign nation or foreign political entity that has permitted, licensed, or otherwise authorized, or is expected to permit, license, or authorize, the vessel to be used for fishing for highly migratory species within waters under its jurisdiction. Indicate the terms of each such authorization in the space indicated below, and submit a copy of each permit, license, or authorization with this application. Do not report in this section any permits, licenses, or endorsements issued by the United States or any federal or state agency or sub-division thereof. If necessary, provide the specified information on additional sheets of paper.)

Name of nation or political entity issuing authorization	Name of issuing authority and name or brief description of authorization type
Period of validity of authorization (mm/dd/yyyy – mm/dd/yyyy)	Specific activities authorized
Specific species for which fishing is authorized	Specific areas in which fishing is authorized
Any numerical or other unique identifier assigned to the authorization	

SECTION 13. SIGNATURE (All forms must be signed and dated)

By signing this form, the undersigned owner or operator of the vessel identified above declares under penalty of law that all information in this form is true, accurate, and complete.

Signature	Name (Print legibly or type)	Date (mm/dd/yyyy)

Submission of the information specified on this form is mandatory. The information will be used for recordkeeping and reporting under the Western and Central Pacific Fisheries Convention Implementation Act. The public reporting burden for this collection of information is estimated to average 90 minutes per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining data needed, and completing and reviewing the information. Send comments regarding this burden estimate or suggestions for reducing this burden to: Regional Administrator, NMFS Pacific Islands Regional Office, 1845 Wasp Blvd., Bldg. 176, Honolulu, HI 96818.
Notwithstanding any other provision of law, no person is required to respond to, nor shall any person be subject to a penalty for failure to comply with, a collection of information subject to the requirements of the Paperwork Reduction Act, unless that collection of information displays a currently valid OMB Control Number.

OMB No. 0648-0595
Expires: 01/31/2016

INSTRUCTIONS FOR THE FORM:

INFORMATION REQUIRED FOR U.S. VESSELS USED FOR COMMERCIAL FISHING FOR HIGHLY MIGRATORY SPECIES IN THE WESTERN AND CENTRAL PACIFIC FISHERIES CONVENTION AREA IN AREAS UNDER THE JURISDICTION OF ANY NATION OTHER THAN THE UNITED STATES

The owner or operator of any U.S. vessel that is used for fishing for commercial purposes for highly migratory species in the Western and Central Pacific Fisheries Convention Area in areas under the jurisdiction of a nation other than the United States is required to provide the information specified in this form. Note that “fishing” includes receiving fish in the course of a transshipment or supporting fish-harvesting vessels, such as by bunkering or providing supplies.

For the definitions of “commercial”, “fishing”, “highly migratory species”, Western and Central Pacific Fisheries “Convention Area”, “high seas fishing permit”, and “WCPFC Area Endorsement”, see the regulations at 50 CFR Part 300 Subpart O.

If any of the information specified in any section of this form is provided for the subject vessel on an application for a high seas fishing permit under 50 CFR Part 300 Subpart B, or an application for a WCPFC Area Endorsement under 50 CFR Part 300 Subpart O, it need not be provided on this form, provided that the high seas fishing permit and/or WCPFC Area Endorsement is valid and the information provided therein is true, accurate, and complete. See the instructions for Section 2 below for detailed instructions.

If there are any changes to the information provided after this form has been submitted, you must inform the National Marine Fisheries Service (NMFS) in writing of the changes within 15 days of the changes. This may be done by submitting to NMFS another copy of this form that indicates the updated information.

If there are any material changes to the form or appearance of the vessel after this form has been submitted, such as being painted another color, being renamed, or undergoing a structural modification, you must inform NMFS and submit a new photograph of the vessel within 15 days of the changes.

SECTION 1. VESSEL INFORMATION

Enter the U.S. Coast Guard Official Documentation Number assigned to the vessel. If the vessel is not USCG-documented, enter the vessel’s current state or tribal registration number.

Enter the current name of the vessel.

Indicate whether or not an International Radio Call Sign (IRCS) has been assigned to the vessel (by the Federal Communications Commission), and if so, write in the IRCS.

SECTION 2. HIGH SEAS FISHING PERMITS

Check the “yes” box to indicate that a high seas fishing permit for the subject vessel has been issued under 50 CFR Part 300 Subpart B, or if such a permit has been applied for, or if you are applying for such a permit at the same time as submitting this form. Otherwise check the “no” box. If you check “yes” you may skip Sections 3-6, provided that all the information provided in the high seas fishing permit application is true, accurate, and complete.

Check the “yes” box to indicate that a WCPFC Area Endorsement for the subject vessel has been issued under 50 CFR Part 300 Subpart O, or if such an endorsement has been applied for, or if you are applying for such an endorsement at the same time as submitting this form. Otherwise check the “no” box. If you check “yes” you may skip Sections 3-11, provided that all the information provided in the WCPFC Area Endorsement application is true, accurate, and complete.

SECTION 3.

Enter the number of crew members (including officers) the vessel normally carries.

Enter the total horsepower delivered to the main propeller shaft(s).

SECTION 4. FISHING VESSEL TYPE

Indicate the fishing vessel type that best describes the vessel. Check only one box. Under the category of “SUPPORT VESSELS”, “Supply Other” refers to support vessels that provide supplies, provisions, or other items aside from fuel. If the vessel type is not included in the list provided, describe the vessel type under the OTHER TYPES OF VESSELS category.

SECTION 5. VESSEL OWNERSHIP INFORMATION

If the vessel is owned by a corporation, enter the company name, date of incorporation, business address, and telephone and fax numbers.

If the vessel is owned by an individual or partnership, enter the names of all owners and the address, telephone, and fax information for each owner (if more than one owner, attach required information for each additional owner on separate paper).

SECTION 6. PREVIOUS VESSEL FLAGS AND NAMES

Indicate whether the vessel has flown the flag of a nation other than the United States within the last three years. If yes, provide the additional information requested.

SECTION 7. FISH HOLD AND FREEZER INFORMATION

Enter the vessel’s total fish hold capacity, in either cubic meters or short tons.

Indicate all the refrigeration/freezer type(s) on board the vessel that are used for the catch (ignore freezers and refrigerators used only for bait and other non-catch items). For each type used, enter the number of units on board and their capacity, as follows:

> If the vessel uses an *ice* system (including ice slurry), indicate the number of ice-making units on board and the total ice-making capacity, expressed as the number of short tons of ice that can be produced per 24-hour period. If the vessel uses ice produced shoreside and does not have an ice-maker on board, the “ice” box should be checked and “0” should be entered for number of ice-making units and ice-making capacity.
>
> If the vessel uses a *brine* system, indicate the number of chiller units on board and the nominal size of each chiller unit, expressed in short tons.

If the vessel uses an *RSW* (refrigerated seawater) system, indicate the number of chiller units on board and the nominal size of each chiller unit, expressed in short tons. If seawater is cooled with ice to make an ice slurry, check the “ice” box, not the “RSW” box.

If the vessel uses a *blast* freezer system, indicate the number of freezer units on board and the nominal size of each chiller unit, expressed in short tons.

If the vessel uses a *plate* freezer system, indicate the number of freezer units on board and the total fish-freezing capacity of the system, expressed as the number of short tons of fish that can be frozen per 24-hour period.

If the vessel uses a *tunnel* freezer system, indicate the number of freezer units on board and the total fish-freezing capacity of the system, expressed as the number of short tons of fish that can be frozen per 24-hour period.

If the vessel uses a refrigeration/freezer type not listed above, indicate the refrigeration/freezer type, the number of units on board, and the total fish-freezing capacity of the system, expressed as the number of short tons of fish that can be chilled or frozen per 24-hour period.

SECTION 8. FISHING METHODS

Check the boxes for all the fishing gears used or intended to be used. Check at least one box unless the vessel is a carrier, bunker, or other support vessel and it is not used to harvest fish. If the fishing gear(s) is not included in the list provided, check the box for “Other type(s) of gears” and describe the fishing gear(s).

SECTION 9. VESSEL COMMUNICATION TYPES AND NUMBERS

For each communication type listed, check the “yes” or “no” box to indicate whether the communication type is available on the vessel. For each available communication type except “single sideband radio”, enter the mobile number, email address, or satellite telephone number, as appropriate. For each available communication type other than “satellite telephone number (other than Inmarsat)” and “single sideband radio”, circle the Inmarsat service used (B, C, M, Mini-M, F, or other), and in the case of “other”, specify the service.

SECTION 10. VESSEL OPERATOR INFORMATION

Enter the full name and country of citizenship of the vessel operator or operators. “Operator” means the master or other individual on board and in charge of the vessel. If it is anticipated that the vessel will be operated by more than one individual, as many as four individuals may be listed.

SECTION 11. COLOR PHOTOGRAPH OF VESSEL

This form must be accompanied by a full-color photograph of the vessel in its current form and appearance, in either electronic or paper format. If a photograph has already been provided to NMFS as part of an application for a high seas fishing permit or a WCPFC Area Endorsement, an additional photograph does not have to be submitted with this application, provided that the photograph meets the specifications described below. If the appearance of the vessel materially changes after this form and the photograph have been submitted (including, but not limited to, the vessel is painted another color, the vessel is renamed, or the vessel undergoes a structural modification) or if the photograph becomes more than five years old, you must inform NMFS and

submit a new photograph of the vessel within 15 days of the change or of the photograph becoming five years old.

The photograph must meet the following specifications:

The photograph must show a bow-to-stern side-view of the vessel, clearly and legibly displaying the vessel name and markings.

The photograph must have been taken within the last five years.

Paper photographs must be at least 5 by 7 inches and no greater than 8½ by 11 inches in size.

Electronic photographs must: (1) be in either jpg or tiff file formats; (2) have a resolution of at least 300 pixels per inch at a size of 5 by 7 inches; and (3) be of a file size no greater than 2 megabytes (MB).

Paper photographs may be submitted together with this form, or if the form is being submitted online or by other electronic means, paper photographs may be sent to: NMFS Pacific Islands Regional Office; International Fisheries Program; 1845 Wasp Blvd., Bldg. 176; Honolulu, HI 96818. In that case, write clearly on the back of the photograph or a separate piece of paper the following information: “WCPFC Area – foreign jurisdictions”, name of the person that signed this form, name of vessel, vessel’s documentation or registration number, and date photograph was taken (mm/dd/yyyy).

Electronic photographs may be sent via email to PIR.WCPFC@noaa.gov. Identify the message subject as: “Vessel photograph for WCPFC Area – foreign jurisdictions” and include in the message body the following information: name of the person that signed this form, name of vessel, vessel’s documentation or registration number, and date photograph was taken (mm/dd/yyyy).

SECTION 12. AUTHORIZATIONS TO FISH

Identify each foreign nation or foreign political entity that has permitted, licensed, or otherwise authorized, or is expected to permit, license, or authorize, the vessel to be used for fishing for highly migratory species in the Western and Central Pacific Fisheries Convention Area within waters under its jurisdiction. Do not report in this section any permits, licenses, or endorsements issued by the United States or any federal or state agency or sub-division thereof.

For each permit, license, or authorization, provide the following information:

The name of the nation or political entity issuing the authorization.

The name of the issuing authority (that is, the particular government agency or office that issued the authorization) and the name of the authorization (for example, “Longline Fishing License”) or a brief description of the authorization type (for example, “license for longline fishing”).

The period of validity of the authorization (mm/dd/yyyy - mm/dd/yyyy).

The specific activities authorized, including any specific fishing gear types (e.g., harvesting fish using the longline method; receiving fish in the course of transshipments; bunkering or supplying other fishing vessels).

The specific species for which fishing is authorized, if any.

The specific areas in which fishing is authorized.

Any numerical or other unique identifier assigned to the authorization.

If necessary, provide the specified information on additional sheets of paper.

This form must be accompanied by a paper or electronic copy of each permit, license, or authorization, as follows:

Paper copies of the authorizations may be submitted together with this form, or if the form is being submitted online or by other electronic means, paper copies may be sent to: NMFS Pacific Islands Regional Office; International Fisheries Program; 1845 Wasp Blvd., Bldg. 176; Honolulu, HI 96818. In that case, write clearly on a separate piece of paper the following information: “WCPFC Area – foreign authorization”, name of the person that signed this form, name of vessel, and vessel’s documentation or registration number.

Electronic copies of the authorizations may be sent via email to PIR.WCPFC@noaa.gov. Identify the message subject as: “WCPFC Area – foreign authorization” and include in the message body the following information: name of the person that signed this form, name of vessel, and vessel’s documentation or registration number.

SECTION 13. SIGNATURE

Sign and print your name and enter the date the form was signed.

Appendix B – Contact Information

Contact Information for Fishing Authorizations (including WCPFC Area Endorsement and high seas fishing permits) and Vessel Information (including Foreign EEZ Form)

1) **Regional Administrator**
NMFS Pacific Islands Regional Office
1845 Wasp Blvd., Bldg. 176
Honolulu, HI 96818

Tel: 808-725-5000
Fax: 808-725-5215
Email: *pirohonolulu@noaa.gov*
Web Sites: *http://www.fpir.noaa.gov/ (general)*
http://www.fpir.noaa.gov/SFD/SFD_permits_index.html (fishing permits)

Contact Information for Vessel Monitoring System

1) **Special Agent-In-Charge**
NOAA Office of Law Enforcement, Pacific Islands Division
1845 Wasp Blvd., Bldg. 176
Honolulu, HI 96818

Tel: 808-725-6100
Fax: 808-725-6199
Email: *pidvms@noaa.gov*

2) **NOAA Office of Law Enforcement VMS Helpdesk/Support Center**

Tel: 808-725-6110
Email: *ole.helpdesk@noaa.gov*

3) **Pacific States Marine Fisheries Commission**

Web Site: *http://www.psmfc.org/program/vessel-monitoring-system-reimbursement-program-vms*

Other Useful Contacts

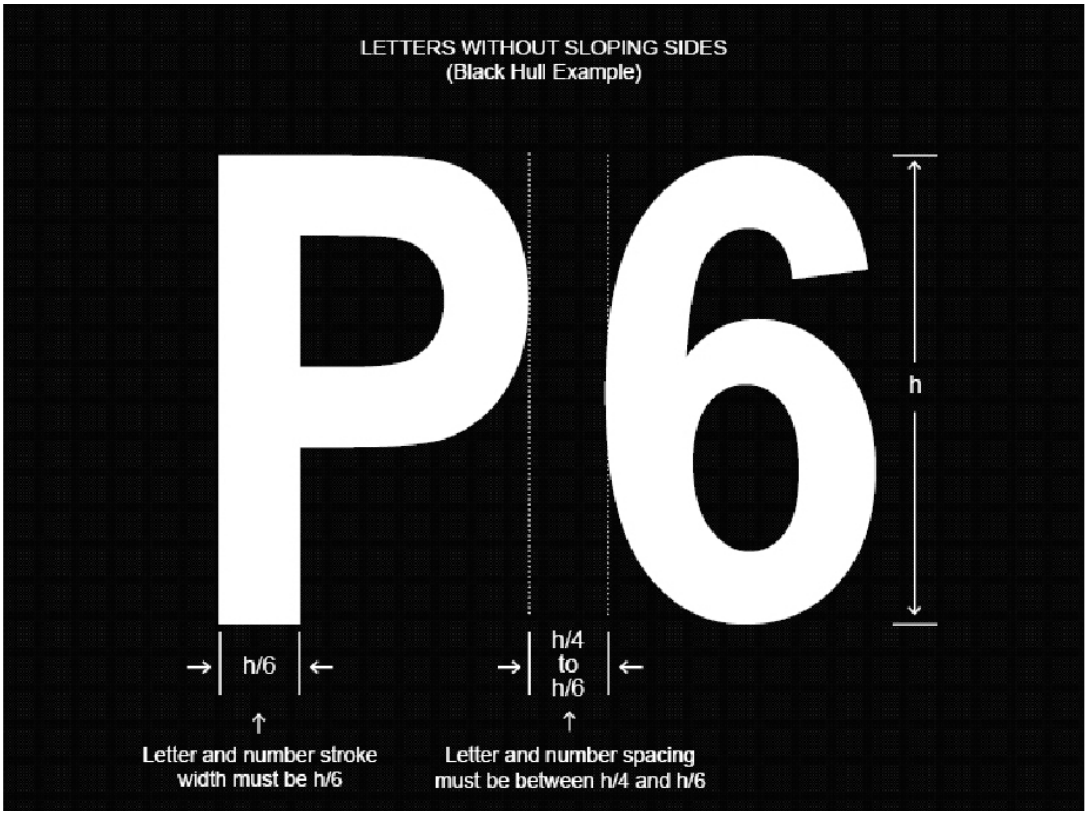
1) **Western and Central Pacific Fisheries Commission**
Kaselehlie Street
PO Box 2356
Kolonia
Pohnpei State, 96941
Federated States of Micronesia

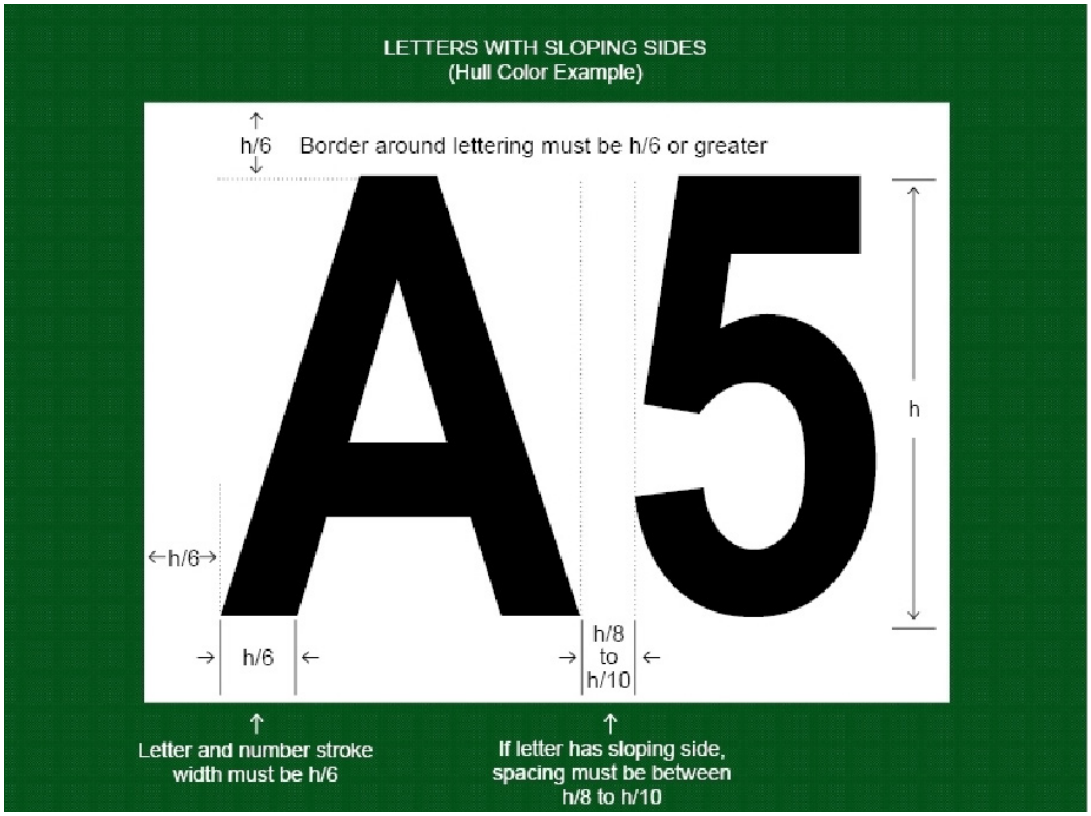
Tel: +691 320 1992 or 320 1993
Fax: +691 320 1108
Web Site: *http://www.wcpfc.int*

2) **Pacific Islands Forum Fisheries Agency**
PO Box 629
Honiara
Solomon Islands

Tel: +677 21124
Fax: +677 23995
Email: *info@ffa.int*

Appendix C – Vessel Marking Example Figures





Appendix D – Glossary

Authorized officer means:

1) Any commissioned, warrant, or petty officer of the U.S. Coast Guard; or any U.S. Coast Guard personnel accompanying and acting under the direction of a commissioned, warrant, or petty officer of the U.S. Coast Guard;

2) Any special agent or fisheries enforcement officer of NMFS; or

3) Any person designated by the head of any Federal or state agency that has entered into an agreement with the Secretary of Commerce or the Commandant of the U.S. Coast Guard to enforce the provisions of any statute administered by the Secretary.

Member of the Commission means any Contracting Party to the WCPF Convention, and, unless otherwise stated in context, any territory that has been authorized by an appropriate Contracting Party to participate in the Commission and its subsidiary bodies pursuant to Article 43 of the WCPF Convention and any fishing entity that has agreed to be bound by the regime established by the WCPF Convention pursuant to Annex I of the WCPF Convention.

Official number means the documentation number issued by the United States Coast Guard or the certificate number issued by a state or the United States Coast Guard for an undocumented vessel, or any equivalent number if the vessel is registered in a foreign nation.

Operator means, with respect to any vessel, the master or other individual aboard and in charge of that vessel.

Owner means, with respect to any vessel:

1) Any person who owns that vessel in whole or part (whether or not the vessel is leased or chartered);
2) Any charterer of the vessel, whether bareboat, time, or voyage;
3) Any person who acts in the capacity of a charterer, including but not limited to parties to a management agreement, operating agreement, or any similar agreement that bestows control over the destination, function, or operation of the vessel; or
4) Any agent designated as such by a person described in this definition.

Special Agent-In-Charge (or SAC) means the Special-Agent-In-Charge, NOAA Office of Law Enforcement, Pacific Islands Division, or a designee (1845 Wasp Blvd.,Bldg. 176, Honolulu, HI 96818; tel: (808) 725-6100; facsimile: (808) 725-6199; email: pidvms@noaa.gov).

WCPFC inspection vessel means any vessel that is:

1) authorized by a member of the Commission to be used to undertake boarding and inspection fishing vessels on the high seas pursuant to, and in accordance with, Article 26 of the WCPF Convention and procedures established by the Commission pursuant thereto;
2) included in the Commission's register of authorized inspection vessels and authorities or inspectors, established by the Commission in procedures pursuant to Article 26 of the WCPF Convention; and
3) flying the WCPFC inspection flag established by the Commission.

WCPFC inspector means a person that is authorized by a member of the Commission to undertake boarding and inspection of fishing vessels on the high seas pursuant to, and in accordance with, the boarding and inspection procedures adopted by the Commission under Article 26 of the WCPF Convention, and referred to therein as a "duly authorized inspector" or "authorized inspector."

WCPFC observer means a person authorized by the Commission in accordance with any procedures established by the Commission to undertake vessel observer duties as part of the Commission's Regional Observer Programme, including an observer deployed as part of a NMFS-administered observer program or as part of another national or sub-regional observer program, provided that such program is authorized by the Commission to be part of the Commission's Regional Observer Programme.

WCPFC transshipment monitor means, with respect to transshipments that take place on the high seas, a person authorized by the Commission to conduct transshipment monitoring on the high seas, and with respect to transshipments that take place in areas under the jurisdiction of a member of the Commission other than the United States, a person authorized by such member of the Commission to conduct transshipment monitoring.

Appendix E – Highly Migratory Species Names

English Common	Scientific	Samoan or American Samoan local	Hawaiian or Hawaiian local	Chamorran or Guam or Northern Mariana Islands local	South Carolinian or Northern Mariana Islands local	North Carolinian or Northern Mariana Islands local
Albacore	*Thunnus alalunga*	Apakoa	ʻAhi palaha, Tombo	Albacore	Angaraap	Hangaraap
Pacific bluefin tuna	*Thunnus orientalis*					
Southern bluefin tuna	*Thunnus maccoyii*					
Bigeye tuna	*Thunnus obesus*	Asiasi, Toʻuo	ʻAhi poʻonui, Mabachi	Bigeye tuna	Toghu, Sangir	Toghu, Sangir
Skipjack tuna	*Katsuwonus pelamis*	Atu, Faolua, Gaʻoga	Aku	Bunita	Angaraap	Hangaraap
Yellowfin tuna	*Thunnus albacares*	Asiasi, Toʻuo	ʻAhi, Shibi	ʻAhi, Shibi	Yellowfin tuna	Toghu
Little tuna	*Euthynnus affinis*	Atualo, Kavalau	Kawakawa	Kawakawa	Asilay	Hailuway
Frigate mackerel	*Auxis thazard; Auxis rochei*	(various)	Keʻo keʻo, saba, (various)	(various)	(various)	(various)
Pomfret	Family Bramidae	Manifi moana	Monchong			
Shortbill spearfish	*Tetrapturus angustirostris*	Saʻula	Hebi	Spearfish		
Striped marlin	*Kajikia (or Tetrapturus) audax*		Nairagi			
Indo-Pacific blue marlin	*Makaira mazara, Makaira nigricans*	Saʻula	Aʻu, Kajiki	Battoʻ	Taghalaar	Taghalaar
Black marlin	*Makaira indica*					
Sail-fishes	*Istiophorus platypterus*	Saʻula	Aʻu lepe	Guihan layak	Taghalaar	Taghalaar
Swordfish	*Xiphias gladius*	Saʻula malie	Aʻu kū, Broadbill, Shutome	Swordfish	Taghalaar	Taghalaar
Dolphinfish, dorado	*Coryphaena hippurus, Coryphaena equiselis*	Masimasi	Mahimahi	Botague	Sopor	Habwur
Oceanic sharks	*Hexanchus griseus, Cetorhinus maximus*, Family Alopiidae, Rhincodon typus, Carcharhinidae, Sphyrnidae, Family Isuridae (or Lamnidae)	(various)	(various)	(various)	(various)	(various)

For additional information, please contact:
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