

Summary of Hawaii Longline Fishing Regulations For Hawaii Limited Entry Permitted Vessel Owners and Operators Revised November 24, 2006

Fishing Permits and Certificates

If you want to fish for pelagic fish (tunas, swordfish, and other management unit species defined in the Fishery Management Plan for Pelagic Fisheries of the Western Pacific Region) with longlines, or to land or transship longline-caught fish, in the Exclusive Economic Zone (EEZ) around Hawaii, **you must have the following permits and certificates, and they must be current and on board the vessel.** A legible copy of the original permit or certificate on board the vessel is usually acceptable. Please contact the NMFS Pacific Islands Regional Office (PIRO) to obtain the Federal permits or certificates.

- Hawaii Longline Limited Entry Permit registered to the vessel under the name of the vessel owner, issued under the Hawaii Longline Limited Access program. *Expires on March 3rd of each calendar year.*
- Marine Mammal Authorization Program Certificate issued to the vessel owner and registered to the vessel. *Expires on March 3rd of each calendar year, beginning in 2007.*
- High Seas Fishing Compliance Act Permit registered to the vessel and the vessel owner, if fishing outside the U.S. EEZ in international waters. *Expires five years from date issued.*
- One valid Shallow-set Certificate for every shallow-set that is made north of the Equator (0° Lat.). For each of those sets, the vessel operator must attach the certificate to the original logbook form, and submit it to the NMFS Pacific Islands Fisheries Science Center (PIFSC) within 72 hours of returning to port. *Valid only for a set started in the calendar year printed on the certificate and if the fishery is open.*
- Protected Species Workshop Certificate in the name of the vessel operator. (See Protected Species Workshop section below for details.) *Valid for one year.*
- Western Pacific Receiving Vessel Permit is required only if the vessel receives (transshipped) pelagic fish caught with longline gear by other vessels and intends to land or transship the catch anywhere within the Western Pacific region. *Expires March 3rd of each calendar year.*
- State of Hawaii Commercial Marine License from the Hawaii Division of Aquatic Resources.

Reporting, Monitoring, and Gear Identification

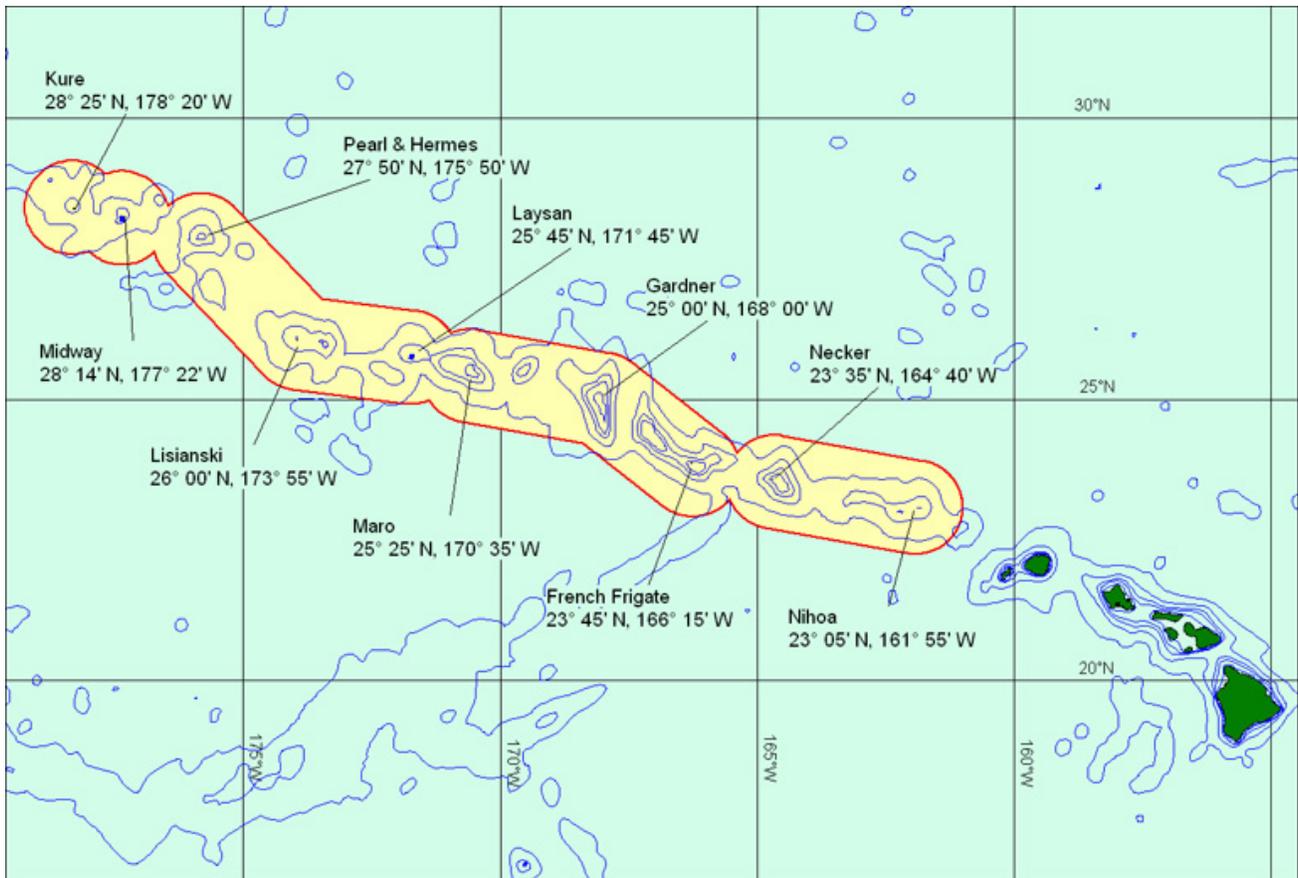
- Logbook. The vessel operator must submit a completed and signed NMFS Western Pacific Daily Longline Fishing logsheet for each set fished to the PIFSC within 72 hours of returning to port. Logbooks available from PIFSC.
- Transshipment Logbook. Vessel operators with a Western Pacific Receiving Vessel permit must submit a NMFS transshipment logbook form for each day of transshipment activity to PIFSC within 72 hours of each landing of Pacific pelagic management unit species. Forms available from PIFSC.
- Marine Mammal Authorization Program (MMAP) Mortality/Injury Reporting Form. If any marine mammal interaction occurs that results in an injury or death of the marine mammal, the vessel operator must complete and submit this pre-addressed, postage paid form to NMFS (in Silver Spring, MD) within 48 hours of the end of the trip. Additional forms are available from NMFS PIRO.
- Vessel Monitoring System. The vessel must have a NMFS-owned and installed vessel monitoring system (VMS) unit on board whenever it is at sea. The VMS program is administered by NOAA's Office for Law Enforcement.
- Gear Identification. All longline buoys and floats must be marked with the vessel's official number (US Coast Guard documentation number or state/territory vessel registration number).

Notification Requirement and Observer Placement

- The vessel owner or operator must notify the PIRO Observer Program contractor at least 72 hours (not including weekends or Federal holidays) before departure on a fishing trip, and declare the intended trip type (shallow-set or deep-set). Once a trip type has been declared, the operator must make sets only of the declared type.
- The vessel is required to carry an observer if one is assigned to your trip. The PIRO 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.

Prohibited Areas

- Longline fishing is prohibited in the following areas in the Hawaiian Archipelago:
 - Northwestern Hawaiian Islands Longline Protected Species Zone. Within a 50 nm radius from the geographic centers of Nihoa Island, Necker Island, French Frigate Shoals, Gardner Pinnacles, Maro Reef, Laysan Island, Lisianski Island, Pearl and Hermes Reef, Midway Islands, and Kure Island, and within the 100 nm corridor shown below. Please see figure below for coordinates.



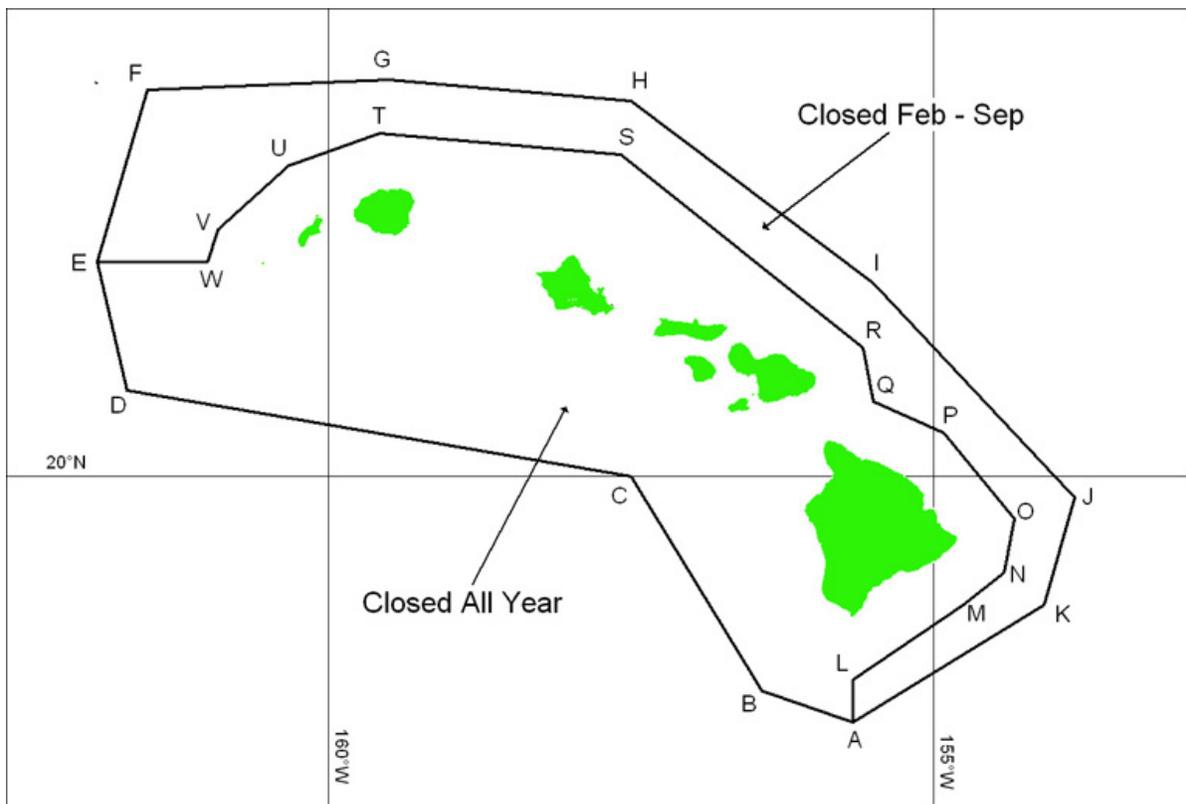
- Main Hawaiian Islands Longline Fishing Prohibited Area. Longline fishing is prohibited within the areas bounded by straight lines connecting the points listed below. Illustrated on next page.

Feb. 1 through Sep. 30,
within the straight line boundaries
connecting the following points:

Point	N. Lat.	W. Lon.
A	18°05'	155°40'
B	18°20'	156°25'
C	20°00'	157°30'
D	20°40'	161°40'
E	21°40'	161°55'
F	23°00'	161°30'
G	23°05'	159°30'
H	22°55'	157°30'
I	21°30'	155°30'
J	19°50'	153°50'
K	19°00'	154°05'
A	18°05'	155°40'

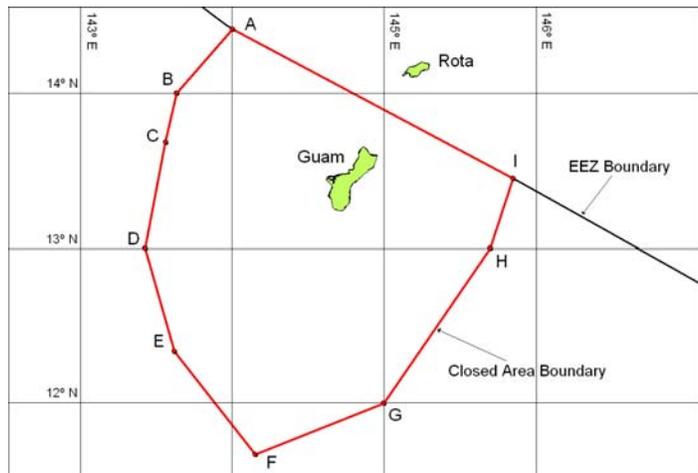
Oct. 1 through Jan. 31,
within the straight line boundaries
connecting the following points:

Point	N. Lat.	W. Lon.
A	18°05'	155°40'
L	18°25'	155°40'
M	19°00'	154°45'
N	19°15'	154°25'
O	19°40'	154°20'
P	20°20'	154°55'
Q	20°35'	155°30'
R	21°00'	155°35'
S	22°30'	157°35'
T	22°40'	159°35'
U	22°25'	160°20'
V	21°55'	160°55'
W	21°40'	161°00'
E	21°40'	161°55'
D	20°40'	161°40'
C	20°00'	157°30'
B	18°20'	156°25'
A	18°05'	155°40'



- Guam Longline Fishing Prohibited Area. Longline fishing is prohibited in the area bounded by straight lines connecting the following points in order from A to I:

Point	N. Lat.	E. Lon.
A	14° 25'	144° 00'
B	14° 00'	143° 38'
C	13° 41'	143° 33' 33"
D	13° 00'	143° 25' 30"
E	12° 20'	143° 37'
F	11° 40'	144° 09'
G	12° 00'	145° 00'
H	13° 00'	145° 42'
I	13° 27'	145° 51'



- Kingman, Palmyra, Johnston, Baker, Howland and Jarvis Islands. Please contact U.S. Fish and Wildlife Service about fishing in National Wildlife Refuges.

Shallow-set Certificate Program and Turtle Interaction Limit

- A maximum of 2,120 Shallow-set Certificates is available each calendar year to persons who hold Hawaii longline limited entry permits.
- Current permit holders must request Shallow-set Certificates for each calendar year from PIRO in writing by November 1 of the preceding year. Permit holders may submit a written request for certificates at any time before November 1. Only those permit holders who submit a written request to PIRO by November 1 are eligible to receive certificates. PIRO usually mails reminder notices in October as a service to permit holders, but it is still the permit holders' responsibility to notify PIRO.
- The 2,120 available certificates are divided by the total number of permits represented by requesting permit holders and rounded down to the next whole number. The resulting number is the number of certificates that will be issued for each permit held by a permit holder who requested certificates. Rounding down will result in the total number of issued certificates being less than 2,120.
- A permit holder can transfer a certificate only to another Hawaii longline limited entry permit holder.
- The maximum annual limits on sea turtle interactions for the Hawaii shallow-set longline fishery are:
 - 16 leatherback sea turtles
 - 17 loggerhead sea turtles
- When either of the two sea turtle interaction limits has been reached, the shallow-set fishery will be closed for the remainder of the calendar year.
- Vessel owners will be notified of the closure and must stop shallow-set longline fishing operations north of the Equator (0° Lat.) immediately when the shallow-set fishery is declared closed by NMFS.

Protected Species Workshop (PSW)

- Each year, the owner and operator of a longline vessel registered to a Hawaii limited entry permit must attend and be certified in the Protected Species Workshop conducted by PIRO on mitigation, handling, and release techniques for sea turtles, seabirds and marine mammals.
- PIRO will issue a PSW certificate, valid for one year, to anyone who attends and completes the workshop.

- The owner of a vessel registered for use under a Hawaii longline limited entry permit must maintain and have on file a valid PSW certificate in order to maintain or renew their permit.
- The operator of a permitted vessel engaged in longline fishing must have a valid PSW certificate (or a readable copy) in his/her name, on board the vessel.

Sea Turtle Handling and Mitigation Measures

- Vessel operators and operators must follow specific guidelines for handling, dehooking, resuscitating, and releasing sea turtles that interact with longline fishing gear. Refer to the *Guidelines for Handling Hooked Sea Turtles* provided at the PSW. If there is a NMFS observer on board, the observer will take charge of handling of hooked sea turtles, with the assistance of the vessel crew.
- The vessel owner and operator must have the following required turtle handling/dehooking gear on board the vessel:
 - 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) 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) & 13) Mouth openers and gags (must carry at least two from list below):
 - Block of hard wood
 - Set of three canine mouth gags
 - Set of two sturdy canine chew bones
 - Set of two rope loops covered with hose
 - Hank of rope
 - Set of four PVC splice couplings
 - Large avian oral speculum (to be used to hold a turtle's mouth open and control the head with one hand while removing a hook with the other)

Seabird Handling and Mitigation Measures

- Handle and release hooked or entangled seabirds in a way that maximizes their survival. Follow the *Hooked Seabirds Handling Guidelines* provided at the PSW.
- Follow additional requirements for handling a short-tailed albatross. Follow the *Guidelines for Handling Short-tailed Albatrosses* issued at the PSW.
- Comply with requirements listed below.

List of Requirements for Seabird and Turtle Mitigation and Handling

The following requirements apply to all Hawaii longline limited entry permitted vessels. The requirements change, depending on where you fish and what type of fishing trip you declare. For example, Deep-Set requirement A applies everywhere to vessels on a deep-set trip. If you are on a deep-set trip north of 23° N. latitude, both Deep-Set requirements A and B apply. If you are on a shallow-set trip, then the requirements in Shallow-Set requirement A apply everywhere and if you fish north of 0° latitude, the requirements in B also apply.

Deep-Set
<i>A. Required Everywhere</i>
Carry and use line clipper, dip net, and dehooker (see Sea Turtle Handling and Mitigation Measures for handling/dehooking gear)
Float lines longer than 20 m (65' 7") in length on board
Minimum of 15 branch lines between any two floats, except for basket gear, which has a minimum of 10 branch lines between any two floats
No light sticks (light emitting devices) on board
No more than ten (10) swordfish landed or possessed on a deep-set fishing trip
<i>B. Additional Requirements Fishing North of 23° N. Latitude</i>
Use 1) or 2)
1) Side-set
Mainline deployed as far forward as possible from port or starboard side, at least 1 m (3' 3") from stern
If line shooter used, mount as far forward as possible, at least 1 m from stern
Branchlines must have 45 g (1.6 oz) weight within 1m of each hook
When birds present, deploy gear so hooks remain submerged
Deploy a bird curtain (see CFR for details)
2) Alternative to side-setting (i.e., stern-setting)
i) Strategic Offal Discharge - <i>When birds are present</i> , discharge fish, fish parts, or spent bait while setting or hauling, on the opposite side of the vessel
ii) Retain sufficient quantities of fish, fish parts, or spent bait between the setting of longline gear for strategic offal discharge per i) above
iii) Remove all hooks from fish, fish parts, or spent bait prior to strategic offal discharge per i) above
iv) Remove bill and liver from any swordfish, sever head from trunk and split in half vertically, and periodically discharge butchered heads and livers for strategic offal discharge per i) above
When using basket-style gear, ensure mainline is set slack

Shallow-Set
<i>A. Required Everywhere</i>
Carry and use line clipper, dip net, and dehooker (see Sea Turtle Handling and Mitigation Measures for handling/dehooking gear)
Use 3) or 4)
3) Side-set
Mainline deployed as far forward as possible from port or starboard side, at least 1 m (3' 3") from stern
If line shooter used, mount as far forward as possible, at least 1 m from stern
Branchlines must have 45 g (1.6 oz) weight within 1m of each hook
When seabirds present, deploy gear so hooks remain submerged
Deploy a bird curtain (see CFR for details)
4) Alternative to side-setting (i.e., stern-setting)
i) Strategic Offal Discharge - <i>When birds are present</i> , discharge fish, fish parts, or spent bait while setting or hauling, on the opposite side of the vessel
ii) Retain sufficient quantities of fish, fish parts, or spent bait between the setting of longline gear for strategic offal discharge per i) above
iii) Remove all hooks from fish, fish parts, or spent bait prior to strategic offal discharge per i) above
iv) Remove bill and liver from any swordfish, sever head from trunk and split in half vertically, and periodically discharge butchered heads and livers for strategic offal discharge per i) above
When using basket-style gear, ensure mainline is set slack

Use completely thawed bait and dye all bait to match NMFS issued color control card
Maintain a minimum of two cans of blue dye on board vessel
In addition to 1) or 2), you must also do the following:
Use a line shooter
Branchlines must have 45 g weight within 1 m of each hook

Use completely thawed bait and dye all bait to match NMFS issued color control card
Maintain a minimum of two cans of blue dye on board vessel
Deploy set at least 1 hour after sunset and complete deployment before sunrise, using minimum vessel lights necessary for navigation and safety
<i>B. Additional Requirements Fishing North of 0° Latitude (Equator)</i>
Must use 18/0 or larger circle hooks (no smaller than 50 mm (1.97”) outer diameter) with 10° offset
Must use mackerel-type bait
One (1) valid Shallow-set Certificate per set

Marine Mammal Handling and Release

Recommended guidelines for handling of marine mammals will be provided at the PSW. Any marine mammal taken by accident must be returned to the ocean while minimizing further injury, unless directed otherwise by NMFS personnel, contractor or official observer, or otherwise authorized by a scientific research permit held by the operator. Submit the MMAP Mortality/Injury Reporting form to NMFS to report injuries or mortalities of marine mammals.

Shark Finning and Landings

- You are prohibited from removing the fins, including the tail, from a shark and disposing the carcass (body of the shark) at sea.
- You may remove, possess, land, or sell shark fins if you keep the corresponding carcasses. You must have the fins and the carcasses weighed at the same time if you intend to sell the fins.
- If you receive shark fins from another vessel, you must also keep the corresponding carcasses.
- It is a violation if the total weight of shark fins landed is more than 5 percent of the total dressed weight of shark carcasses on board or landed from the vessel.
- You must allow NMFS access, inspection, and copying of any records relating to the weighing, landing, sale, purchase, or other disposition of shark fins or carcasses.

(See the Code of Federal Regulations, Title 50, Part 600, Subpart N and the Small-Entity Compliance Guide on the Implementation of the Shark Finning Prohibition Act for more details.)

Eastern Tropical Pacific Bigeye Tuna Quota

The USA is a member of the Inter-American Tropical Tuna Commission (IATTC), which provides international conservation and management of highly migratory species of fish in the Convention Area, which is the area of the eastern tropical Pacific Ocean (ETP) between the coast of the Americas and 150° W. longitude and between 40° N. and 40° S. latitudes. The IATTC determines appropriate harvest limits or other measures to prevent overfishing of tuna stocks and promote viable fisheries. Under the Tuna Conventions Act, NMFS must publish regulations to carry out IATTC recommendations and resolutions that have been approved by the Department of State. The U.S. bigeye tuna longline quota in the ETP for calendar year 2007 is 500 metric tons. (NMFS closed the US longline fishery for bigeye tuna in the Convention Area from July 6, 2006, through December 31, 2006 (71 FR 38297).)

Disclaimer

This regulatory summary is intended to help fishermen comply with certain regulations that govern the conduct of vessels that participate in the Hawaii longline limited entry fishery. The summary does not cover permit renewal, transfer, permit appeal procedures, or observer requirements in detail, and protected species handling procedures are covered in detail in the Protected Species Workshop. The summary does not replace more detailed compliance guides provided by PIRO. For the complete set of official regulations, see the Code of Federal Regulations, Title 50, Parts 300, 600, and 665. Regulations are subject to change, so this summary may become out of date. Any discrepancy between the contents of this summary and regulations published in the Code of Federal Regulations or the *Federal Register* will be resolved in favor of the Code of Federal Regulations or the *Federal Register*.

To Contact for More Information or Reporting

For Permits, Certificates, MMAP report forms, PSWs, Compliance Guides and other information (PIRO)

NMFS Pacific Islands Regional Office
1601 Kapiolani Blvd., Suite 1110
Honolulu, HI 96814-4700

Ph: (808) 944-2231; (808) 944-2214 for PSW
Fax: (808) 973-2941
Web: <http://swr.nmfs.noaa.gov/pir/>

(Please contact Walter Ikehara at (808) 944-2275 or walter.ikehara@noaa.gov to suggest corrections to this document)

For Departure Notification or Observer Placement

NMFS PIRO Observer Program contractor:
MRAG Americas, Inc. (Brian Belay)
1130 N. Nimitz Hwy., A260
Honolulu, HI 96817

Ph: (888) 535-5019 (toll free)
Ph: (808) 535-5019 (office)
Fax: (808) 535-5729
Email: brian.belay@mragamericas.com

To Obtain or Submit Logbooks (PIFSC)

NMFS Pacific Islands Fisheries Science Center
ATTN: FMSD
2570 Dole Street
Honolulu, HI 96822-2396

Ph: (808) 983-5325
Ph: (808) 225-3970 (cell)
Fax: (808) 983-2902
Web: <http://www.pifsc.noaa.gov/>

For VMS, Other Enforcement Information, or Report a Violation

NOAA Office for Law Enforcement
1601 Kapiolani Blvd., Suite 950
Honolulu, HI 96814-4700

Ph: (808) 203-2500
Ph: (800) 853-1964 (confidential toll-free hotline)
Fax: (808) 203-2599

About Fishing in National Wildlife Refuges - U.S. Fish and Wildlife Service

Pacific Remote Islands National Wildlife Refuge Manager Ph: (808) 792-9550
Web: <http://www.fws.gov/pacificislands/wnwr/nwrindex.html>

For State of Hawaii Commercial Marine Licenses

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

Ph: (808) 587-0103 licenses, (808) 587-0100 general
Fax: (808) 587-0115
Web: <http://www.hawaii.gov/dlnr/dar/>