



NOAA FISHERIES SERVICE

Pacific Islands
Regional Office

Regulation Summary

American Samoa Pelagic Longline Fishery

revised February 11, 2011

This guide summarizes regulations for the American Samoa pelagic longline fishery, including the limited entry program. This guide applies only to owners and operators of vessels permitted to fish in the American Samoa limited entry longline fishery. For the complete set of official regulations, 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.

Specific regulations implementing the American Samoa longline limited entry program are in 50 CFR 665.816. Among other requirements, you are required to have an American Samoa longline limited access permit, or a legible copy, on board your vessel to:

- Fish for western Pacific pelagic management unit species (MUS) with longline gear in the U.S. Exclusive Economic Zone (EEZ) around American Samoa, Guam, the Northern Mariana Islands, or the Pacific Remote Island Areas (PRIA), with the exception of Midway Atoll.
- Land in American Samoa any western Pacific pelagic MUS harvested with longline gear in the EEZ around American Samoa.
- Transship shoreward of the outer boundary of the EEZ around American Samoa any western Pacific pelagic MUS harvested with longline gear in the EEZ around American Samoa or on the high seas.
- Land or transship shoreward of the outer boundary of the EEZ around Guam, CNMI, or PRIA (with the exception of Midway Atoll), western Pacific pelagic MUS that were harvested with longline gear.

Additional permits and regulations may apply (see below).

Vessel Size Classes

American Samoa longline permits are issued to four vessel size classes. Length overall is the length of the hull, measured parallel to the waterline, from the tip of the bow to the end of the stern, not including projecting parts like bowsprits, rudders, outboard motor brackets, or other accessories (see 50 CFR 665.12).

Vessel Size Class	Vessel Length Overall
A	less than or equal to 40 feet (12.2 meters)
B	over 40 ft (12.2 m) to 50 ft (15.2 m)
C	over 50 ft (15.2 m) to 70 ft (21.3 m)
D	over 70 ft (21.3 m)

How to Apply for a Permit

When permits are available, the NOAA Fisheries Pacific Islands Regional Office (PIRO) will publish a *Federal Register* notice and use other means to notify prospective applicants. To apply, complete a *Western Pacific Federal Fisheries Application Form for the American Samoa Pelagic Longline Limited Access Program* (available from PIRO, see Contact Information). Mail the completed application, including the application fee, to PIRO.

American Samoa Longline Permit Evaluation

- PIRO will notify you if your application package is incomplete so that you can provide any missing information.
- A complete application must include documented participation in the fishery. This means participation proven by a properly-submitted NOAA Fisheries or Territory of American Samoa logbook, an American Samoa creel survey record, a delivery or payment record from an American Samoa-based cannery, retailer, or wholesaler, an American Samoa tax record, an individual wage record, ownership title, vessel registration, or another official document that shows:
 - Ownership of a vessel that was used to fish in the EEZ around American Samoa, or
 - Evidence of work on a longline fishing trip in the EEZ around American Samoa.
- If you do not have records from NOAA Fisheries or the Government of American Samoa (e.g., creel survey record or logbook), you may request PIRO to obtain such records from the appropriate agencies, if available. You must provide sufficient information to allow PIRO to retrieve the records. There is no guarantee that PIRO can retrieve the requested records.
- Within 30 days of receiving a completed application, PIRO will make a decision and notify you in writing on whether you qualify for a permit.
- If you receive a permit, you must register a vessel of the same size class as the permit, or smaller, to the permit within 120 days. You must also submit a supplementary information sheet, obtained from PIRO, containing the name and mailing address of the owner of the vessel to which the permit is registered. If the registered vessel is owned by any entity other than a sole owner, the names and mailing addresses of all owners, partners, and corporate officers must be included.
- If you are denied a permit or transfer, if your permit is suspended, or if you dispute conditions on a permit, you may submit an appeal in writing to PIRO within 30 days of the action, stating the action and providing reasons you are appealing. You may also request an informal hearing on the appeal.
- You may not own more than 10 percent of the total number of permits, across all classes. Partial ownership of a permit is counted as ownership of a whole permit for this purpose.

- You must notify PIRO in writing of any changes to information on your permit application, and vessel documentation or registration.
- For time-sensitive individual notifications or solicitations, PIRO will deliver mail to American Samoa with delivery confirmation. The required response period will begin when delivery is confirmed.

Permit Renewal

Longline permits expire three years after the effective date. You may renew your permit if you provide documentation of the following:

- You possess a current Protected Species Workshop certificate; and
- If your vessel is in:
 - Class A or B, you landed a total of at least 1,000 lb (455 kg) of pelagic fish over three consecutive calendar years after permit effective date, or
 - Class C or D, you landed a total of at least 5,000 lb (2,273 kg) of pelagic fish over three consecutive calendar years after the permit effective date.

Permit Transfers

- You may transfer a Class A permit to: 1) a family member (by relation or adoption) or 2) a Western Pacific community located in American Samoa, or 3) any person with documented participation in the American Samoa pelagic longline fishery on a Class A vessel prior to March 22, 2002.
- You may transfer a Class B, C, or D permit to: 1) a Western Pacific community located in American Samoa or 2) any person with documented participation in the American Samoa longline fishery, regardless of date.
- You may not transfer a Class B-1, C-1, or D-1 upgrade permit within three years after the date of issuance, except by leaving it to a family member if you die during the three years. After the three years, you may transfer the upgrade permits like a regular Class B, C, or D permit. Further, permit upgrades to these classes are not allowed.
- You may temporarily transfer (lease) your permit (except upgrades in the first three years) to another qualified person. The same requirements for applying and qualifying for a permit transfer (sale, bequest, gift, etc.) apply to a lease. PIRO treats leases as transfers and is not involved in lease agreements. The lease agreement and any related business arrangements are the responsibility of the leasing parties.

Logbook Reporting

NMFS Western Pacific Daily Longline Fishing Log. The vessel operator must complete a log sheet within 24 hours of the end of each fishing day, and maintain the log sheet on board the vessel. The completed and signed log sheets must be submitted to NOAA Fisheries within 72 hours of returning to port. Instructions are provided with the log sheet. Contact the PIRO American Samoa field office to request blank log sheets (see Contact Information).

NMFS Transshipment Log Report. The operator of a receiving vessel must submit a NMFS transshipment log report NOAA Fisheries within 72 hours of the end of the trip. Issuing and receiving of the transshipment logs is handled by the PIRO American Samoa office (see Contact Information).

Observers and VMS

Observers. If your vessel is longer than 40 ft (12.2 m), you must notify the PIRO American Samoa Observer Program at least 72 hours before leaving on a trip so PIRO can determine if an observer will be placed on your vessel (see Contact Information). You must carry a NOAA Fisheries observer if requested by PIRO.

Vessel monitoring system (VMS). If your vessel is longer than 50 ft (15.2 m), you must also carry an operational VMS unit owned and installed by NOAA Fisheries. The VMS transmits your vessel's position to NOAA Fisheries for monitoring compliance with prohibited areas and other regulations. Contact the NOAA Office for Law Enforcement in Honolulu (see Contact Information).

Vessel and Gear Identification

Your vessel must be identified. Either your international radio call sign or official number must be displayed on the hull and deck. For detailed marking requirements, see the *Compliance Guide for Vessel Identification Requirements for Western Pacific Pelagic Fishing* at www.fpir.noaa.gov/SFD/SFD_regs_2.html.

Your vessel's official number must be displayed on every longline buoy and float. Markings must be legible and permanent, and must be of a color that contrasts with the background material.

Protected Species Workshop

Each year, owners and operators of longline vessels registered to an American Samoa limited access longline permit must attend and be certified in the Protected Species Workshop (PSW) conducted by PIRO on identification, mitigation, handling, and release techniques for sea turtles, seabirds and marine mammals.

- The PSW is offered in person and, if available, online (see Contact Information).
- PIRO will issue a PSW certificate, valid for one year. The certificate can be renewed before it expires.
- The owner of an American Samoa longline vessel must maintain and have on file a valid PSW certificate to maintain or renew their permit.
- The captain must have a valid PSW certificate (or a readable copy) in his/her name, on board the vessel.
- Owners and captains who have never been certified must attend a classroom first before taking the online course, if available. After the initial classroom session, *owners* may take the online course indefinitely. *Captains* may take the online course two years in a row before being required to re-take the classroom course, as a review, to show they understand protected species handling techniques. In other words, *captains* must attend a classroom workshop every three years.

Sea Turtle Handling and Release

You are required to carry and use specific equipment for handling and releasing sea turtles and to follow specific procedures if you entangle or hook a sea turtle. Please refer to the handling guidelines provided at the Protected Species Workshop, or the PIRO website www.fpir.noaa.gov/SFD/SFD_psw_index.html. A separate compliance guide for sea turtle mitigation is available from the PIRO website at www.fpir.noaa.gov/SFD/SFD_regs_2.html.

- Vessels with freeboard of 3 ft (0.91 m) or less must carry line clippers capable of cutting fishing line or leaders within approximately 1 ft (0.3 m) of the eye of an embedded hook, and wire or bolt cutters capable of cutting through hooks. Freeboard is the distance between the vessel's deck and the sea surface.

- Vessels with freeboard more than 3 ft (0.91 m) must have the following turtle handling/dehooking gear on board:
 - 1) Long-handled line clipper
 - 2) Long-handled dip net
 - 3) Long-handled dehooker for ingested hooks (may substitute for item 4)
 - 4) Long-handled dehooker for external hooks
 - 5) Long-handled device to pull an "inverted V"
 - 6) Car tire
 - 7) Short-handled dehooker with bite guard for ingested hooks (may substitute for item 8)
 - 8) Short-handled dehooker for external hooks
 - 9) Long-nose or needle-nose pliers
 - 10) Wire or bolt cutters
 - 11) Monofilament line cutters
 - 12) At least two of the following mouth openers and gags:
 - Block of hard wood
 - Hank of rope
 - Large avian oral speculum
 - Set of three canine mouth gags
 - Set of two sturdy canine chew bones
 - Set of two rope loops covered with hose
 - Set of four PVC splice couplings

- Vessels that shallow-set north of the equator must use:
 - 18/0 or larger circle hooks offset from 0° to 10°
 - Mackerel-type bait only – no squid

Marine Mammal Handling and Release

NOAA Fisheries distributes recommended guidelines for handling of marine mammals at the PSW. For any marine mammal interaction, the animal must be carefully handled to minimize further injury, and returned to the ocean unless directed otherwise by NOAA Fisheries personnel, contractor or official observer, or otherwise authorized by a scientific research permit held by the operator. You must report to NOAA Fisheries all marine mammal interactions on a *MMAP Mortality/Injury Reporting Form*, even if an observer was aboard, within 48 hr after the end of a fishing trip.

Shark Finning and Landings

- You may remove, possess, land, or sell shark fins if you keep the corresponding carcasses. If you intend to sell the fins, you must have the fins and the carcass(es) weighed at the same time.
 - If you receive shark fins from another vessel, you must also keep the corresponding carcass(es).
 - The total weight of shark fins landed may not exceed 5 percent of the total dressed weight of shark carcasses on board or landed from the vessel.
 - You must allow NOAA Fisheries personnel access to, and inspection and copying of, any records relating to the weighing, landing, sale, purchase, or other disposition of shark fins or carcasses.
- For more information, see the Code of Federal Regulations, Title 50, Part 600, Subpart N - Shark Finning.

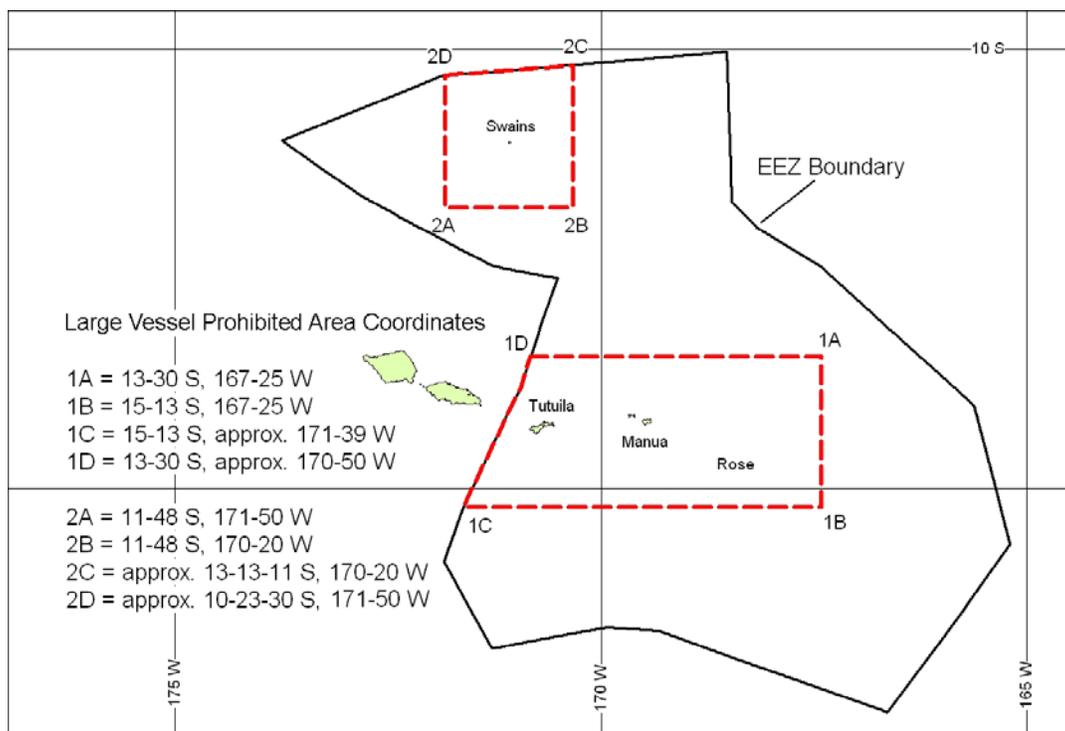
Related Permits and Regulations

- Western Pacific Receiving Vessel Permit: A receiving vessel of the United States must be registered for use with a valid receiving vessel permit if that vessel is used to land or transship, shoreward of the outer boundary of the EEZ around American Samoa, Hawaii, Guam, CNMI, or PRIA, any western Pacific pelagic

MUS harvested with longline gear. You are not allowed to fish with longline gear and must stow or remove from your vessel any longline gear when operating as a receiving vessel. Contact PIRO for information.

- High Seas Fishing Compliance Act (HSFCA) Permit: Please note you must have an HSFCA permit if you fish in international waters. Contact PIRO for information.
 - WCPFC Area Endorsement: A supplemental registration is required to fish in the Western and Central Pacific Fisheries Commission (WCPFC) Convention Area. Contact PIRO for information.
- Marine Mammal Authorization Program Certificate: Certificate issued by PIRO and registered to the vessel owner (see Contact Information). *Expires on March 3rd of each calendar year.*
- Large Vessel Prohibited Areas: Vessels 50 ft and longer are prohibited from fishing for pelagic fish in specific areas around Tutuila, Manu'a Islands, Rose Atoll, and Swains Island (see map below). A compliance guide is available from PIRO (see Contact Information).
- Marine National Monuments: Commercial fishing is prohibited within the Pacific Remote Islands Marine National Monument (Presidential Proclamation 8336), Rose Atoll Marine National Monument (Presidential Proclamation 8337), and the Islands Unit of the Marianas Trench Marine National Monument (Presidential Proclamation 8335). Generally, no fishing is allowed within 50 nm of the monuments. Contact PIRO for more details.

EEZ around American Samoa and Large Vessel Prohibited Areas



The solid line indicates the extent of the EEZ around American Samoa.
The dashed lines show the Large Vessel Prohibited Areas.

Pacific Pelagic Management Unit Species		
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Common name	Samoan name	Scientific name
Albacore	Apakoa	<i>Thunnus alalunga</i>
Bigeye thresher shark		<i>Alopias superciliosus</i>
Bigeye tuna	Asiasi , To'uo	<i>Thunnus obesus</i>
Black marlin		<i>Makaira indica</i>
Blue shark		<i>Prionace glauca</i>
Common thresher shark		<i>Alopias vulpinus</i>
Diamondback squid		<i>Thysanoteuthis rhombus</i>
Indo-Pacific blue marlin	Sa'ula	<i>Makaira mazara</i>
Kawakawa	Atualo, Kavalau	<i>Euthynnus affinis</i>
Longfin mako shark		<i>Isurus paucus</i>
Mahimahi, Dolphinfish	Masimasi	<i>Coryphaena</i> spp.
Moonfish, Opah	Koko	<i>Lampris</i> spp.
Neon flying squid		<i>Ommastrephes bartramii</i>
Northern bluefin tuna		<i>Thunnus thynnus</i>
Oceanic whitetip shark		<i>Carcharhinus longimanus</i>
Oilfish		family Gempylidae
Other tuna relatives		<i>Auxis</i> spp., <i>Scomber</i> spp., <i>Allothunus</i> spp.
Pelagic thresher shark	Malie	<i>Alopias pelagicus</i>
Pomfret	Manifi moana	family Bramidae
Purpleback flying squid		<i>Sthenoteuthis oualaniensis</i>
Sailfish	Sa'ula	<i>Istiophorus platypterus</i>
Salmon shark		<i>Lamna ditropis</i>
Shortbill spearfish	Sa'ula	<i>Tetrapturus angustirostris</i>
Shortfin mako shark		<i>Isurus oxyrinchus</i>
Silky shark		<i>Carcharhinus falciformis</i>
Skipjack tuna	Atu, Faolua, Ga'oga	<i>Katsuwonus pelamis</i>
Striped marlin		<i>Tetrapturus audax</i>
Swordfish	Sa'ula malie	<i>Xiphias gladius</i>
Wahoo, Ono	Paala	<i>Acanthocybium solandri</i>
Yellowfin tuna	Asiasi , To'uo	<i>Thunnus albacares</i>

Contact Information

Obtain a permit application contact or visit:

- NOAA Fisheries PIRO Honolulu: (808) 944-2200; fax (808) 973-2940; or email: piro-permits@noaa.gov
- PIRO American Samoa field office: Pago Plaza, Suite 202, Pago Pago, Tutuila, (684) 633-5325.
- PIRO website: www.fpir.noaa.gov/SFD/SFD_permits_11.html

Mail or deliver your application to PIRO:

NOAA Fisheries Pacific Islands Regional Office
ATTN: Permits
1601 Kapiolani Blvd., Suite 1110
Honolulu, HI 96814-4700

To notify NOAA Fisheries 72 hours before departure:

PIRO American Samoa Observer Program: (684) 633-5325.

For logbooks:

PIRO American Samoa field office: (684) 633-5598, or
American Samoa DMWR: (684) 633-4456.

For protected species workshop:

For questions, or to register for either the classroom or online training, send an email to piopsw@noaa.gov or call the American Samoa field office at (684) 252-2567, or PIRO Honolulu at (808) 944-2200.

For vessel monitoring system:

NOAA Office of Law Enforcement
1601 Kapiolani Blvd., Suite 950
Honolulu, HI 96814-4700
(808) 203-2500
Email: pidvms@noaa.gov