Regulation Summary

Hawaii Pelagic Longline Fishing

(Revised January 23, 2020)

This guide summarizes regulations for the Hawaii shallow-set and deep-set pelagic longline fisheries. Regulations are subject to change, and any discrepancies between this summary and the official regulations will be resolved in favor of those published in the Code of Federal Regulations (CFR). For the official regulations, refer to Title 50, CFR, Parts 229, 300, 404, 600, and 665.

Fishing Permits and Certificates

The following permits, licenses, and certificates are required. Please visit the NOAA National Marine Fisheries Service (NMFS) <u>Permits webpage</u> to download applications, or contact the Pacific Islands Regional Office (PIRO), Sustainable Fisheries Division (see Contact Information).

Hawaii Longline Limited Access Permit: A valid Hawaii longline limited access permit is required for using longline gear to fish for pelagic management unit species (PMUS) within the U.S. Exclusive Economic Zone (EEZ) around Hawaii, or to land or transship PMUS shoreward of the outer boundary of the EEZ. A vessel must be registered to a valid permit. *Expires on March 3rd of each calendar year*.

State of Hawaii Commercial Marine License (CML): The vessel operator and each crew member must have a current CML from the Hawaii Division of Aquatic Resources to take marine life for commercial purposes Please contact HDAR for a CML application (see Contact Information).

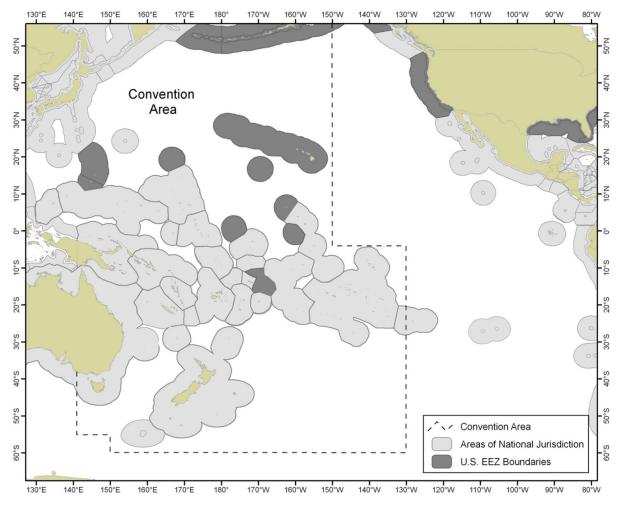
High Seas Fishing Compliance Act (HSFCA) Permit: A vessel must have an HSFCA permit to fish beyond the EEZ. *Expires five years from date of issuance.*

Western and Central Pacific Fisheries Commission (WCPFC) Convention Area Endorsement: A vessel fishing beyond the EEZ in the WCPFC Convention area (see map below) must have this endorsement, which is a supplemental registration to the HSFCA permit. *Expires when the associated HSFCA permit expires.*

Marine Mammal Authorization Program (MMAP) Certificate: A vessel registered to a Hawaii longline permit must carry on board an MMAP certificate issued by PIRO. *Expires on March 3rd of each calendar year.*

Protected Species Workshop (PSW) Certificate: The owner and operator of a vessel registered to a Hawaii longline permit must have and carry on board a PSW certificate issued by PIRO. (See Protected Species Workshop section below). *Expires one year from date of issuance.*

Western Pacific Receiving Vessel Permit: A vessel must be registered to 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, the Commonwealth of the Northern Mariana Island (CNMI), or Pacific Remote Island Areas (PRIA), any PMUS harvested with longline gear. *Expires March 3rd of each calendar year*.



WCPFC Convention Area

Reporting, Monitoring, and Vessel and Gear Identification

NMFS Western Pacific Daily Longline Fishing Log: The vessel operator must complete a paper or electronic logbook form within 24 hours of the end of each fishing day, and maintain the logbook on board the vessel. The vessel operator must submit the completed and signed logbook to NMFS Pacific Islands Fisheries Science Center (PIFSC) within 72 hours of returning to port. Logbooks are available from PIFSC (see Contact Information).

NMFS Pacific Transshipment Declaration Form: The vessel operator with a Western Pacific Receiving Vessel Permit must submit a Pacific Transshipment Declaration Form for each day of transshipment activity to PIFSC within 24 hours after completion of the transshipment. For details on transshipment requirements, see the Compliance Guide for Transshipping.

MMAP Mortality/Injury Reporting Form: If a marine mammal interaction (hooking or entanglement) occurs on a fishing trip, the vessel operator must complete and submit a <u>MMAP Mortality/Injury Reporting Form</u> on paper or online to NMFS within 48 hours after the end of the trip. (For more information on the requirements, see the Sea Turtle, Seabird and Marine Mammal Safe Handling and Mitigation Measures section below).

Vessel Monitoring System (VMS): A vessel must have an operational NOAA Enforcement-owned and installed VMS unit on board whenever the vessel is at sea. Contact the NOAA Office of Law Enforcement for information and installation (see Contact Information).

Vessel Identification: You must display your vessel's international radio call sign (IRCS) on both sides of the hull and on a deck surface. If you do not have an IRCS, you must display your vessel's official number (U.S. Coast Guard documentation number or state/territory vessel registration number) on both sides of the hull and on a deck surface. The official number must be preceded by "USA –" (for example, *USA – 1234567*). For details on the requirements, see the <u>Compliance Guide for Vessel Identification</u>.

Gear Identification: You must display your vessel's official number (U.S. Coast Guard documentation number or state/territory vessel registration number) on every longline buoy and float. Markings must be legible and permanent, and must be of a color that contrasts with the background material.

Notification and Observer Placement

- The vessel owner, permit holder, designated agent, or operator must notify the NMFS Observer Program Contractor (see Contact Information) at least 72 hours before departure on a fishing trip (not including weekends or Federal holidays), and declare the intended trip type (shallow-set or deep-set). Once a trip type has been declared and the fishing trip begins, the operator may make sets only of the declared type.
- The vessel is required to carry an observer if one is assigned. The NMFS Observer Program Contractor will notify you if an observer has been assigned at least 24 hours before departing on the trip.
- You must follow the observer guidelines provided to you at the pre-trip observer placement meeting.

Protected Species Workshop

Each year, the owner and operator of a vessel registered to a Hawaii longline limited access permit must attend and be certified in the Protected Species Workshop (PSW) conducted by PIRO on mitigation, handling, and release techniques for sea turtles, seabirds, and marine mammals.

- The PSW is offered in person and online. Please contact PIRO PSW to attend a scheduled workshop (see Contact Information).
- PIRO will issue a PSW Certificate upon completion of the workshop, valid for one year. The PSW certificate may be renewed before it expires.
- The owner of a vessel registered for use under a Hawaii longline limited access permit must maintain and have on file a valid PSW Certificate to maintain or renew the permit.
- The operator must have a valid PSW Certificate (or a readable copy) in his/her name on board the vessel.

Safely Handling Sea Turtles, Seabirds, and Marine Mammals

You must carry and use specific equipment for handling and releasing sea turtles, seabirds, and marine mammals. You must also follow specific procedures if you hook or entangle these animals. Refer to your PSW outreach materials, which include a protected species identification, handling, and release guide, regulation summaries, and marine mammal/seabird interaction forms.

Sea Turtles

For details on sea turtle requirements, see the <u>Compliance Guide for Handling</u>, <u>Resuscitation and Release of Sea</u> Turtles.

Seabirds

For details on seabird requirements, see the <u>Compliance Guide for Reducing and Mitigating Seabird Interactions in the Hawaii-based Longline Fishery</u>.

Marine Mammals

You must report marine mammal interactions on a <u>MMAP Mortality/Injury Reporting Form</u> on paper or online within 48 hours after the end of a fishing trip, even if an observer was aboard.

The False Killer Whale Take Reduction Plan adds requirements to the deep- and shallow-set long-line fisheries. NMFS-approved marine mammal handling and release, and captain notification placards must be posted on every vessel. The crew must also notify the operator if a marine mammal interaction occurs, so the captain can supervise the handling and release. An area south of the main Hawaiian Islands, inside the EEZ, termed the Southern Exclusion Zone, may be closed to longline fishing if a specified number of interactions with false killer whales occur in the EEZ around Hawaii (See the Prohibited Fishing Areas section below for a map of the SEZ). In addition, there are hook and branch line requirements for the deep-set fishery. For details on the requirements, see the Compliance Guide for Longline Fishing Requirements to Reduce Take of False Killer Whales.

Shark Finning and Landing

- You may possess and land shark fins only if the fins are naturally attached to the corresponding shark carcass, meaning attached to the carcass through some portion of uncut skin.
- You may land a shark carcass only if its fins are naturally attached.
- You may transfer or receive fins between vessels at sea only if the fins are naturally attached to the corresponding carcass.
- While at sea, you may not remove any fins from a retained shark, including the tail.

Important Exceptions -- Silky and oceanic whitetip sharks in the WCPFC Convention Area:

- You may not retain or land any part of any silky shark or oceanic whitetip shark caught in the WCPFC Convention Area (See map above).
- You must release a silky and oceanic whitetip shark as soon as possible after catching it, taking reasonable steps for releasing it carefully without compromising human safety.
- You must allow and assist in collecting samples from these sharks if an observer requests you to, and if it is safe.
- For details on the requirements, see the <u>Compliance Guide related to Oceanic Whitetip</u>, <u>Silky and Whale Sharks</u>.

Gear Requirements for Fishing North of the Equator (0° lat.)

Fishing gear requirements apply to all Hawaii longline limited access permitted vessels. The requirements may vary, depending on what type of fishing trip you declare, where you fish, and how you set your gear.

Deep-set Fishing

- Each float line must be at least 20 m (65 ft 7 in) long.
- Attach at least 15 branch lines between two consecutive floats (basket gear at least 10 branch lines).
- No light sticks are allowed on the vessel.
- Any nylon monofilament line used in a branch line or leader must have a diameter (thickness) of 2.0 mm or larger. Any other line material (e.g., wire) used in a branch line or leader must have a breaking strength of 400 lb or more.
- Use circle hooks with a maximum wire diameter of 4.5 mm. The hook shank must contain round wire that can be measured with a caliper. If the hook point is offset, it must be offset by no more than 10°.
- Swordfish limits when fishing north of the Equator on a declared deep-set fishing trip:
 - o If an observer is on board, there is no limit on the number of swordfish that you may keep or land.
 - o If there is no observer on board, and if only circle hooks are used, the limit is 25 swordfish per trip.

Deep-Set Fishing North of 23° N. Lat.

Stern Set	Side Set
Use line shooter to set the gear	Line shooter, if used, mounted as far forward on the port or starboard side of the vessel, and at least 1 m (3 ft 3 in) from stern
Branch lines with 45 g (1.6 oz) weight within 1 m (3 ft 3 in) of each hook	Branch lines with 45 g (1.6 oz) weight within 1 m (3 ft 3 in) of each hook
 Blue-dyed bait: Bait completely-thawed Bait dyed to match NMFS blue color control card Keep at least two 1-lb cans of blue dye on the vessel 	Deploy bird curtain when setting gear on the same side of the vessel and aft of the line shooter or where the mainline is being deployed • Bird curtain pole must be at least 3 m long with three streamers • Streamers must have a diameter of 20 mm, with an allowable terminal end of 10 mm
 When birds are present, discharge fish, fish parts, or spent bait while setting or hauling, on opposite side of the vessel from fishing gear Retain enough fish, fish parts, or spent bait between sets of longline gear for strategic offal discharge Remove hooks from fish, fish parts, or spent bait prior to strategic offal discharge Remove bill and liver from all swordfish, sever heads from trunk and split in half vertically, and periodically discharge butchered heads and livers for strategic offal discharge 	Mainline set from port or starboard side, as far forward as possible, at least 1 m (3 ft 3 in) from stern
When using basket-style gear, ensure mainline is set slack	When seabirds are present, set gear so hooks remain underwater and do not rise to the surface

Shallow-set Fishing

- Use size 18/0 or larger circle hooks and, if the hook point is offset, it must be offset by no more than 10°.
- Use mackerel-type fish bait only (sardines, sanma, mackerel) squid may not be used as bait.
- Sea turtle interaction limits:
 - The maximum annual limits on sea turtle interactions for the Hawaii shallow-set longline fishery are:
 - 16 leatherback sea turtles
 - 17 loggerhead sea turtles
 - If either sea turtle interaction limit is reached, NMFS will close the shallow-set fishery for the remainder of the calendar year and notify vessel owners and operators of the closure. Shallow-set longline fishing operations north of the Equator must stop immediately when NMFS declares the shallow-set fishery is closed. For interaction updates, see the Shallow-set Longline Sea Turtle Interaction website.

Shallow-set Fishing North of the Equator

Shanow-set rishing North of the Equator	
Stern Set	Side Set
Night set. Begin set at least 1 hr after sunset	Line shooter, if used, mounted as far forward
and finish setting before sunrise, using	on the port or starboard side of the vessel as
minimum vessel lights necessary for navigation	possible, and at least 1 m (3 ft 3 in) from stern
and safety	
When using basket-style gear north of 23° N.,	Branch lines with 45 g (1.6 oz) weight within 1
ensure the mainline is set slack	m (3 ft 3 in) of each hook
Blue-dyed bait:	Deploy bird curtain when setting gear on the
 Bait completely-thawed 	same side of the vessel and aft of the line
 Bait dyed to match NMFS blue color 	shooter or where the mainline is being
control card	deployed
 Keep at least two 1-lb cans of blue dye 	 Bird curtain pole must be at least 3 m
on the vessel	long with three streamers
	 Streamers must have a diameter of
	20 mm, with an allowable terminal end
	of 10 mm
Strategic offal discharge:	When seabirds are present, set gear so hooks
 When birds are present, discharge fish, 	remain underwater and do not rise to the
fish parts, or spent bait while setting or	surface
hauling, on opposite side of the vessel	
from fishing gear	
 Retain enough fish, fish parts, or spent 	
bait between sets of longline gear for	
strategic offal discharge	
 Remove hooks from fish, fish parts, or 	
spent bait prior to strategic offal	
discharge	
Remove bill and liver from all swordfish, sever	
heads from trunk and split in half vertically,	
and periodically discharge butchered heads	
and livers for strategic offal discharge	

Gear Requirements for Fishing South of the Equator, including American Samoa

To reduce interactions with ESA-listed sea turtles, a permitted U.S. longline vessel longer than 40 feet (12.2 meters) must meet the following conditions when fishing south of the Equator (*Note, NMFS does not allow shallow-set fishing in the South Pacific*).

- Each float line must be at least 30 m long.
- There must be at least 70 m of blank mainline (without hooks attached) before and after all deployed float lines.
- When hooks are deployed, there must be at least 15 branch lines attached between two consecutive floats.
- Each branch line must be at least 10 m long.
- You may not keep or land more than 10 swordfish during a fishing trip.

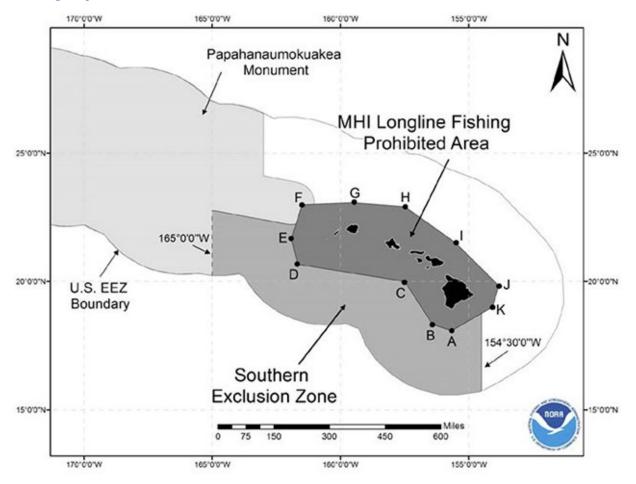
For more information on pelagic longline fishing requirements south of the Equator, see the <u>American Samoa</u> Regulation Summary.

Prohibited Fishing Areas

Main Hawaiian Islands (MHI) Longline Fishing Prohibited Area: Longline fishing is prohibited year-round within the area bounded by straight lines connecting the points listed below and in the corresponding map.

Point	N. Lat.	W. Lon.
A	18°05'	155°40'
В	18°20′	156°25′
С	20°00'	157°30′
D	20°40'	161°40′
Е	21°40′	161°55′
F	23°00′	161°30′
G	23°05′	159°30′
Н	22°55′	157°30′
I	21°30′	155°30′
J	19°50′	153°50'
K	19°00'	154°05′
A	18°05'	155°40'

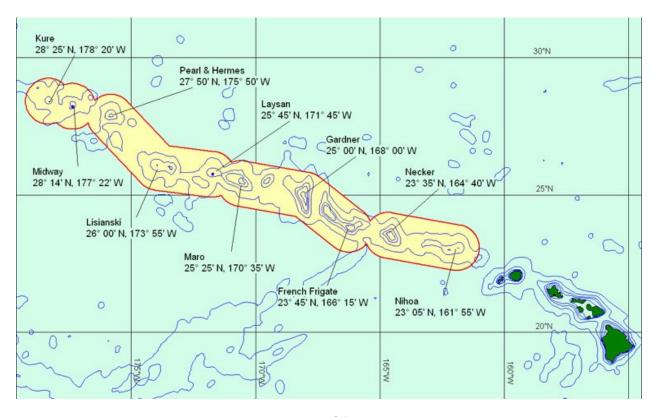
In addition to the MHI Longline Fishing Prohibited Area, an area south of the MHI and inside the EEZ boundary, termed the Southern Exclusion Zone (SEZ), may be closed to longline fishing if a specified number of interactions with false killer whales occur inside the EEZ around Hawaii. The SEZ is bounded by 165°0′ and 154°30′ and shown in the corresponding map below. For details on the SEZ trigger and procedures, see the Compliance Guide for Longline Fishing Requirements to Reduce Take of False Killer Whales.



MHI Longline Fishing Prohibited Area and SEZ

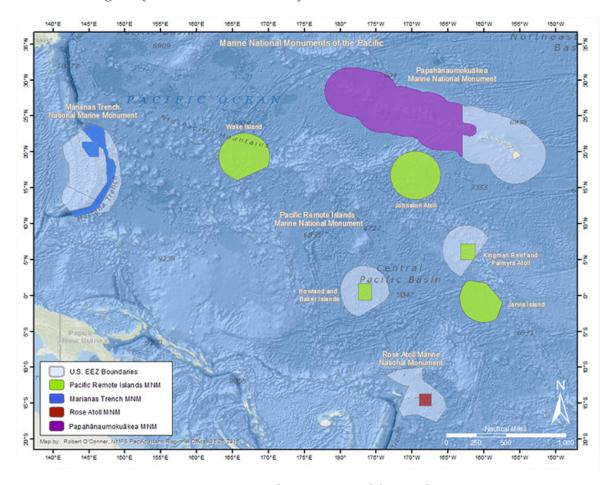
Northwestern Hawaiian Islands (NWHI) Protected Species Zone: Longline fishing is prohibited year-round within the protected species zone, or the portion of the EEZ within 50 nm of the center geographical positions of certain islands and reefs in the NWHI, listed in the table below. Where the areas are not contiguous, parallel lines drawn tangent to and connecting those semicircles of the 50-nm areas that lie between Nihoa Island and Necker Island, French Frigate Shoals and Gardner Pinnacles, Gardner Pinnacles and Maro Reef, and Lisianski Island and Peal and Hermes Reef, delimit the remainder of the NWHI longline protected species zone.

Point	N. Lat.	W. Lon.
Nihoa Island	23°05′	161°55′
Necker Island	23°35′	164°40′
French Frigate Shoals	23°45′	166°15′
Gardner Pinnacles	25°00′	168°00′
Maro Reef	25°25′	170°35′
Laysan Island	25°45′	171°45′
Lisianski Island	26°00′	173°55′
Pearl and Hermes Reef	27°50′	175°50′
Midway Island	28°14′	177°22′
Kure Island	28°25′	178°20′
Nihoa Island	23°05′	161°55′



NWHI Protected Species Zone

Marine National Monuments: Commercial fishing is prohibited in the Pacific Remote Islands, Rose Atoll, and Papahanaumokuakea Marine National Monuments, and in the Islands Unit of the Marianas Trench Marine National Monument. In the Rose Atoll Marine National Monument, all fishing is prohibited within 12 nm of the atoll. Fishing vessels may transit through the Monuments, but entering and leaving the Papahanaumokuakea Monument requires notifying the Papahanaumokuakea Monument office (See Contact Information). For the coordinates of the boundary of each marine national monument and other requirements, see 50 CFR 404 or contact the Marine National Monuments Program (see Contact Information).



Marine National Monuments of the Pacific

No-Take Marine Protected Areas: Longline fishing is prohibited shoreward of the 50-fm curve at Jarvis, Howland, and Baker Islands, and Kingman Reef, and shoreward of the 50-fm curve around Rose Atoll in American Samoa.

American Samoa Large Vessel Prohibited Areas: Longline fishing from a vessel longer than 50 ft is prohibited within the large vessel prohibited areas, except as allowed by an exemption. For the coordinates and map of the large vessel prohibited areas, see the <u>American Samoa Longline Regulation Summary</u>.

Guam Longline Fishing Prohibited Area: Longline fishing is prohibited within approximately 50-100 nm from shore around the island. For the coordinates and map of the prohibited area, see the <u>Western Pacific General Longline Regulation Summary</u>.

CNMI Longline Fishing Prohibited Area: Longline fishing is prohibited within approximately 30 nm from shore around the islands. For the coordinates and map of the prohibited area, see the <u>Western Pacific General Longline Regulation Summary</u>.

Pacific Pelagic Management Unit Species

Tunas

Common Name	Scientific Name
Albacore	Thunnus alalunga
Bigeye tuna	Thunnus obesus
Kawakawa	Euthynnus affinis
Pacific bluefin tuna	Thunnus orientalis
Skipjack tuna	Katsuwonus pelamis
Yellowfin tuna	Thunnus albacares
Tuna relatives	Auxis spp., Scomber spp., Allothunus spp.

Billfishes

Common Name	Scientific Name
Black marlin	Istiompax indica
Pacific blue marlin	Makaira nigricans
Sailfish	Istiophorus platypterus
Shortbill spearfish	Tetrapturus angustirostris
Striped marlin	Kajikia audax
Swordfish	Xiphias gladius

Sharks

Common Name	Scientific Name
Bigeye thresher shark	Alopias superciliosus
Blue shark	Prionace glauca
Common thresher shark	Alopias vulpinus
Longfin mako shark	Isurus paucus
Oceanic whitetip shark	Carcharhinus longimanus
Pelagic thresher shark	Alopias pelagicus
Salmon shark	Lamna ditropis
Shortfin mako shark	Isurus oxyrinchus
Silky shark	Carcharhinus falciformis

Other Pelagic Fish

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Common Name	Scientific Name
Mahimahi, Dolphinfish	Coryphaena spp.
Moonfish, Opah	Lampris spp.
Oilfish	family Gempylidae
Pomfret	family Bramidae
Wahoo, Ono	Acanthocybium solandri

Squids

Common Name	Scientific Name
Diamondback squid	Thysanoteuthis rhombus
Neon flying squid	Ommastrephes bartramii
Purpleback flying squid	Sthenoteuthis oualaniensis

Contact Information

Fishing Permits, Certificates, MMAP Report Forms, Compliance Guides, and Other Information

Sustainable Fisheries Division NMFS Pacific Islands Regional Office 1845 Wasp Blvd., Bldg. 176

Honolulu, HI 96818 Phone: (808) 725-5190 Fax: (808) 725-5215

Email: piro-permits@noaa.gov

Web: https://www.fisheries.noaa.gov/pacific-islands/resources-fishing/pacific-islands-fishing-permits

American Samoa Field Office Pago Plaza Highway 1, Suite 202 Pago Pago, AS 96799 Phone: (684) 633-5326

Protected Species Workshop

NMFS Honolulu Service Center at Pier 38 1139 N. Nimitz Hwy, Suite 220 Honolulu, HI 96817

Phone: (808) 725-5000 Email: piropsw@noaa.gov

Web: https://www.fisheries.noaa.gov/pacific-islands/resources-fishing/pacific-islands-protected-species-

workshops

Vessel Departure Notification or Observer Placement

NMFS Observer Program Contractor

Lynker, LLC, Attn: Josee Vincent, Program Director

47-559 Nenehiwa Pl. Kaneohe, HI 96744

Vessel call-in: (808) 235-5575 Email: jvincent@lynkertech.com

Office: (808) 321-9183

Obtain or Submit Logbooks

NMFS Pacific Islands Fisheries Science Center 1845 Wasp Blvd., Bldg. 176 Honolulu, HI 96818

Phone: (808)725-5325

Email: walter.machado@noaa.gov

VMS, Enforcement Information, or to Report a Violation

NOAA Office of Law Enforcement 1845 Wasp Blvd., Bldg. 176 Honolulu, HI 96818

Phone: (808) 725-6110

Confidential hotline: (800) 853-1964

Fax: (808) 725-6199

Web: https://www.fisheries.noaa.gov/topic/enforcement

Marine National Monuments in the Pacific

Habitat Conservation Division – Monuments Program NMFS Pacific Islands Regional Office 1845 Wasp Blvd., Bldg. 176 Honolulu, HI 96818

Phone: (808) 725-5000 Fax: (808) 725-5215

Email: pirohonolulu@noaa.gov

Web: https://www.fisheries.noaa.gov/permit/marine-national-monument-fishing-permit

Papahanaumokuakea Marine National Monument

Monument Entry Notification Phone: (866) 478-6944

Email: nwhi.notifications@noaa.gov

State of Hawaii Commercial Marine Licenses and Reports

Hawaii Division of Aquatic Resources 1151 Punchbowl St., Rm. 330 Honolulu, HI 96813

Phone: (808) 587-0100 Licenses: (808) 587-0109 Fax: (808) 587-0115

Web: http://dlnr.hawaii.gov/dar/