



# NOAA FISHERIES

*Sustainable Fisheries West Coast Region  
Small Entity Compliance Guide*

## **Regulations for the U.S. West Coast Highly Migratory Species Fishery Management Plan**

August 21, 2023

This guide provides a plain-language summary of how small entities can comply with the federal regulations that implement the Fishery Management Plan for U.S. West Coast Fisheries for Highly Migratory Species (HMS FMP). Because fishery regulations change frequently, fishermen must familiarize themselves with the latest regulations and are responsible for complying with the current official regulations set forth in the Code of Federal Regulations (CFR).

The CFR is cited throughout this document, and direct links are provided for reference. U.S. West Coast highly migratory species (HMS) regulations can be found at [Title 50, Part 660, Subpart K](#) and [Title 50, Part 300, Subpart C](#).

**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 104-121. Regulations are subject to change. If there is a discrepancy between the regulations in the CFR and the information in this guide, the regulations will take precedence.**

## Quick Reference Guide

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## Introduction

The Fishery Management Plan for U.S. West Coast Fisheries for Highly Migratory Species (HMS FMP) was implemented through regulations authorized under the Magnuson-Stevens Fishery Conservation and Management Act (MSA). The HMS FMP identifies 11 species for management<sup>1</sup> and defines the authorized gear and methods of harvest of these species by U.S. vessels fishing within the U.S. West Coast exclusive economic zone (EEZ) (i.e., 3-200 nautical miles from the coast of California, Oregon, and Washington). The regulations also apply to U.S. vessels that target HMS on the high seas (seaward of the EEZ) and land in California, Oregon, or Washington. The NMFS West Coast Region website<sup>2</sup> provides updates on proposed and final rules recently published in the *Federal Register*.

The FMP incorporates existing federal and state regulations for California, Oregon, and Washington, and sets forth additional requirements including:

- Harvest guidelines for common thresher and shortfin mako sharks,
- Definitions of prohibited and protected species,
- Incidental HMS catch allowances for non-HMS gear,
- Requirements for a federal HMS vessel permit,
- Requirements for vessel markings,
- Requirements for logbook reporting and submission,
- Requirements for carrying fishery observers,
- Requirements for minimizing and mitigating bycatch, and
- Summary of mandatory time/area closures.

## **Overlapping Regulations**

In addition to the regulations implementing the HMS FMP and international agreements by the Inter-American Tropical Tuna Commission (IATTC) described in this guide, vessel owners and operators are also subject to other state and federal regulations that may be more restrictive. To ensure compliance, fishermen should consult other applicable fisheries regulations.

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<sup>1</sup> For lists of HMS FMP species, Ecosystem Component species, and Prohibited species, refer to Table 3

<sup>2</sup> [www.westcoast.fisheries.noaa.gov/fisheries/migratory\\_species/highly\\_migratory\\_species\\_rules\\_req.html](http://www.westcoast.fisheries.noaa.gov/fisheries/migratory_species/highly_migratory_species_rules_req.html)

## Gear

### **Q1. What fishing gear is allowed? ([50 CFR §660.702](#))**

The following gears are authorized for the commercial and recreational harvest of HMS in and beyond the EEZ off the U.S. West Coast by vessels landing in U.S. West Coast ports.

#### **HMS Commercial Gear**

- *Harpoon*: fishing gear consisting of a pointed dart or iron attached to the end of a line several hundred feet (ft) in length, the other end of which is attached to a flotation device. Harpoon gear is attached to a pole or stick that is propelled only by hand, not mechanically.
- *Surface hook and line*: one or more hooks attached to one or more lines (includes troll, rod and reel, handline, albacore jig, live bait, and bait boat; excludes pelagic longline and mousetrap gear). Surface hook and line is always attached to the vessel.
- *Pelagic longline*: a main line that is horizontally suspended in the water column, which is neither stationary nor anchored, and from which leader lines with hooks (gangions) are attached. Specific longline regulations are detailed in [Appendix 1](#).
- *Large-mesh drift gillnet (DGN)*: a panel of netting, a *minimum* of 14 inch (35.56 cm) stretched mesh or greater, suspended vertically in the water by floats along the top and weights along the bottom, which is neither stationary nor anchored to the bottom but tethered to the vessel. Additional regulations for DGN are detailed in [Appendix 2](#).
- *Deep-set buoy gear (DSBG)*: a set of gear involving vertical mainlines suspended from a buoy-array, with up to three gangions attached to the mainline at a minimum depth of 90 meters (m). DSBG can be fished in two configurations, referred to as standard buoy gear (SBG) and linked buoy gear (LBG). Specific DSBG regulations are detailed in [Appendix 3](#).
- *Purse seine*: an encircling net with floats and weights that is closed by a purse line threaded through rings attached to the bottom of the net (includes encircling net, purse seine, ring net, drum purse seine, lampara net). Refer to the IATTC Regional Vessel Register compliance guide for additional regulations related to authorizing purse seine vessels to fish for tuna and tuna-like species in the IATTC Convention Area.<sup>3</sup>

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<sup>3</sup> HMS compliance guides are available here: <https://www.fisheries.noaa.gov/west-coast/sustainable-fisheries/west-coast-highly-migratory-species>

### **HMS Recreational Gear**

- *Rod and reel (pole and line)*: a hand-held (including rod holder) fishing rod with a manually or electrically operated reel attached.
- *Spear*: a sharp, pointed, or barbed instrument on a shaft operated manually or shot from a gun or sling.
- *Hook & line*: one or more hooks attached to one or more lines (not mousetrap gear).

### **Q2. If I fish with non-HMS gear, can I keep any HMS as incidental catch?**

#### **(§660.711)**

Yes. Incidental commercial landings of HMS are authorized within the limits detailed below for non-HMS gear (e.g., bottom longline, trawl, pot gear). Incidental catch refers to HMS that are unavoidably caught while fishing for other species or fishing with gear that is unauthorized for HMS harvest. Any HMS caught in exceedance of the limits listed below must be released.

- Gillnet vessels with stretched mesh *less than* 14 inches are permitted to land 10 HMS fish, **except** swordfish; swordfish are **not** permitted to be landed as incidental catch with this size mesh. Bottom longline (set line) fishery landings are restricted to 3 individual HMS sharks or 20 percent of total landings by weight of HMS sharks, whichever is greater.
- Trawl and pot gear may land either a maximum of 1 percent of total weight per landing for all HMS sharks combined or 2 individual HMS sharks, whichever is greater.

## Permits and Reporting

### **Q3. What are the HMS permit requirements? ([§660.707](#))**

U.S. commercial vessels that fish for HMS within the U.S. West Coast EEZ, or target HMS on the high seas and land their fish in California, Oregon, or Washington, must have an HMS permit that endorses the use of all gear types used by the vessel. Large-mesh DGN vessels must also possess a valid Federal limited entry (LE) DGN permit. Aside from some limited exceptions, LE DGN permits may be transferred only if the current permit holder has held the permit for a minimum of three consecutive years.

DSBG vessels fishing within the Southern California Bight must also possess a valid LE DSBG permit. Applications for LE DSBG permits are ranked according to tiered qualification criteria based on the applicant's prior swordfish fishing experience. LE DSBG permits are being phased in over a twelve-year period, beginning in 2023. Anyone who did not qualify in the initial ranking process for tiers 1 through 8 may apply to receive an LE DSBG permit on a first-come, first-served basis under tier 9. NMFS will announce the application process for tier 9 at a later date through the *Federal Register*. Further information on LE DSBG permitting procedures and timelines can be found [here](#).

A recreational charter vessel must have an HMS permit if that vessel is used to fish for, land, or transship HMS in the U.S. West Coast EEZ. At this time there are no qualifying criteria, such as a minimum landing amount, to obtain a permit or to endorse specific gear. The HMS permit is in addition to state permit or licensing requirements or federal permits required under the High Seas Fishing Compliance Act.

**Note:** Any U.S. vessels that fish on the high seas must also have a permit issued under the High Seas Fishing Compliance Act; see [§300.333](#) for information on High Seas permits.

### **HMS Permit Applications, Renewals, and Fees**

The application for new and renewal HMS permits is available online at <http://fisheriespermits.noaa.gov>. It can be completed and submitted online or downloaded and mailed to NMFS Permits Office. A processing fee is required, which can be paid online using an electronic check, credit card, or debit card. Permit applications submitted by mail should be accompanied by a check or money order made out to "Department of Commerce – NOAA." Cash is not accepted. Mail applications and payments to:



National Marine Fisheries Service  
Permits Office  
501 W. Ocean Blvd., Suite 4200  
Long Beach, CA, 90802

Permits are *valid for 2 years from the date of issuance* and expire on the last day of the permit owner's birth month. As a courtesy, NMFS will send renewal notices to permit holders prior to the permit expiration date, using the last contact information supplied to NMFS.

HMS permits must be onboard the vessel at all times and available for inspection upon the request of an authorized officer. A permit is valid only for the vessel for which it is registered, and a permit not registered for use with a particular vessel may not be used. Any unauthorized changes to the permit will invalidate the permit.

#### **Q4. What are the HMS FMP reporting requirements? ([§660.708](#))**

Catch, effort, and catch composition data are critical for monitoring HMS fisheries, assessing stock status, and evaluating management effectiveness. All commercial and recreational vessels are required to maintain federal logbooks. Information specified on the logbook forms must be recorded within 24 hours after the completion of each fishing day. Each form must be signed and dated by the fishing vessel operator.

[Logbooks](#) for federally managed HMS species can be obtained from the **NMFS West Coast Regional Office** Fisheries Permits Office (FPO) by calling (562) 980-4238. Certain logbooks required by California Department of Fish and Wildlife (CDFW), Oregon Department of Fish Wildlife (ODFW), or Washington Department of Fish and Wildlife (WDFW) and tailored to specific gear will meet HMS logbook reporting requirements (see list below).

#### **Additional Types of Logbooks That Meet the Logbook Reporting Requirement**

- *Hook and Line* – may use [Pacific HMS Hook and Line Logbook](#); obtain from **FPO**. Submit completed logbooks to NMFS Southwest Fisheries Science Center (SWFSC) by mailing to 8901 La Jolla Shores Drive, La Jolla, CA 92037.
- *Coastal purse seine* (small, i.e., carrying capacity less than 400 short tons) – obtain from **FPO** and submit to **SWFSC**.
- *Large Purse Seine* (carrying capacity 400st or greater) logbooks distributed by the IATTC can be found [online](#) or obtained from **FPO**. Submit to **SWFSC**.

- *Harpoon* – obtain from **FPO** and submit to **SWFSC**.
- *CA/OR large-mesh Drift-Gillnet* – obtain from **FPO** and submit to **SWFSC**.
- *Longline Vessels (HI)* – obtain from **FPO** and submit to the Pacific Islands Fisheries Science Center (**PIFSC**).
- *Washington & Oregon Charters* – may use logbooks designated for Hook and Line gear. Submit completed logbooks to **SWFSC**.
- *California Commercial Passenger Fishing Vessel* (CPFV) – obtain & submit to **CDFW** online at <https://apps.wildlife.ca.gov/marine/logs/cpfv/>.

### **Submitting Logbooks**

Original logbook forms for each day of the fishing trip must be submitted to NMFS SWFSC or PIFSC as identified above within 30 days of each landing or transshipment of HMS. Failure to submit logbooks may result in referral to NOAA Office of Law Enforcement (OLE)

For information on where to obtain and submit logbooks by specific gear, see list above and refer to List of Contacts for mailing and email addresses.

## Vessel Requirements

### **Q5. What are the vessel marking requirements? (§660.704, §300.336)**

Each HMS permitted *commercial* fishing vessel must display its official number on the port and starboard sides of the deckhouse or hull and on an appropriate weather deck visible from enforcement vessels and aircraft. Markings must be legible and of a color that contrasts with the background. The official number must be affixed to each vessel in block Arabic numerals. Size requirements for numbers are as follows (Table 1):

**Table 1: Official Number Size Requirements for HMS Permitted Commercial Fishing Vessels**

<b>Vessel Length</b>	<b>Number Size Requirement</b>
Greater than 25 feet (7.62 m) but equal to or less than 65 ft (19.81 m)	At least 10 inches (25.40 cm) in height
Greater than 65 ft (19.81 m)	At least 18 inches (45.72 cm) in height

For vessels fishing on the High Seas or under endorsement from the Western and Central Pacific Fisheries Commission (WCPFC), the International Radio Call Sign (IRCS) must be displayed. If the vessel has not been assigned an IRCS, it must be marked, in order of priority, with the federal, state, or other documentation number appearing on its high seas fishing permit. Vessels that have been assigned WCPFC Area Endorsement must display the documentation number preceded by the characters “USA” and a hyphen. Size requirements for letters and numbers are as follows (Table 2):

**Table 2: Documentation Number Display Requirements for High Seas and WCPFC Fishing Vessels**

Vessel Length	Letter and Number Size Requirement
25 meters (82.02 ft) or greater	At least 1.0 meter (39.37 in.) in height
20 meters (65.62 ft) equal to or less than 25 meters (82.02 ft)	At least 0.8 meters (31.50 in.) in height
15 meters (49.21 ft) but equal to or less than 20 meters (65.62 ft)	At least 0.6 meters (23.62 in.) in height
12 meters (39.37 ft) but equal to or less than 15 meters (49.21 ft)	At least 0.4 meters (15.75 in.) in height
5 meters (16.04 ft) but equal to or less than 12 meters (39.37 ft)	At least 0.3 meters (11.81 in.) in height
Less than 5 meters (16.04 ft)	At least 0.1 meters (3.94 in.) in height

These requirements do **not** apply to recreational charter vessels.

**Q6. Am I required to install a vessel monitoring system (VMS)? ([§660.712](#); [§300.219](#), [§300.26](#), [§300.337](#))**

VMS requirements apply to vessels owners and operators of the following vessels:<sup>4</sup>

- Any U.S. commercial fishing vessel 24 meters (78.74 feet) or greater in overall length engaged in fishing for tuna or tuna-like species in the IATTC Convention Area.
- Any vessel issued a high seas fishing permit, or any vessel for which a high seas permit is required.
- Any vessel with longline gear operating under an HMS permit in the longline fishery (see Appendix 1).
- Any vessel with a federal LE DGN permit and an HMS permit, and that fishes in state or federal waters off the U.S. West Coast (see Appendix 2).
- Any vessel with WCPFC area endorsement.

<sup>4</sup> See [IATTC compliance guides](#) for details.

The NOAA OLE maintains an updated list of all type-approved VMS devices. The list may be accessed [here](#).

Any questions related to applicable regulations, current reporting status, declarations, and transmission rates can be directed to the West Coast Region VMS Program Manager, Brian Corrigan, at [brian.corrigan@noaa.gov](mailto:brian.corrigan@noaa.gov). Additional questions may be addressed to the VMS Help Desk (see [List of Contacts](#)).

**Q7. What are the requirements for carrying observers? ([§660.719](#); [§600.746](#), [§300.338](#))**

With few exceptions, U.S. fishing vessels operating in HMS fisheries (including catcher/processors, at-sea processors, and vessels that embark from Washington, Oregon, or California and land catch in another area) may be required to carry a NMFS-trained observer when directed to do so by NMFS. Purse seine vessels holding an Eastern Tropical Pacific Ocean Vessel Permit must also comply with IATTC observer requirements (see [here](#)). *If NMFS determines an observer must be on board, the vessel may not engage in the fishery without taking the observer.*

Specifically, vessel owners or operators in the longline fishery are **required** to notify NMFS 24 hours prior to departing on a fishing trip, in accordance with [§660.712](#).<sup>5</sup> Vessel owners and operators in the DGN fishery are **required** to notify NMFS 48 hours prior to departing on a fishing trip, in accordance with [§660.713](#).<sup>6</sup>

Requirements for any HMS vessel with observers on board are as follows:

- The vessel must comply with U.S. Coast Guard safety requirements and display a current commercial fishing vessel safety examination decal.
- The vessel owner or operator must also allow an observer to visually inspect any safety or accommodation requirement, if requested by NMFS.
- The permit holder must provide living quarters for the observer comparable to those of crew members, as well as the same meals, snacks, and other considerations normally provided to vessel personnel.
- The permit holder, vessel operator, and crew must cooperate with the observer and allow access to the VMS, communication, and navigation equipment as necessary for

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<sup>5</sup> See [Appendix 1](#) for further observer requirements for longline vessels.

<sup>6</sup> See [Appendix 2](#) for further observer requirements DGN vessels.

- observer duties.
- The observer must be notified before commercial fishing operations begin and end.
  - The observer, upon their request, must be provided with accurate vessel locations by latitude and longitude or coordinates.

## Time / Area

### **Q8. What is the management area under which these regulations apply and when does the annual fishing season begin? ([§660.703](#), [§660.709](#))**

The HMS fishery management area includes waters within the West Coast EEZ and adjacent waters on the high seas. The portion of the area in and around the EEZ is seen in Figure 1.

Fishing seasons for all HMS species will begin on April 1 at 0001 hours local time and end on March 31 at 2400 hours local time the following year.



**Q9. What are the specific HMS FMP regulations for area closures?**

Mainland area closures off the coasts of California, Oregon, and Washington for the DGN fishery are listed under §660.713(d) and (e). Time-area closures in place to specifically protect sea turtles from potential DGN gear interactions listed under §660.713(c) are as follows:

- A Pacific Leatherback Conservation Area from August 15 through November 15; and
- A Pacific Loggerhead Conservation Area from June through August, only in years when an El Niño has been forecasted, or is occurring, off the coast of southern California. Refer to [https://coastwatch.pfeg.noaa.gov/elnino/loggerhead\\_status.html](https://coastwatch.pfeg.noaa.gov/elnino/loggerhead_status.html) for conservation area status.

Additional area restrictions for longline gear are included in [Appendix 1](#).

Additional area restrictions for DGN gear are included in [Appendix 2](#).

Additional area restrictions for DSBG are included in [Appendix 3](#).

**Table 3: HMS, EC, and Prohibited Species**

U.S West Coast Highly Migratory Species, Ecosystem Component Species, and Prohibited Species Pertaining to the HMS FMP		
<u>HMS</u>	HMS Management unit species (§660.702)	
	<u>Common Name</u>	<u>Scientific Name</u>
	North Pacific albacore	<i>Thunnus alalunga</i>
	Yellowfin tuna	<i>Thunnus albacares</i>
	Bigeye tuna	<i>Thunnus obesus</i>
	Skipjack tuna	<i>Katsuwonus pelamis</i>
	Pacific bluefin tuna	<i>Thunnus orientalis</i>
	Common thresher shark	<i>Alopias vulpinus</i>
	Shortfin mako shark	<i>Isurus oxyrinchus</i>
	Blue shark	<i>Prionace glauca</i>
Striped marlin	<i>Tetrapturus audax</i>	



U.S West Coast Highly Migratory Species, Ecosystem Component Species, and Prohibited Species Pertaining to the HMS FMP		
	Swordfish	<i>Xiphias gladius</i>
	Dorado or Dolphinfish	<i>Coryphaena hippurus</i>
<u>EC</u>	<b>Ecosystem Component Species (§660.5)</b>	
	<u>Common Name</u>	<u>Scientific Name</u>
	Round herring	<i>Etrumeus teres</i>
	Thread herring	<i>Opisthonema libertate</i> <i>Opisthonema medirastre</i>
	Pacific sand lance	<i>Ammodytes hexapterus</i>
	Pacific saury	<i>Cololabis saira</i>
	Silversides	family <i>Atherinopsidae</i>
	Smelts	family <i>Osmeridae</i>
	Pelagic squids	families <i>Cranchiidae</i> , <i>Gonatidae</i> , <i>Histioteuthidae</i> , <i>Octopoteuthidae</i> , <i>Onychoteuthidae</i> , and <i>Thysanoteuthidae</i> .  family <i>Ommastrephidae</i> except Humboldt squid ( <i>Dosidicus gigas</i> ).
	Assorted mesopelagic fishes	families <i>Myctophidae</i> , <i>Bathylagidae</i> , <i>Paralepididae</i> ,  and <i>Gonostomatidae</i>
<u>Prohibited</u>	<b>Prohibited species in HMS fisheries (§660.705)</b>	
	<u>Common Name</u>	<u>Scientific Name</u>
	Great white shark	<i>Carcharodon carcharias</i>
	Basking shark	<i>Cetorhinus maximus</i>
	Megamouth shark	<i>Megachasma pelagios</i>
	Pacific halibut	<i>Hippoglossus stenolepis</i>
Pink salmon	<i>Oncorhynchus gorbuscha</i>	

U.S West Coast Highly Migratory Species, Ecosystem Component Species, and Prohibited Species Pertaining to the HMS FMP		
	Chinook salmon	<i>O. tshawytscha</i>
	Chum salmon	<i>O. keta</i>
	Sockeye salmon	<i>O. nerka</i>
	Coho salmon	<i>O. kisutch</i>

## Other Species

### **Q10. What species are prohibited to retain? (§660.5, §660.6, §660.705, §660.711, §600.1203, §300.27)**

Retention of *prohibited* species by vessels operating under an HMS permit is *not* allowed unless there is an exception in place in accordance with existing federal and state guidelines. Prohibited species are listed in Table 3.

The list below describes the applicable federal exemptions:

- *Great white sharks, basking sharks, and megamouth sharks* caught incidentally may be sold or donated to a recognized scientific or educational organization.
- *Salmon* may only be retained if caught using authorized gear during authorized seasons in accordance with [50 CFR 660 Subpart H](#) and all other applicable laws.
- *Pacific halibut* may only be retained if caught using authorized gear during authorized seasons in accordance with [50 CFR 300 Subpart E](#) and all other applicable laws.

In the absence of an applicable exemption, prohibited species must be released immediately with a minimum of injury if caught.

Directed commercial fishing on shared Ecosystem Component (EC) species is prohibited in the U.S. EEZ. Fishing trips conducted entirely in state waters are exempt from this prohibition. EC species are listed in **Table 3**.

- **Billfish:** The Billfish Conservation Act of 2012 ([H.R. 2706 \(112<sup>th</sup>\)](#)) prohibits the sale and possession for purposes of sale of all billfish species other than swordfish. It also specifies that *recreational* fishermen may possess, but not sell, billfish and are subject to limits imposed by existing state and federal regulations.
- **Sharks:** Section 103 of the Shark Conservation Act of 2010 ([Public Law 111-348](#)) prohibits, among other things, the removal of a shark fin at sea and custody, control,

or possession of a fin aboard a fishing vessel unless the fin is naturally attached (see [§600.1203](#) and 16 U.S.C. § 1857(1)(P)).

In addition, U.S. regulations that implement decisions of the IATTC also provide restrictions on the retention of several species of shark and mobulid rays (see [§300.27](#)).

**Q11. What are the protected species regulations? ([§660.712](#), [.713](#), [.720](#); [§229.31](#); [§223.206](#))**

Longline and DGN vessels encounter sea turtles and marine mammals during fishing operations. Various federal laws provide protection for marine species inhabiting the waters bound by the HMS FMP, including the Endangered Species Act, the Marine Mammal Protection Act, and the Migratory Bird Treaty Act. The HMS FMP adopts measures to minimize interactions between HMS fishing gear and protected species and ensure that the fisheries are operating consistent with federal laws.

For commercial fishing vessels or non-vessel gear operating in a *Category I or II fishery*,<sup>7</sup> you must obtain a marine mammal authorization permit (MMAP)<sup>8</sup> each year from NOAA Fisheries. This certificate authorizes legal incidental takes of marine mammals by commercial fisheries. For state and/or federal fishing license holders, registration and renewals are automatic. If you do not receive your authorization certificate or do not have a state/federal fishing license, please contact your NOAA Fisheries regional office<sup>9</sup> for more information.

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<sup>7</sup> Refer to ruling “[List of Fisheries for 2022](#)” in the Federal Register for fisheries by category

<sup>8</sup> <https://www.fisheries.noaa.gov/national/marine-mammal-protection/marine-mammal-authorization-program#obtaining-a-marine-mammal-authorization-certificate>

<sup>9</sup> Contact directory for NOAA regional offices found at <https://www.fisheries.noaa.gov/contact-directory/regional-offices>

## Limits

### **Q12. Are there any harvest limits? ([§660.709](#), [§300.25](#))**

Yes. The United States publishes regulations to implement tuna catch limits in the IATTC Convention Area<sup>10</sup> that are adopted by IATTC resolutions.

#### **Pacific bluefin tuna (*Thunnus orientalis*)**

The biennial catch limit for 2023-2024 is either:

- I. 1,017 metric tons, plus the amount remaining from the 2021 through 2022 U.S. commercial catch limit (not to exceed 37 metric tons); or,
- II. 1,017 metric tons reduced by the amount caught in excess of the 2021 through 2022 U.S. commercial biennial catch limit.

#### **Annual catch and trip limits for 2023<sup>11</sup>**

For the calendar year 2023, all commercial fishing vessels of the United States combined may capture, retain, transship, or land no more than 720 metric tons. A **30-metric ton trip limit** will be in effect until any of the following criteria (Table 4) are met:

**Table 4: 2023 Annual Catch and Trip Limits**

<b>If the time of year is...</b>	<b>And NMFS anticipates cumulative catch (mt) will be...</b>	<b>Then the trip limit (mt) will be...</b>
January - June	400	20
	500	3
July - September	430	20
	520	3
October - December	470	20
	620	3

<sup>10</sup> The IATTC Convention Area is defined as waters of the EPO within the area bounded by the west coast of the Americas and by 50° N latitude, 150° W longitude, and 50° S latitude.

<sup>11</sup> NMFS will announce the 2023–2024 biennial catch limit and the 2024 annual catch limit in a notice published in the Federal Register. The notices will also be posted on the NMFS website.

**Annual catch and trip limits for 2024**

- I. If the 2024 catch limit is between 525 and 720 metric tons, a *30-metric ton trip limit* will be in effect until any of the following criteria (Table 5) are met:

**Table 5: 2024 Annual Catch and Trip Limits if U.S. catch limit is 520mt through720mt**

If the time of year is...	And NMFS anticipates cumulative catch (mt) will be...	Then the trip limit (mt) will be...
January - June	320	20
	220	10
	150	3
July - September	300	20
	200	10
	140	3
October - December	250	20
	100	3

- II. If the 2024 catch limit is between 400 and 524 metric tons, a *20-metric ton trip limit* will be in effect until any of the following criteria (Table 6) are met:

**Table 6: 2024 Annual Catch and Trip Limits if U.S. catch limit is 400mt through524mt**

If the time of year is...	And NMFS anticipates cumulative catch (mt) will be...	Then the trip limit (mt) will be...
January - June	300	15
	200	3
July - September	250	15
	150	3

October - December	200	15
	100	3

- III. If the 2024 catch limit is between 297 and 399 metric tons, a **15-metric ton trip limit** will be in effect until any of the following criteria (Table 7) are met:

**Table 7: 2024 Annual Catch and Trip Limits if U.S. Catch Limit is 297mt through 399mt**

If the time of year is...	And NMFS anticipates cumulative catch (mt) will be...	Then the trip limit (mt) will be...
January - June	220	3
July - September	200	3
October - December	100	3

At the beginning of each period (semi-annual or quarter), the initial trip limit will be imposed. If the threshold for the intermediate or lower trip limit is met, then trip limits will be reduced accordingly. The new trip limit will remain in effect, unless the threshold to reduce to the lower trip limit is met. ***In each year, if the annual limit is estimated to be met, the fishery will be closed.***

When NMFS anticipates a threshold to change trip limit or close the fishery, NMFS will announce the in-season action via emails to the affected public, as well as publish in-season action in the Federal Register and post on [this webpage](#).

### **Bigeye tuna (*Thunnus obesus*)**

#### *Longline catch limits*

Per [50 CFR 300.25\(a\)](#), the U.S. commercial catch limit for bigeye tuna caught by longline gear on vessels over 24 meters in overall length in the IATTC Convention Area is 750mt. NMFS will monitor landings and logbooks to project a closure date, and will publish a notice

in the *Federal Register* at least 7 calendar days in advance announcing that the limit has been reached.

#### *Purse seine closures*

Per [50 CFR 300.25\(e\)](#), a U.S. commercial purse seine fishing vessel that is of class size 4 through 6 (more than 182 mt carrying capacity) may not fish with purse seine gear in the IATTC Convention Area for 72 days during **one** of the following two periods:

- I. From 0000 hours Coordinated Universal Time (UTC) July 29 to 2400 hours UTC October 8; or
- II. From 0000 hours UTC November 9 to 2400 hours UTC January 19 of the following year.

#### **Additional purse seine closures**

Per [50 CFR 300.25\(e\)\(2\)](#), in 2023 and 2024, purse seine vessels that exceed a certain level of annual catch level of bigeye tuna must add additional days to the 72-day closure period in the following year, as outlined in Table 8.<sup>12</sup> For vessels observing the first closure period, the additional days must be added at the beginning of the closure period. For vessels observing the second closure period, the additional days must be added to the end of the closure period.

**Table 8: Additional Closure Days by Catch Level**

Catch level exceeded (mt)	Additional closure days observed
1,200	10
1,500	13
1,800	16
2,100	19
2,400	22

#### **Harvest guidelines**

A *harvest guideline* is a general harvest objective, whereas *quotas* are more specified guidelines. Attainment of a harvest guideline does not require closure of a fishery. If the

<sup>12</sup> See [50 CFR 300.25\(e\)\(2\)](#) for additional guidance on purse seine closures.



harvest guideline is reached, a review of the species will be initiated according to provisions in the HMS FMP and in consideration of Pacific Fishery Management Council recommendations. The HMS FMP establishes harvest guidelines of:

- 340 mt for common thresher sharks.
- 150 mt for shortfin mako sharks.

Because total catches and basic parameters for population dynamics of these shark species are poorly known, they are managed with precautionary harvest guidelines.

### **Q13. What are the recreational fishing bag limits for albacore and Pacific bluefin tuna?**

Commercial passenger fishing vessel operators are responsible for ensuring that the bag limits of this section are not exceeded for each 24-hour period at sea, regardless of the number of trips per day. There may be additional state provisions for other HMS species. The recreational fishing bag limits are below.

- A recreational fisherman may take or retain no more than 25 albacore if fishing between Point Conception (i.e., 34°27' N. lat.) and the California-Oregon border (i.e., 42°00'N. lat.).
- A recreational fisherman may take or retain no more than 10 albacore if fishing south of Point Conception (i.e., 34°27' N. lat.) to the U.S.-Mexico border.
- A recreational fisherman may only take, retain, or possess up to 2 Pacific bluefin tuna during any day of a fishing trip in U.S. waters off of California, with a total possession limit of 6 fish on a multi-day fishing trip.
  - If the State of California requires a declaration for a multi-day fishing trip for albacore or Pacific bluefin tuna harvested and landed in California, aggregating daily trip limits for multi-day trips are acceptable up to the 6-fish limit.
- Off the California coast, each fisherman aboard a vessel may continue to fish until the combined daily limits of HMS for all anglers has been attained (additional state restrictions on boat limits may apply).
- Any tuna filleted at sea in U.S. waters between Point Conception and the U.S. border with Mexico must be in a bag marked with the species' common name, and be cut into the following six pieces with all skin attached: the four loins; the collar removed as one piece with both pectoral fins attached and intact; and the belly cut to include the vent, with both pelvic fins attached and intact.

## List of Contacts

### **Pacific Fishery Management Council**

Kit Dahl, HMS Staff Officer  
7700 NE Ambassador Place, Suite 101, Portland, OR 97220  
Phone: (503) 820-2422  
Fax: (503) 820-2299  
Email: Kit.Dahl@noaa.gov  
Website: [www.pcouncil.org](http://www.pcouncil.org)

### **Oregon Department of Fish and Wildlife**

Marine Resources Program - Main Office  
2040 SE Marine Science Drive, Newport, OR 97365  
Phone: (541) 867-4741 -or- (541) 867-0300 + ext.  
Fax: (541) 867-0311  
Website: [www.dfw.state.or.us](http://www.dfw.state.or.us)

\* Wildlife violations reporting hotline: (800) 452-7888

### **Washington Department of Fish and Wildlife**

Fish Program - Fishing Regulations QA Contact  
General Email: fishpgm@dfw.wa.gov  
Website: [www.wdfw.wa.gov](http://www.wdfw.wa.gov)

\* Wildlife violations reporting hotline: (800) 477-6224

### **Frank Orth & Associates – Observer Service Providers**

Scott and Jessica Casey, Observer Coordinators  
Phone: (800) 522-7622 – or - (562) 427-1822  
Email: seagoat98@hotmail.com

**NMFS West Coast Region HMS Branch**

Amber Rhodes, Acting Highly Migratory Species Branch Chief  
501 W. Ocean Blvd., Suite 4200, Long Beach, CA 90802  
Phone: (562) 980-4025  
Email: Amber.Rhodes@noaa.gov  
Website: <https://www.fisheries.noaa.gov/>

**NMFS West Coast Region Permits and Monitoring Branch**

Karen Palmigiano, HMS Permits Coordinator  
501 W. Ocean Blvd., Suite 4200, Long Beach, CA 90802  
Phone: (562) 980-4238  
Email: wcr-permits@noaa.gov  
Website: <https://www.fisheries.noaa.gov/west-coast/commercial-fishing/west-coast-fishing-permits>

**NOAA Southwest Fisheries Science Center**

HMS Logbook submission  
8901 La Jolla Shores Drive, La Jolla, CA 92037  
Email for logbook submissions: swfsc.hms.logbooks@noaa.gov  
Phone: (858) 546-7000  
Fax: (858) 546-7003  
Website: [swfsc.noaa.gov](http://swfsc.noaa.gov)

**NOAA Pacific Islands Fisheries Science Center**

HMS Logbook submission  
Attn: NMFS/PIFSC/Fishery Monitoring Branch  
1845 Wasp Blvd., Building 176  
Honolulu, Hawaii 98618  
pifsc.elogsupport@noaa.gov  
Phone: 808-725-5604

**Vessel Monitoring System (VMS) Contacts**

Declarations should be made to phone: 888-585-5518

Questions on applicable regulations, current reporting status, declarations, and transmission rates should go to the local VMS program manager: [brian.corrigan@noaa.gov](mailto:brian.corrigan@noaa.gov)

General questions should go the VMS Help Desk:

HQ Main Phone: (888) 219-9228, ext. 2  
Help Desk Email: [ole.helpdesk@noaa.gov](mailto:ole.helpdesk@noaa.gov).

**NMFS West Coast Region HMS Branch**

Amber Rhodes, Acting Highly Migratory Species Branch Chief

501 W. Ocean Blvd., Suite 4200, Long Beach, CA 90802

Phone: (562) 980-4025

Email: Amber.Rhodes@noaa.gov

Website: <https://www.fisheries.noaa.gov/>

**NMFS West Coast Region Permits and Monitoring Branch**

VMS Helpdesk hours are Monday through Friday, except Federal holidays, 7 a.m. to 11 p.m. Eastern Time

Website: <https://www.fisheries.noaa.gov/topic/enforcement>

## Appendix 1: Requirements & Restrictions for Longline Gear

### **Observer Requirements ([§ 660.719](#))**

The permit holder must notify the Regional Administrator or designated observer service provider<sup>13</sup> at least 24 hours prior to embarking on a fishing trip. NMFS or the observer service provider will advise the permit holder or the designated agent whether the vessel is assigned an observer for the fishing trip. **The vessel may not engage in the fishery without taking an observer if it has been assigned one.**

Additional observer requirements applicable to all HMS vessels carrying an observer, including longline vessels, are listed under Question 7.

### **Vessel Monitoring System Requirements ([§ 660.712](#))**

OLE type-approved VMS units are required on all vessels. Refer to question 6 on page 7 for details. Additional questions may be addressed to the VMS Help Desk. See [List of Contacts](#) for contact information.

### **Time and Area Restrictions ([§ 660.712](#))**

Owners and operators of vessels registered for use of longline gear may not:

- Use either shallow-set or deep-set longline gear to target HMS within the U.S. EEZ.
- Use shallow-set longline gear to target swordfish in the adjacent high seas.
- Use longline gear, receive HMS harvested by longline from another vessel, or land/transship HMS harvested by longline gear from April 1 through May 31 in waters bounded on the south by 0° lat., on the north by 15° N. lat., on the east by 145° W. long., and on the west by 180° long.
- Target swordfish west of 150° W long. and north of the equator without a Western Pacific longline permit.

### **Gear Restrictions ([§ 660.712](#))**

Owners and operators of vessels registered to use longline gear may not:

- Possess a lightstick or floatline (a line used to suspend the main longline beneath a float) and deploy any floatline that is shorter than or equal to 20 meters (65.6 ft or 10.9 fathoms (fm)) west of 150° W long. and north of the equator.

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<sup>13</sup> See [List of Contacts](#).

- Possess more than 10 swordfish from a fishing trip when using any J-type fishing hooks or more than 25 swordfish from a fishing trip when using only circle hook-type fishing hooks if a NMFS-trained observer is on board. If a NMFS-trained observer is on board for the duration of the fishing trip, there is no limit on swordfish retention.
- Have fewer than 15 branch lines set between any 2 floats for a conventional longline or 10 branch lines between any 2 floats for a basket-style longline. The deepest point of the main longline between any 2 floats must be greater than 100 meters (328.1 ft, 54.6 fm) below the sea surface.

### **Protected species requirements ([§ 660.712](#))**

- Owners and operators must attend a Protected Resources Workshop each year. A valid Protected Resources Workshop certificate or copy issued by NMFS must be on board the vessel and on file to maintain or renew vessel registration.
- Owners and operators must carry line clippers, dip nets, and wire or bolt cutters to disengage any hooked or entangled animals.

### **Sea turtles ([§ 660.712](#))**

- All sea turtles brought aboard for de-hooking/disentanglement must be handled in a manner that minimizes injury and promotes post-hooking survival.
- Place the turtle on its belly and elevate the hindquarters.
- Perform a reflex test at least every 3 hours to determine if the sea turtle is responsive.
- Keep the turtle shaded and moist by placing a water-soaked towel over the eyes, carapace, and flippers.
- Live turtles must be returned to the sea away from deployed gear and with the vessel engine in neutral gear.

### **Seabirds ([§ 660.712](#))**

- When fishing north of 23° N lat., use a line setting machine or line shooter to set the main line when making sets with deep-set longline west of 150° W long.
- Use completely thawed bait that is dyed blue (minimum of 2 cans on board vessel) to an intensity level specified by a color quality control card issued by NMFS.
- Discharge fish, fish parts (offal), or spent bait, with hooks removed on the opposite side of the vessel from the gear when setting or hauling gear.
- If a seabird is hooked or entangled, stop the vessel to reduce line tension and bring the seabird on board using a dip net.
- Cover the seabird with a towel to protect its feathers from oils or damage.

- Remove any entangled lines and hooks from the seabird.
- Cut the fishing line as close as possible to ingested or inaccessible hooks.
- Leave the bird in a safe enclosed space to recover until its feathers are dry then release seabirds by placing them on the sea surface.
- See regulations for additional measures when short-tailed albatross are encountered.

## Appendix 2: Requirements & Restrictions for Large Mesh DGN Gear

### **Vessel Monitoring System Requirements ([§660.713](#))**

OLE type-approved VMS units are required on all vessels. DGN vessel owners/operators may power down their VMS units during the off-season after submitting a valid long-term exemption report to OLE (see § 660.713(g)(4)(iv)(C),(E), and (F)). If the vessel owners/operators wish to participate in the next fishing season after submitting a valid long-term departure exemption, they may do so after submitting either an activation report (for a new VMS unit) or a declaration report (for a VMS unit previously powered down) (see § 660.713(g)(ii)(A) and (660.713(f)(2))).

As an example, owners and operators of drift gillnet vessels that typically fish from August or September through December or January could make a long-term departure exemption request after the fishing season ends in December or January. Following a valid exemption request, the VMS unit could be powered down until either a reactivation or declaration report is submitted to OLE to power-on the VMS unit and monitoring at the start of the next DGN fishing season (which may be in the same calendar year as the exemption request).

### **Observer Requirements ([§ 660.719](#))**

DGN vessel owners and operators must notify NMFS or the designated observer service provider<sup>14</sup> at least 48 hours prior to embarking on a fishing trip. NMFS or the observer service provider will advise the permit holder or the designated agent whether the vessel is assigned an observer for the fishing trip. **The vessel may not engage in the fishery without taking an observer if it has been assigned one.**

### **Additional Notification Requirements ([§660.713](#))**

DGN vessel owners and operators must provide the NMFS West Coast Division Office of Law Enforcement (OLE) with a declaration report<sup>15</sup> before the vessel leaves port to fish with DGN gear in state or Federal waters. The report should include the gear type and vessel name and/or identification number. Full reporting requirements can be found at [§660.713\(f\)](#).

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<sup>14</sup> See [List of Contacts](#).

<sup>15</sup> OLE may be reached for declarations Monday through Friday at 1-888-585-5518, from 8 a.m. to 4:30 p.m., Pacific Time.



**Time and Area Restrictions ([§660.713](#))**

A suite of time-area closures for DGN fishing have been adopted to protect marine mammals and sea turtles in the U.S. EEZ. Mainland area closures off the coasts of California (including the Channel Islands), Oregon, and Washington for the DGN fishery are listed under [§660.713\(d\)](#).

Time-area closures to protect sea turtles from potential interactions with DGN gear include:

- A Pacific Leatherback Conservation Area from August 15 through November 15.
- A Pacific Loggerhead Conservation Area from June 1 through August 31, in years when an El Niño has been forecasted. This area includes all U.S. waters east of the 120° W meridian.

See [Figure 1](#) for the above conservation areas. Coordinates for the time-area closures can be found at [§660.713\(c\)](#).

**Gear Restrictions ([§660.713](#))**

Large DGN vessels may use nets with stretched mesh size larger than 14 inches to target HMS. A vessel may carry DGN with a maximum length of 6,000 feet (1828 m). Up to 1,500 feet (457 m) of DGN in separate panels of 600 feet (182.88 m) may be stored on the vessel. All specific gear requirements can be found at [50 CFR 229.31](#)

## Appendix 3: Requirements & Restrictions for DSBG

### **Gear Requirements (§ 660.715)**

DSBG consists of a set of buoy-arrays, each with a vertical mainline containing baited hooks and a terminal weight. All DSBG must conform to the following requirements:

- The surface buoy flotation and strike detection array must include a minimum of three buoys (a minimum 45-pound (20.41 kilogram) buoyancy non-compressible hard ball, a minimum 6-pound (2.72 kilogram) buoyancy buoy, and a strike detection buoy), with no more than 6 feet (1.83 meters) of line between adjacent buoys, all connected in-line by a minimum of  $\frac{3}{8}$  inch (9.53 millimeter) diameter line.
- Buoys must be free of tether attachments, such as non-streamlined gear with loops and/or dangling components.
- The buoy-array must include a locator flag, a radar reflector, and an identification number. The identification number can be the vessel's number, the commercial fishing license number, or buoy brand number, the vessel documentation number issued by the United States Coast Guard, or, for an undocumented vessel, the vessel registration number issued by the state.
- Weights must be a minimum of 3.6 kilograms.
- Circle hooks must be used that are a minimum size 16/0 with not more than 10 degrees offset.
- No more than 10 pieces of standard (SBG) or linked (LBG) buoy gear, in total, may be deployed at one time, with no more than three hooks per piece.

DSBG may be fished in either a standard or linked configuration. Specific requirements for each configuration are as follows:

- **SBG:** An individual piece of SBG must consist of a vertical monofilament mainline suspended from a buoy-array with a terminal weight. No more than three gangions with hooks may be attached to the mainline. No gangions may be attached at a depth shallower than 90 meters.
- **LBG:** An individual piece (section) of LBG must consist of a monofilament mainline that extends vertically from a buoy-array (either directly or from a minimum 50-foot (15.24-meter) extender) to a weight; then horizontally to a second weight; then vertically to a minimum 50-foot (15.24-meter) extender attached to a second buoy-array. No more than three gangions with hooks may be connected to each horizontal section of the mainline. No gangions may be attached at a depth shallower than 90 meters. Individual pieces may be linked together by the mainline. The links between each piece of LBG must be serviceable.

### **Operational Requirements ([§ 660.715](#))**

SBG and LBG must be fished in accordance with the following operational requirements:

- *Active Tending:* All pieces of gear must remain within 5 nautical miles (9.26 kilometers) of the vessel at all times, and the vessel may be no more than 3 nautical miles (5.56 kilometers) from the nearest piece of gear.
- *Fishing Multiple Gears:* Gear types other than DSBG may be used on the same trip when DSBG is used, as long as the requirement to actively tend DSBG is met. If multiple gear types, including gear other than DSBG, are used on the same trip as DSBG, catch must be tagged or marked to identify the gear used, including differentiating whether caught with SBG or LBG.
- *Daytime Fishing:* Gear may not be deployed until local sunrise, and must be onboard the vessel no later than 3 hours after local sunset.

### **Observer Requirements ([§ 660.715](#))**

DSBG vessel owners and operators must notify NMFS or the designated observer service provider<sup>16</sup> at least 48 hours prior to embarking on a fishing trip. NMFS or the observer service provider will advise the permit holder or the designated agent whether the vessel is assigned an observer for the fishing trip. **The vessel may not engage in the fishery without taking an observer if it has been assigned one.**

### **Protected species requirements ([§ 660.715](#))**

- DSBG limited entry permit holders, and HMS permit holders with DSBG endorsements, must attend a Protected Resources Workshop when requested by NMFS.

### **Area Restrictions ([§ 660.715](#))**

Fishing with DSBG is only allowed in Federal waters offshore of California and Oregon. In other words, DSBG fishing may not occur north of a line extending seaward from the Oregon/Washington border at north of 46°16' N latitude. In addition, the following geographic restrictions apply:

- Fishing with DSBG may not occur in Federal waters within the Southern California Bight, except for vessels fishing under a valid DSBG limited entry permit. For this purpose, the Southern California Bight is defined with a northern boundary of 34°26'54.96" N latitude (i.e., Point Conception), a southern boundary of the U.S.-Mexico maritime border, and a western boundary of 120°28'18" W longitude.

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<sup>16</sup> See [List of Contacts](#).

- Fishing with DSBG in a LBG configuration in waters north of the Northern Channel Islands to a line extending seaward from the Oregon/Washington border at 46°16' N latitude may not occur shoreward of a line approximating the 400 meter depth contour, which is defined by straight lines connecting all of the following points in the order stated in the table found at [§ 660.715\(d\)\(3\)](#).
- Figure 2 below shows the above area restrictions for DSBG.

