



NOAA
FISHERIES
 Pacific Islands
 Regional Office

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

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

Tel: 808-725-5000

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Website: www.fpir.noaa.gov

Compliance Guide

Bottomfish Fishing in the Commonwealth of the Northern Mariana Islands

(revised September 2016)

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**), April 6, 2009 (**74 FR 15373**), and September 7, 2016 (**81 FR 61625**). This guide does not address other fishing requirements in the CNMI, such as the Marianas Trench Marine National Monument or the transfer of submerged lands under Proclamation 9077. 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, and 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?

Amendment 10 to the Fishery Management Plan for Bottomfish and Seamount Groundfish of the Western Pacific Region (FMP), and Amendment 4 to the Fishery Ecosystem Plan for the Marianas Archipelago developed by the Western Pacific Fishery Management Council (Council) established these measures. The Council intended Amendment 10 to 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 local deepwater bottomfish to CNMI markets and consumers. Amendment 4 removed the CNMI medium and large vessel prohibited areas, with the intent to improve the viability of the CNMI bottomfish fishery and promote optimum yield while preventing overfishing.

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

The most recent changes to the regulations were effective on October 7, 2016, and will remain in effect until revised or removed by NMFS.

Q3. Who is affected by the regulations?

The regulations apply to owners and operators of all vessels that fish commercially for bottomfish in Federal waters, that is, in the Exclusive Economic Zone (EEZ) around the CNMI. See Q4 below.

Commercial fishing means fishing in which the fish or fish parts 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). These vessels must also be identified (marked) according to Federal regulations.

Medium and large vessels (that is, vessels 40 ft and greater) must carry an operational 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).

The most recent change to the regulations removed the management areas that prohibited vessels medium and large vessels from commercial fishing for bottomfish in certain Federal waters around the CNMI. The former prohibited areas included waters within approximately 50 nm of Rota, Aguigan, Tinian, Saipan, and Farallon de Medinilla, and within 10 nm of Alamagan Island.

Q4. Where are Federal waters in the CNMI?

Federal waters (the EEZ), are generally 3 – 200 nm from the shoreline. Additional areas are also Federal waters, including certain submerged lands near Farallon de Pajaros (Uracas), Maug, and Asuncion, and certain submerged lands near Tinian and Farallon de Medinilla.

Q5. What are the bottomfish management unit species?

Commonly-caught Marianas bottomfish are listed on the following page. BMUS are identified by an asterisk.

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 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. How do I obtain a bottomfish permit?

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

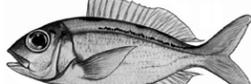
Q8. Is there a fee for the permit?

NMFS requires a non-refundable permit application processing fee for each permit application. The fee amount is identified on the permit application.

COMMONLY CAUGHT MARIANA ISLAND BOTTOMFISH SPECIES

(Some Chamorro and Carolinian names in parentheses)

Snappers (Buninas, Moos)

-  **ONAGA***
(Buninas agaga, Taighulupegh)
Etelis coruscans
-  **EHU***
(Buninas)
Etelis carbunculus
-  **LEHI***
(Buninas, Marōōbw)
Aphareus rutilans
-  **OPAKAPAKA***
(Buninas)
Pristipomoides filamentosus
-  **YELLOWEYE OPAKAPAKA***
(Buninas)
Pristipomoides flavipinnis
-  **KALEKALE***
(Buninas)
Pristipomoides sieboldii
-  **YELLOWTAIL KALEKALE***
(Buninas)
Pristipomoides auricilla
-  **GINDAI***
(Buninas, Falaghal Marōōbw)
Pristipomoides
-  **BLUELINE GINDAI**
(Buninas)
Pristipomoides argyrogrammicus
-  **UKU***
(Gogunafon, Aiwe)
Aprion virescens
-  **TA'APE BLUELINE SNAPPER***
(Funai, Sas)
Lutjanus kasmira
-  **RED SNAPPER**
(Tagafi, Moos)
Lutjanus bohar

Other Species

-  **DOGTUOTH TUNA**
(White tuna, Ayúúl)
Gymnosarda unicolor
-  **RAINBOW RUNNER**
(Buri, Liyaw Malúgh)
Elagatis bipinnulata

Groupers (Gadao, Ali)

-  **BLACKTIP GROUPE***
(Meteil)
Epinephelus fasciatus
-  **EIGHTBANDED GROUPE***
(Gadao, Sayaw)
Epinephelus octofasciatus
-  **LUNARTAIL GROUPE***
(Bueli, Bwele)
Variola louti
-  **TOMATO GROUPE***
(Ighi schap)
Cephalopholis sonnerati
-  **FLAGTAIL GROUPE***
(Amadiu, Ámáshiyor)
Cephalopholis urodeta

Emperors (Mafuti, Lililok, Weyów)

-  **REDGILL EMPEROR***
(Mafuti, Weyów)
Lethrinus rubrioperculatus
-  **LONGNOSE EMPEROR**
(Lililok, Atigh)
Lethrinus olivaceus
-  **AMBON EMPEROR**
(Mafuti, Loot)
Lethrinus amboinensis

Jacks (Tarakitu, Etam)

-  **BLACK JACK***
(Tarakiton atelong, Orong)
Caranx lugubris
-  **YELLOWSPOT JACK**
(Tarakitu, Urupigh)
Carangoides orthogrammus
-  **WHITE JACK***
(Tarakitu, Etam)
Caranx ignobilis
-  **BLUEFIN TREVALLY**
(Tarakitu, Langú)
Caranx melampygus
-  **AMBERJACK***
(Tarakiton tadong, Bwehya)
Seriola dumerili

*BMUS

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: SFD Permits
1845 Wasp Blvd., Bldg. 176
Honolulu, HI 96818

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 Federal waters around the CNMI must complete and maintain accurate records of catch and effort on fishing report forms (logbook) provided by NMFS. The operator must record all information specified on the form within 24 hours after the completion of each fishing day, sign, and submit the form to NMFS within 72 hours of each landing.

2. Sales Reports. The owner of medium and large commercial bottomfish vessel must submit to NMFS, within 72 hours of offloading BMUS, on forms provided by NMFS, an accurate and complete report of fish that were sold. The vessel operator must sign and date each form.

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

NMFS Pacific Islands Fisheries Science Center
ATTN: Fisheries Monitoring Branch
1845 Wasp Blvd., Bldg. 176
Honolulu, HI 96818
Tel: (808) 725-5326
Fax: (808) 725-5475
www.pifsc.noaa.gov

Q11. 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 must 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 Q10).

Q12. What is a vessel monitoring system (VMS)?

The VMS is a satellite-based remote monitoring system program that allows the NOAA Office of Law Enforcement and the U.S. Coast Guard to monitor vessel activity 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. This information is confidential and accessed only by authorized personnel.

Q13. Is the VMS required for all commercial bottomfish vessels?

Only commercial bottomfish vessels 40 ft and greater that fish for BMUS in Federal waters around the CNMI are required to carry and operate shipboard VMS units. Contact the Office of Law Enforcement for further information about the VMS.

NOAA Office of Law Enforcement
1845 Wasp Blvd., Bldg. 176
Honolulu, HI 96818
Hawaii Tel: (808) 725-6100
Email: pidvms@noaa.gov
Guam Tel: (671) 472-7200

Q14. What are the vessel identification requirements?

A commercial bottomfish vessel must comply 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, on an appropriate weather deck, and 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 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.

Q15. Where can I obtain additional copies of this guide or receive more information about these regulations?

Pacific Islands Regional Office
NOAA NMFS
1845 Wasp Blvd., Bldg. 176
Honolulu, HI 96818
Website: 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), 74 FR 15373 (April 6, 2009), and 81 FR 61625 (September 7, 2016).

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

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

