



NOAA FISHERIES SERVICE

Pacific Islands
Regional Office

Compliance
Guide

Bottomfish Fishing in the Commonwealth of the Northern Mariana Islands

revised June 20, 2012

This guide provides information for fishermen on National Oceanic and Atmospheric Administration (NOAA), National Marine Fisheries Service (NMFS) regulations for commercial bottomfish harvesting around the Commonwealth of the Northern Mariana Islands (CNMI). The information pertains only to the final rules published in the *Federal Register* on December 12, 2008 (73 FR 75615) and April 6, 2009 (74 FR 15373). For the complete set of official regulations, please refer to Title 50 of the Code of Federal Regulations, Part 665 (50 CFR 665).

Regulations are subject to change, so fishermen must familiarize themselves with the most recent changes and are responsible to comply with them. Any discrepancies between this compliance guide and the regulations will be resolved in favor of the regulations published in the *Federal Register* and the Code of Federal Regulations. This compliance guide is issued in accordance with Section 212 of the Small Business Regulatory Enforcement Fairness Act of 1996: Title II of Public Law 104-21.

Q1. How did the regulations come about and what are their purposes?

The new management measures are contained in Amendment 10 to the Fishery Management Plan for Bottomfish and Seamount Groundfish of the Western Pacific Region (FMP), developed by the Western Pacific Fishery Management Council (Council), approved by the Secretary of Commerce, and implemented by NMFS. These measures address deficiencies of the fishery data collection programs in the CNMI to monitor bottomfish catches and determine the impacts of the fishery on the harvested bottomfish stocks, or to determine the species composition and amount of discarded catch. The regulations facilitate the collection of adequate information about the commercial CNMI bottomfish fishery, provide for community participation in the commercial bottomfish fishery, and encourage the consistent availability of locally-caught deepwater bottomfish to CNMI markets and consumers. Combined, these regulations are intended to prevent the depletion of bottomfish stocks in the CNMI, and to sustain the fisheries that depend on them.

Q2. When do the new regulations take effect, and for how long are they effective?

The new regulations were effective on May 6, 2009, and will remain in effect until revised or removed by NMFS.

Q3. Who is affected by the new regulations?

The new regulations apply to owners and operators of all vessels that fish commercially for bottomfish in EEZ waters around the CNMI. *Commercial fishing* means fishing in which the fish harvested, either in whole or in part, are intended to enter commerce or enter commerce through sale, barter, or trade.

Specifically, the owner of a vessel used to fish commercially for bottomfish management unit species (BMUS) in Federal waters around the CNMI must obtain a Federal permit. The operator of the vessel must maintain and submit reports of catch, fishing effort, and other information on NMFS catch data forms. For example, for any vessel that catches BMUS with the intent to market them, the owner must first obtain a Federal permit. After each fishing trip, the vessel operator must complete and submit logbook reports to NMFS of catch and fishing effort for all bottomfish species, including BMUS and others retained or released (see Q10).

In addition to the permit and reporting requirements, vessels that are 40 ft long or longer ("medium and large vessels") may not be used to fish within closed areas from the shoreline to 50 nm (0–80.5 km) around Saipan and the southern islands, and from the shoreline to 10 nm (0–18.5 km) around the northern island of Alamagan. These vessels must also be identified (i.e., marked) according to Federal regulations, and carry an operational fishing vessel monitoring system (VMS) unit. Owners of medium and large vessels must submit sales reports in addition to the catch reports submitted by the operator (see Q10).

Q4. Where are Federal waters in the CNMI?

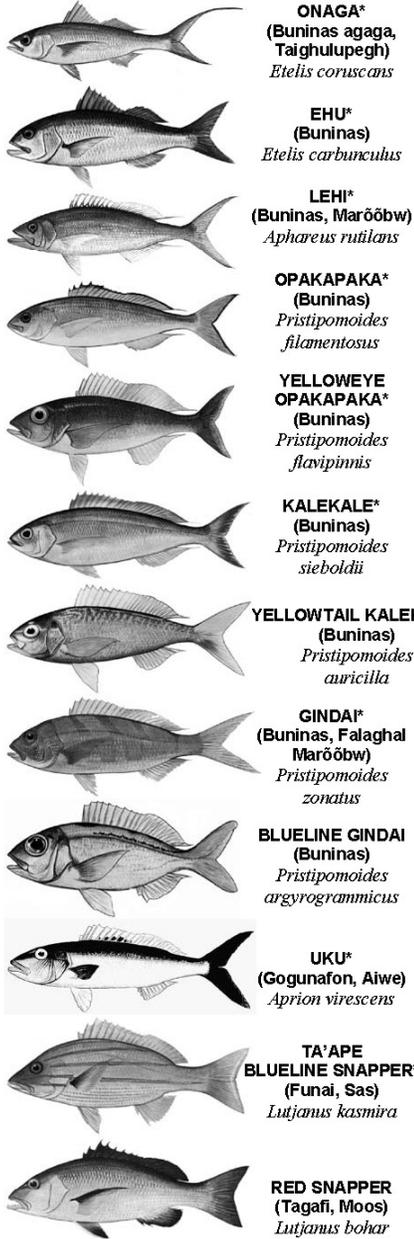
Federal waters, that is, the U.S. Exclusive Economic Zone (EEZ), extend seaward from the shoreline out to 200 nautical miles (nm).

Q5. What are the bottomfish management unit species (BMUS)?

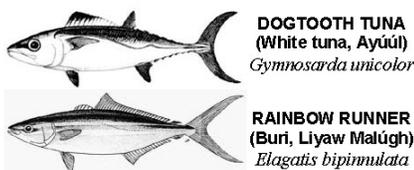
CNMI bottomfish management unit species (BMUS) and other commonly-caught Marianas bottomfish are listed on the following page. BMUS are identified by an asterisk.

COMMONLY CAUGHT MARIANA ISLAND BOTTOMFISH SPECIES
(Some Chamorro and Carolinian names in parentheses)

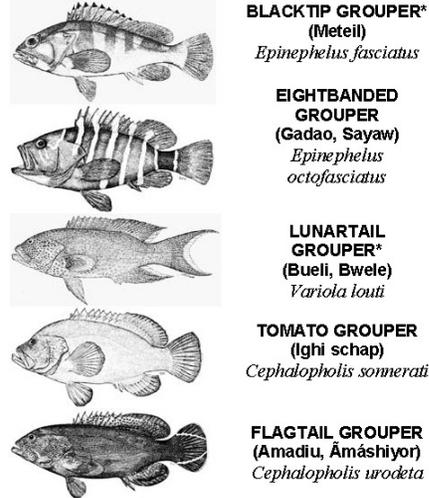
Snappers (Buninas, Moos)



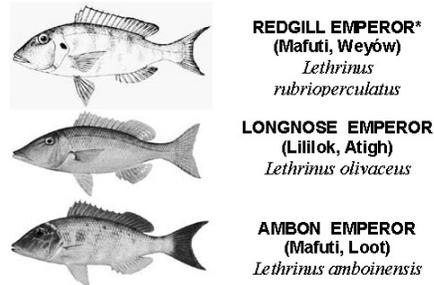
Other Species



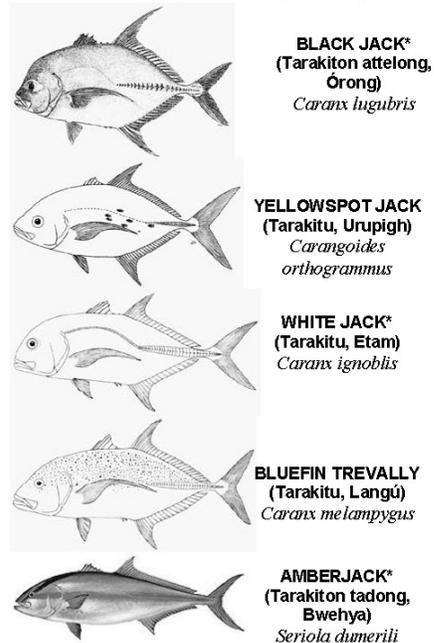
Groupers (Gadao, Ali)



Emperors (Mafuti, Lililok, Weyów)



Jacks (Tarakitu, Etam)



Q6. Who needs a Federal permit to fish for bottomfish around the CNMI?

A vessel that is used commercially to fish for, transship, receive, or land BMUS in Federal waters around the CNMI must be registered with a Federal fishing permit that is issued to the vessel owner. Permit eligibility is not restricted, and permits must be renewed annually. Permits are issued by NMFS Regional Administrator, Pacific Islands Regional Office (PIRO), and must be carried on board the vessel.

Q7. Is there a fee for the Federal bottomfish permit?

A non-refundable permit application processing fee of \$28.00 is required for each permit application.

Q8. How do I obtain a permit?

To apply for a permit, you must submit a complete application form to the PIRO Permits program. You may request a permit application from the following sources:

- Website: www.fpir.noaa.gov/SFD/SFD_permits_index.html
- Email: piro-permits@noaa.gov
- Phone: (808) 944-2200, ask for permits
- Fax: (808) 973-2940

Q9. Where do I send the completed application and fee?

Mail the completed application, fee, and required documents to:

NMFS Pacific Islands Regional Office
ATTN: Permits
1601 Kapiolani Blvd. 1110
Honolulu, HI 96814

Q10. What are the required reports?

1. Fishing (and Transshipping) Logbooks

The operator of a vessel commercially fishing for, or receiving BMUS or BMUS products within EEZ waters around the CNMI must complete and maintain accurate records of catch and effort on fishing report forms (logbook) provided by NMFS. All information specified on the form must be recorded within 24 hours after the completion of each fishing day. Each form must be signed by the vessel operator and submitted to NMFS within 72 hours of each landing.

2. Sales Reports

Owners of medium and large commercial bottomfish vessels must submit to NMFS, within 72 hours of offloading bottomfish management unit species, accurate and complete reports of fish that were sold on forms provided by NMFS. Each form must be signed and dated by the vessel operator.

To obtain or submit logbooks or sales reports, please contact:

NMFS Pacific Islands Fisheries Science Center
ATTN: Fisheries Monitoring and Socioeconomics Division
2570 Dole St.
Honolulu, HI 96822
Tel: (808) 983-5326
Fax: (808) 983-2902
www.pifsc.noaa.gov

Q11. Where are the closed areas and to whom do they apply?

Medium and large commercial bottomfish vessels may not fish in certain Federal waters around the CNMI. The closed areas include waters from the shoreline to 50 nm (0–80.5 km) around Saipan and the southern islands, and from the shoreline to 10 nm (0–18.5 km) around the northern island of Alamagan (see Fig. 1). Please note that additional commercial fishing prohibitions apply in the Islands Unit of the Marianas Trench Marine National Monument.

Q12. Am I allowed to transfer bottomfish from or to another vessel within the medium and large vessel closed areas?

Transshipping between vessels of all sizes is allowed within the closed areas.

Q13. Do I need a Federal permit to transship bottomfish in waters around the CNMI?

Yes. Any vessel commercially receiving BMUS or BMUS products from a fishing vessel is required to be registered with a valid Federal CNMI commercial bottomfish permit. Also, the operator is required to report any bottomfish transshipping activity in the Federal fishing logbook forms (see Q.10).

Q14. What is a vessel monitoring system (VMS)?

The VMS is a satellite-based remote monitoring system program that allows NOAA's Office for Law Enforcement and the U.S. Coast Guard to monitor compliance with closed areas in a reliable and cost-effective manner. Shipboard electronic equipment, purchased and installed permanently on board a fishing vessel by NOAA, uses the Global Positioning System (GPS) and secure satellite communications to send information about the vessels' position and activity to authorized shoreside users. Vessel locations are presented on an electronic map display of the closed areas and other features. This information is confidential and may only be accessed by authorized personnel.

Q15. Is the VMS required for all commercial bottomfish vessels?

Only medium and large commercial bottomfish vessels fishing for BMUS that fish in EEZ waters around the CNMI (outside closed areas) are required to carry and operate shipboard VMS units.

Contact NOAA's Office for Law Enforcement for further information about the VMS.

NOAA Office for Law Enforcement
1601 Kapiolani Blvd. 950
Honolulu, HI 96814-4700
Hawaii Tel: (808) 203-2500
Email: pidvms@noaa.gov
Guam Tel: (671) 472-7200

Q16. What are the vessel identification requirements?

A commercial bottomfish vessel larger than 40 ft must be identified in compliance with Federal vessel identification requirements at 50 CFR 665.16. The vessel's official number must be displayed on the port and starboard sides of the deckhouse or hull and on an appropriate weather deck, so as to be visible from enforcement vessels and aircraft. The official number must be in block Arabic numerals at least 18 inches high for vessels over 65 ft, and at least 10 inches high for other vessels. Markings must be legible and of a color that contrasts with the background.

A commercial bottomfish vessel that is smaller than 40 ft is exempt from the Federal vessel identification requirements if it is in compliance with CNMI bottomfish vessel registration and marking requirements.

Q17. Where can I obtain additional copies of this guide or more information on these regulations?

Pacific Islands Regional Office
NOAA NMFS-SFD
1601 Kapiolani Blvd. 1110
Honolulu, HI 96814
www.fpir.noaa.gov/SFD/SFD_regs_2.html

You can read the notices for this rule in the *Federal Register* in 73 FR 75615 (December 12, 2008) and 74 FR 15373 (April 6, 2009).

Search the *Federal Register* at www.gpoaccess.gov/fr/search.html.

Search the Code of Federal Regulations at ecfr.gpoaccess.gov.

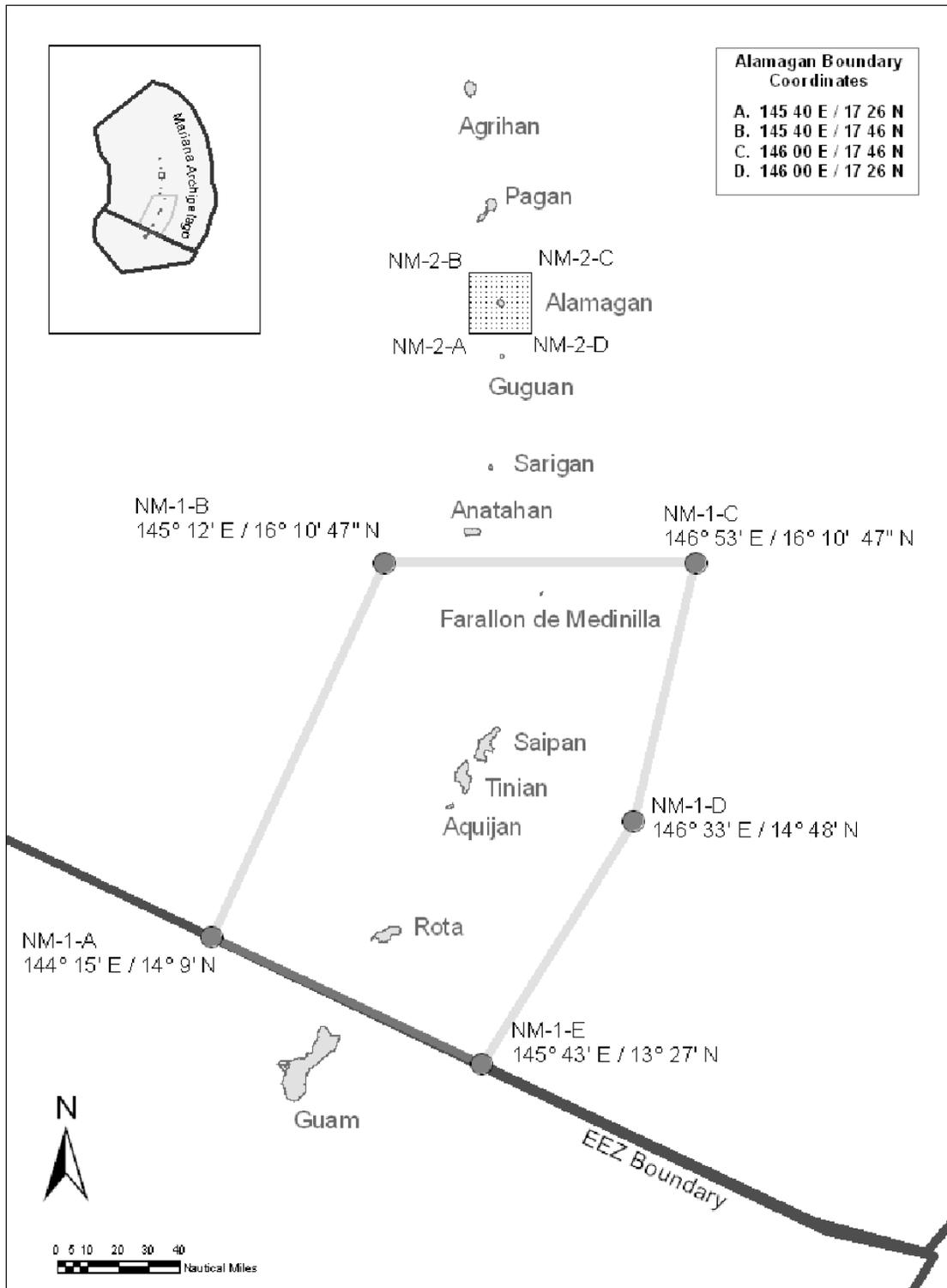


Figure 1. CNMI medium and large vessel bottomfish prohibited areas.