

NOAA
FISHERIES
Pacific Islands
Regional Office

Compliance Guide

Transshipping, Bunkering, and Catch Retention/Discard Requirements

December 14, 2012

This guide provides information on how to comply with specific requirements for transshipping, bunkering, and purse seine discards in the western and central Pacific Ocean. These requirements implement decisions of the Western and Central Pacific Fisheries Commission (WCPFC) for **U.S. fishing vessels used to fish commercially for highly migratory species (HMS)**. Regulations are subject to change. The final regulations were published in the *Federal Register* on December 3, 2012, and will be included in the *Code of Federal Regulations*, 50 CFR part 300 subpart O.

Any discrepancy between the contents of this guide and regulations will be resolved in favor of regulations published in the *Federal Register* and the *Code of Federal Regulations*. This compliance guide is a “small entity compliance guide” issued in accordance with Section 212 of the Small Business Regulatory Enforcement Fairness Act of 1996: Title II of Public Law 104-121.

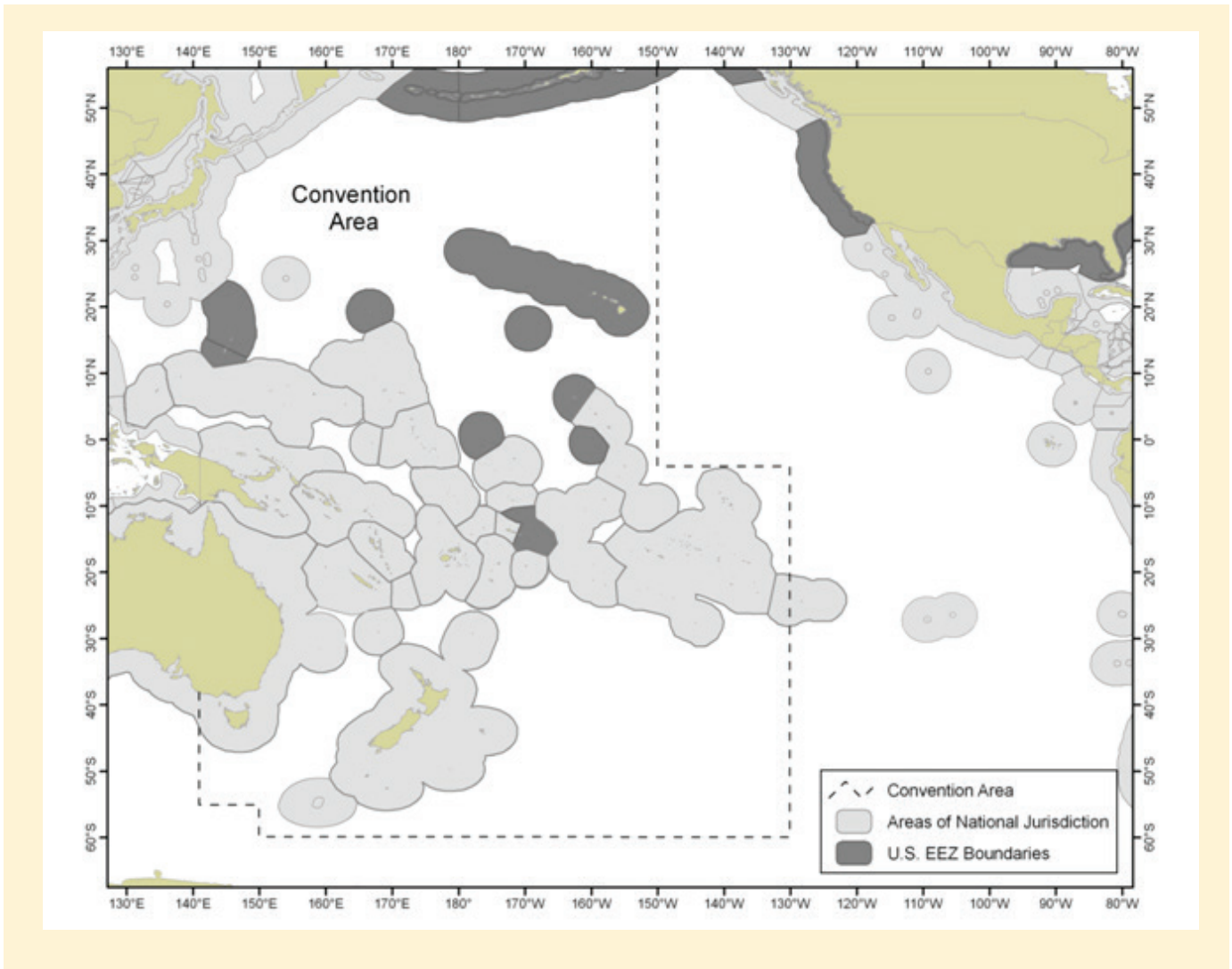
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Map of the Convention Area

The requirements described in this guide apply primarily in the area the WCPFC manages under its Convention (see map below). Some of the requirements for transshipments also apply outside the Convention Area, as described below.

The Convention Area: high seas (white); U.S. Exclusive Economic Zone (dark gray); and foreign claimed maritime jurisdictions (light gray)



General Requirements

1. Transshipment Observer Coverage

A. Observer Coverage Requirements

Observer coverage is required for all transshipments of HMS at sea in the Convention Area, unless:

- The transshipment is an emergency transshipment. An emergency transshipment is a transshipment conducted under circumstances of force majeure or other serious mechanical breakdown that could reasonably be expected to threaten the health or safety of the vessel or crew or cause a significant financial loss through fish spoilage; or
- The fish is caught and transshipped only in territorial seas or archipelagic waters.

The specific observer requirements for transshipments of HMS in the Convention Area are as follows:

- Vessels **receiving** transshipments at sea must have a WCPFC Observer on board unless **ALL** of the following conditions are met:
 - The receiving vessel is less than or equal to 33 meters (108.27 feet) in registered length;
 - The transshipment does not include any frozen fish caught by longline gear; and
 - The offloading vessel has a WCPFC Observer on board.
- Vessels **offloading** transshipments at sea must have a WCPFC Observer on board unless **AT LEAST ONE** of the following conditions is met:
 - The vessel that receives the transshipment has a WCPFC Observer on board;
 - The vessel that receives the transshipment is greater than 33 meters (108.27 feet) in registered length;
 - The transshipment includes fish caught by purse seine gear; or
 - The transshipment includes frozen fish caught by longline gear.
- Owners and operators of vessels that offload or receive transshipments of HMS at sea must ensure that a WCPFC Observer is on board at least one of the vessels involved in the transshipment for the duration of the transshipment.
- Receiving vessels cannot receive transshipments from more than one vessel at a time, unless there is a separate WCPFC Observer on either the offloading or receiving vessel to monitor each additional transshipment.
- The vessel owner is responsible for the costs of carrying an observer deployed under the new regulations (e.g., food, accommodations, medical facilities) and is not eligible for reimbursement of these costs.
- Observers deployed by NOAA Fisheries under other regulations may satisfy these observer coverage requirements. The costs of observers deployed under other regulations would be eligible for reimbursement, if such reimbursement is specified in the other regulations.

B. Advance Notification Requirements

- The owner or operator of a vessel required to carry a WCPFC Observer during a transshipment at sea must provide notice to NOAA Fisheries at least 72 hours (not including weekends and Federal holidays) before the vessel leaves port on the fishing trip, indicating the need for an observer. The notice must include the following information:
 - The official number of the vessel (i.e., the U.S. Coast Guard (USCG) documentation number, or if not documented, the certificate number issued by a state or the USCG);
 - The name of the vessel;
 - The intended departure date, time, and location;

- The name of the operator (i.e., master on board) of the vessel;
 - A telephone number at which the vessel owner or operator or designated agent may be contacted during the business day (8 a.m. to 5 p.m. Hawaii Standard Time).
- The notice may be provided in conjunction with the notice required under 50 CFR 665.803(a) for vessels that are registered for use under a Hawaii longline limited access permit or vessels greater than 40 feet that are registered for use under an American Samoa longline limited access permit.
 - If you are leaving from Pago Pago, American Samoa, the notice must be given by calling one of the following numbers: (684) 633-5325 or (684) 252-2567 or (684) 256-9339
 - If you are leaving from any other location, the notice must be given by calling one of the following numbers: (808) 949-1141 or (808) 282-5318
 - For example, if your longline vessel is going to depart on a trip during which it will engage in a transshipment at sea in the Convention Area, and your vessel (rather than the other vessel involved in the transshipment) is required to have an observer on board to observe the transshipment, you must notify NOAA Fisheries of your need for an observer. Since you must notify NOAA Fisheries in advance of the fishing trip in any case, you may simply add one piece of information to that notification – that is, that you need an observer to observe a transshipment.

2. Vessels With Which Transshipping May Be Conducted

- Only fishing vessels that are authorized to be used for fishing in the U.S. Exclusive Economic Zone (EEZ) (i.e., have the relevant permits or fishery endorsements) may engage in transshipment in the U.S. EEZ.
- Transshipments in the Convention Area, other than transshipments of fish caught and transshipped only in territorial seas or archipelagic waters, may only be conducted with vessels in any of the following categories:
 - Vessels flagged to a Member or Cooperating Non-Member of the WCPFC. The current list of WCPFC Members and Cooperating Non-Members is maintained on the WCPFC Web site at <http://www.wcpfc.int/>.
 - Vessels on the WCPFC Record of Fishing Vessels. The current WCPFC Record of Fishing Vessels is maintained on the WCPFC Web site at <http://www.wcpfc.int/>.
 - Vessels on the WCPFC Interim Register of Non-Member Carrier and Bunker Vessels. The current WCPFC Interim Register of Non-Member Carrier and Bunker Vessels is maintained on the WCPFC Web site at <http://www.wcpfc.int/>.

3. Vessels With Which Bunkering May Be Conducted

- Only fishing vessels that are authorized to be used for fishing in the U.S. Exclusive Economic Zone (EEZ) (i.e., have the relevant permits or fishery endorsements) may engage in bunkering in the U.S. EEZ.
- Bunkering or any other exchange of supplies or provisions between vessels in the Convention Area may only be conducted with vessels in any of the following categories:
 - Vessels flagged to a Member or Cooperating Non-Member of the WCPFC. The current list of WCPFC Members and Cooperating Non-Members is maintained on the WCPFC Web site at <http://www.wcpfc.int/>.
 - Vessels on the WCPFC Record of Fishing Vessels. The current WCPFC Record of Fishing Vessels is maintained on the WCPFC Web site at <http://www.wcpfc.int/>.
 - Vessels on the WCPFC Interim Register of Non-Member Carrier and Bunker Vessels. The current WCPFC Interim Register of Non-Member Carrier and Bunker Vessels is maintained on the WCPFC Web site at <http://www.wcpfc.int/>.

Notices and Reporting Requirements

1. Transshipment notices

Notices in advance of transshipments are required for certain transshipments on the high seas in the Convention Area and for certain emergency transshipments, as described below.

A. High Seas Transshipments

- Advance notices must be provided for transshipments on the high seas in the Convention Area and transshipments on the high seas of fish caught in the Convention Area (regardless of where the transshipment takes place).
- For each high seas transshipment, notices must be completed and submitted separately by both the offloading vessel and the receiving vessel, if both vessels involved in the transshipment are U.S. vessels. If both vessels involved in the transshipment are not U.S. vessels, then only the U.S. vessel must complete and submit the notice.
- Each notice must be submitted by fax or email to both the WCPFC and NOAA Fisheries at least 36 hours prior to the start of the high seas transshipment, using the following addresses/numbers:
 - WCPFC: Email: transshipment@wcpfc.int or Fax: +691 320-1108
 - NOAA Fisheries: Email: pir.wcpfc@noaa.gov or Fax: 808-973-2941
- Each notice must include the following information:
 1. Report type (“HSTRANS”)
 2. Name of the offloading vessel
 3. Offloading vessel’s identification markings located on the hull or superstructure (i.e., the vessel’s international radio call sign, or if not assigned a radio call sign, the documentation or registration number)
 4. Name of the receiving vessel
 5. Receiving vessel’s identification markings located on the hull or superstructure (i.e., the vessel’s international radio call sign, or if not assigned a radio call sign, the documentation or registration number)
 6. Expected amount, in metric tons, of fish product to be transshipped, broken down by species and processed state (fresh or frozen), and using the abbreviations BET, YFT, SKJ, and ALB for bigeye tuna, yellowfin tuna, skipjack tuna, and albacore, respectively
 7. Expected start date of the transshipment (in UTC)
 8. Expected start time of the transshipment (in UTC)
 9. Expected end date of the transshipment (in UTC)
 10. Expected location of the transshipment (latitude and longitude to the nearest tenth of a degree) ¹
 11. Indication of which of the following areas the expected transshipment location is situated: high seas inside the Convention Area (HSINSIDE); high seas outside the Convention Area (HSOUTSIDE); or an area under the jurisdiction of a particular nation, in which case the nation must be specified (NAME OF NATION)
 12. For the offloading vessel only, the expected amount of HMS to be transshipped, in metric tons, that was caught in each of the following areas: high seas inside the Convention Area (AMOUNT:HSINSIDE); high seas outside the Convention Area (AMOUNT:HSOUTSIDE); and within areas under the jurisdiction of particular nations, with each such nation and the associated amount specified (AMOUNT:NAME OF NATION1, AMOUNT:NAME OF NATION2, etc.)

¹ Please note that the transshipment must take place within 24 nautical miles of this location; if the expected location changes, a new notice must be submitted at least 36 hours prior to the start of the transshipment.

- The reports must be in the following format:

HSTRANS/NAME/VESSELID/NAME/VESSELID/SPECIES1xxx.xmtSTATE SPECIES2xxx.xmtSTATE/ddmmyy/ TIME/
ddmmyy/LA111.1 LO111.1/AREA/xxx.xmt:AREA1 xxx.xmt:AREA2

Example:

HSTRANS/TUNABOAT1/WDE1234/TUNABOAT2/WCD4321/BET006.0mtFRESH STRIPED MARLIN000.3mt
FRESH/010513/1200Z/010513/LAN009.1 LOW169.5/HSINSIDE/004.2mt:HSINSIDE 002.1mt:UNITED STATES

Translation:

Offloading vessel TUNABOAT1, with vessel identification (radio call sign in this case) WDE1234, expects to transship 6.0 mt of fresh bigeye tuna and 0.3 mt of fresh striped marlin to receiving vessel TUNABOAT2, with vessel identification (radio call sign in this case) WCD4321, starting on May 1, 2013, at 12:00 UTC, and ending on the same day. The transshipment is expected to occur at 9.1° N latitude and 169.5° W longitude, which is on the high seas inside the Convention Area. Of the 6.3 mt of fish product to be transshipped, 4.2 mt was caught on the high seas inside the Convention Area and 2.1 mt was caught in waters under the jurisdiction of the United States.

B. Emergency Transshipments

- Notices must be provided for emergency transshipments in the Convention Area and emergency transshipments of fish caught in the Convention Area but transshipped elsewhere. An emergency transshipment is a transshipment conducted under circumstances of force majeure or other serious mechanical breakdown that could reasonably be expected to threaten the health or safety of the vessel or crew or cause a significant financial loss through fish spoilage. An emergency transshipment is allowed in situations where transshipments would otherwise be prohibited by the regulations described in this guide.
- For each emergency transshipment, notices must be completed and submitted separately by both the offloading vessel and the receiving vessel, if both vessels involved in the transshipment are U.S. vessels. If both vessels involved in the transshipment are not U.S. vessels, then only the U.S. vessel must complete and submit the notice
- Each notice must be submitted by fax or email to both the WCPFC and NOAA Fisheries within 12 hours of the completion of the emergency transshipment, using the following addresses/numbers:
 - WCPFC: Email: transshipment@wcpfc.int or Fax: +691 320-1108
 - NOAA Fisheries: Email: pir.wcpfc@noaa.gov or Fax: 808-973-2941
- Each notice must include the following information:
 - Report type (“EMERGTRANS”)
 - Name of the offloading vessel
 - Offloading vessel’s identification markings located on the hull or superstructure (i.e., the vessel’s international radio call sign, or if not assigned a radio call sign, the documentation or registration number)
 - Name of the receiving vessel
 - Receiving vessel’s identification markings located on the hull or superstructure (i.e., the vessel’s international radio call sign, or if not assigned a radio call sign, the documentation or registration number)
 - Expected amount, in metric tons, of fish product to be transshipped, broken down by species and processed state (fresh or frozen), and using the abbreviations BET, YFT, SKJ, and ALB for bigeye tuna, yellowfin tuna, skipjack tuna, and albacore, respectively
 - Expected start date of the transshipment (in UTC)
 - Expected start time of the transshipment (in UTC)
 - Expected end date of the transshipment (in UTC)
 - Expected location of the transshipment (latitude and longitude to the nearest tenth of a degree)²

² Please note that the transshipment must take place within 24 nautical miles of this location; if the expected location changes, a new notice must be submitted within twelve hours of the completion of the transshipment.

11. Indication of which of the following areas the expected transshipment location is situated: high seas inside the Convention Area (HSINSIDE); high seas outside the Convention Area (HSOUTSIDE); or an area under the jurisdiction of a particular nation, in which case the nation must be specified (NAME OF NATION)
 12. For the offloading vessel only, the expected amount of HMS to be transshipped, in metric tons, that was caught in each of the following areas: high seas inside the Convention Area (AMOUNT:HSINSIDE); high seas outside the Convention Area (AMOUNT:HSOUTSIDE); and within areas under the jurisdiction of particular nations, with each such nation and the associated amount specified (AMOUNT:NAME OF NATION1, AMOUNT:NAME OF NATION2, etc.)
 13. A brief description of the reason or reasons for the emergency transshipment
- The reports must be in the following format:

EMERGTRANS/NAME/VESSELID/NAME/VESSELID/SPECIES1xxx.xmtSTATE SPECIES2xxx.xmtSTATE/ddmmyy/
TIME/ddmmyy/LA111.1 LO111.1/AREA/xxx.xmt:AREA1 xxx.xmt:AREA2/REASON

Example (of an emergency longline transshipment at sea, where no observer is available):

EMERGTRANS/HIGHLINER1/WDE1234/HIGHLINER2/WCD4321/BET006.3mtFRESH STRIPED MARLIN000.3mt
FRESH/010513/1200Z/010513/LAN017.9 LOW172.0/UNITED STATES/004.2mt:HSINSIDE 002.1mt:UNITED STATES/
ICE-MAKER BREAKDOWN

Translation:

Offloading vessel HIGHLINER1, with vessel identification (radio call sign in this case) WDE1234, expects to transship 20.0 mt of fresh bigeye tuna and 0.3 mt of frozen striped marlin to receiving vessel HIGHLINER2, with vessel identification (radio call sign in this case) WCD4321, starting on May 1, 2013, at 12:00 UTC, and ending on the same day, UTC. The transshipment is expected to occur at 17.9° N latitude and 172.0° W longitude, which is in waters under the jurisdiction of the United States. Of the 6.3 mt of fish product to be transshipped, 4.2 mt was caught on the high seas inside the Convention Area and 2.1 mt was caught in waters under the jurisdiction of the United States. The reason for the emergency transshipment is a breakdown of an ice-maker.

2. Transshipment Reports

- Transshipment reports must be completed and submitted for all transshipments of HMS in the Convention Area and for all transshipments of HMS caught in the Convention Area (regardless of where the transshipment takes place), within 24 hours after completion of the transshipment. These reporting requirements apply to transshipment both at port and at sea.
- A transshipment report does not need to be completed if the fish is caught and transshipped only in territorial seas and archipelagic waters.
- For each transshipment, a transshipment report must be completed and submitted separately by both the offloading vessel and the receiving vessel, if both vessels involved in the transshipment are U.S. vessels. If both vessels involved in the transshipment are not U.S. vessels, then only the U.S. vessel must complete and submit the report.
- The “**Pacific Transshipment Declaration Form**” must be completed to fulfill the reporting requirement. A copy of the **Pacific Transshipment Declaration Form** and instructions on how to complete it are included in Appendix 1 of this guide. The instructions indicate the addresses where the forms must be submitted and the due dates for submitting the form, which depend on the type of vessel and the type of transshipment. Additional copies of the form may be obtained by contacting the NMFS Pacific Islands Regional Office at:

Regional Administrator
attn: International Fisheries Division
NMFS Pacific Islands Regional Office
1601 Kapiolani Blvd., Suite 1110
Honolulu, HI 96814

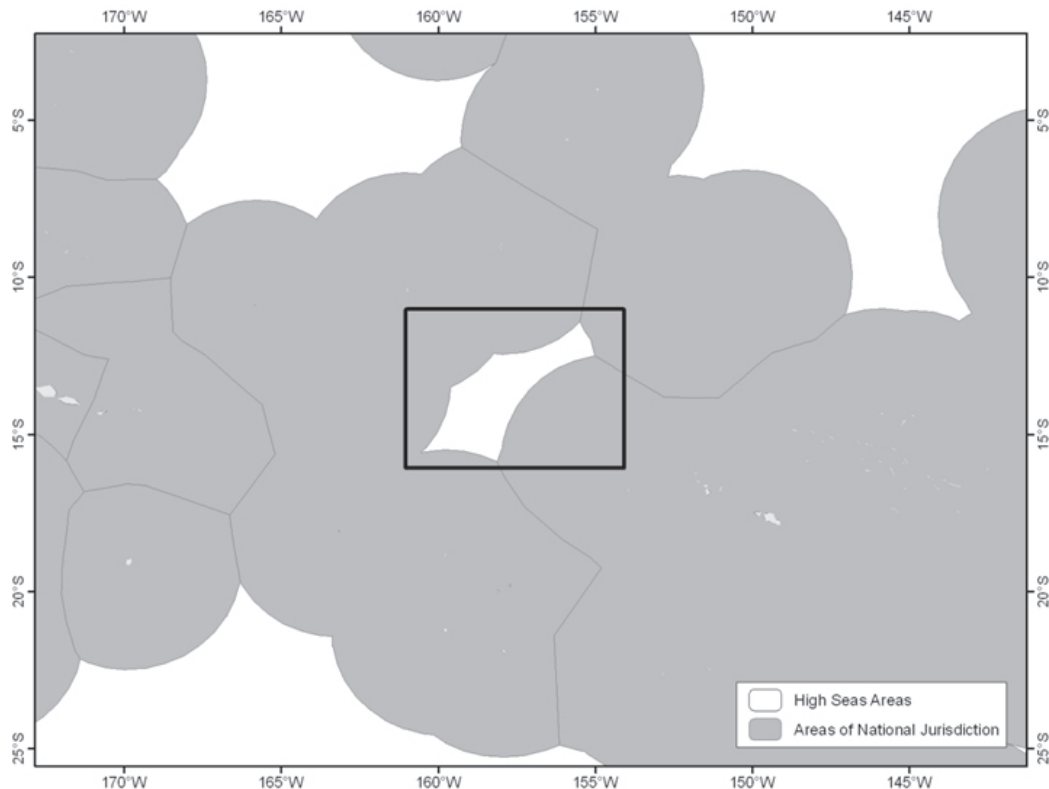
Tel: 808-944-2200
Fax: 808-973-2941
Email: pirohonolulu@noaa.gov

- Please note that owners of U.S. purse seine vessels must complete and submit the Pacific Transshipment Declaration Form in addition to the unloading and transshipment logsheet form required under 50 CFR 300.34(c)(2).

3. Eastern High Seas Special Management Area Entry And Exit Notices

- The Eastern High Seas Special Management Area is the area of the high seas within the rectangular area bounded by the following coordinates: 11°S. latitude and 161° W. longitude; 11° S. latitude and 154° W. longitude; 16° S. latitude and 154° W. longitude; and 16° S. latitude and 161° W. longitude. The area is shown in Figure 1 below.

Figure 1. Areas of high seas are indicated in white; areas of claimed national jurisdiction, including territorial seas, archipelagic waters, and EEZs, are indicated in dark shading. The Eastern High Seas Special Management Area is the high seas area (in white) within the rectangle bounded by the bold black lines. This map displays indicative maritime boundaries only.



- Each time a U.S. vessel used for commercial fishing for HMS enters or exits this area, a notice must be provided to the WCPFC and to NOAA Fisheries by fax or email. Separate notices must be provided for entry and exit. Each notice must be submitted at least six hours before the entry or exit and must be submitted to the following addresses:
 - WCPFC: Email: ehspmsma.vms@wcpfc.int or Fax: +691 320-1108
 - NOAA Fisheries: Email: pir.wcpfc@noaa.gov or Fax: 808-973-2941
- The cover page of the fax or the subject line of the email must include the following phrase “Eastern High Seas Special Management Area Notification” and the notice must be submitted in the following format:

Vessel Identification (name of vessel followed by the vessel identification markings located on the hull or superstructure of the vessel – i.e., the vessel’s international radio call sign, or if not assigned a radio call sign, the documentation or registration number)/Entry or Exit: Date/Time (of anticipated point of entry or exit) in the format DD/MMM/YYYY/Time in UTC); Latitude/Longitude (of anticipated point of entry or exit) to the nearest tenth of a degree; Estimated fish product on board in kilograms, using the following codes for yellowfin tuna, bigeye tuna, skipjack tuna, swordfish, shark, other, total fish product: YFT/BET/SKJ/SWO/SHK/OTH/TOT; whether transshipment has or will take place while in the Eastern High Seas Special Management Area, indicated as Transshipment (Y/N)

An example notice in this format follows:

Tunaboat, WTT1234/Entry: 30/APR/2013:14:00; 158.0W/15.7S; 800kgYFT/10,000kgSKJ/10,800kgTOT/
Transshipment(N)

Requirements Specific To U.S. Purse Seine Fishing

1. Modifications To Prohibitions On Transshipments At Sea

- Regulations in effect since 2010 prohibit transshipments at sea involving purse seine fishing vessels in the Convention Area. Specifically, fish may not be transshipped from a U.S. purse seine fishing vessel at sea in the Convention Area, and a U.S. fishing vessel may not be used to receive a transshipment of fish from a purse seine fishing vessel at sea in the Convention Area.
- The new requirements extend the prohibition on at-sea transshipments for purse seine fishing vessels to fish caught in the Convention Area (regardless of where the transshipment takes place). Specifically, fish caught in the Convention Area may not be transshipped from a U.S. purse seine fishing vessel at sea **anywhere**, and a U.S. purse seine fishing vessel may not be used to receive a transshipment **anywhere** of fish caught in the Convention Area from a purse seine fishing vessel.
- The new requirements, however, do allow U.S. purse seine fishing vessels to engage in emergency transshipments at sea (see previous section for notices required for emergency transshipments). An emergency transshipment is a transshipment conducted under circumstances of force majeure or other serious mechanical breakdown that could reasonably be expected to threaten the health or safety of the vessel or crew or cause a significant financial loss through fish spoilage.
- Please note that net sharing, or the transfer of fish that have not yet been loaded on board any fishing vessel from the purse seine net of one vessel to another fishing vessel, is not a transshipment. Please see page 11 for specific net sharing requirements.

2. Modifications To Catch Retention Requirements

- Catch retention requirements for U.S. purse seine fishing vessels have been in place since 2009 and were set to terminate on December 31, 2012. The new requirements remove the termination date of the catch retention provisions. The requirements are as follows:
- An owner and operator of a U.S. purse seine fishing vessel must ensure the retention on board at all times while at sea within the Convention Area any bigeye tuna (*Thunnus obesus*), yellowfin tuna (*Thunnus albacares*), and skipjack tuna (*Katsuwonus pelamis*), except in the following circumstances and with the following conditions:
 - Fish that are unfit for human consumption, including but not limited to fish that are spoiled, pulverized, severed, or partially consumed at the time they are brought on board, may be discarded.
 - If at the end of a fishing trip there is insufficient well space to accommodate all the fish captured in a given purse seine set, fish captured in that set may be discarded, provided that no additional purse seine sets are made during the fishing trip.
 - If a serious malfunction of equipment occurs that necessitates that fish be discarded, such fish may be discarded.

3. Discard Reports

- Any time that a U.S. purse seine fishing vessel discards at sea (anywhere) any bigeye tuna, yellowfin tuna, or skipjack tuna caught in the Convention Area, the owner and operator of the vessel must provide a report of the discard to the WCPFC and NOAA Fisheries by fax or email within 48 hours after any discard to the following addresses:
 - WCPFC: Email: transshipment@wcpfc.int or Fax: +691 320-1108
 - NOAA Fisheries: Email: gordon.yamasaki@noaa.gov or Fax: 684-633-1400
- A hard copy of the report must be submitted to the observer on board the vessel.

- The “U.S. Purse Seine Discard Form” must be completed and submitted to fulfill the reporting requirement. A copy of the U.S. Purse Seine Discard Form and instructions on how to complete it are included in Appendix 2 of this guide. Additional copies of the form may be obtained by contacting the NMFS Pacific Islands Regional Office at:

Regional Administrator
attn: International Fisheries Division
NMFS Pacific Islands Regional Office
1601 Kapiolani Blvd., Suite 1110
Honolulu, HI 96814

Tel: 808-944-2200
Fax: 808-973-2941
Email: pirohonolulu@noaa.gov

4. NET SHARING REQUIREMENTS AND REPORTING

- Net sharing is defined as the transfer of fish that have not yet been loaded on board any fishing vessel from the purse seine net of one vessel to another fishing vessel. Fish shall be considered to be on board a fishing vessel once they are on a deck or in a hold, or once they are first lifted out of the water by the vessel. Net sharing is not a transshipment.
- Net sharing is prohibited unless all of the following conditions are met:
 - The vessel transferring the fish and the vessel receiving the fish are both U.S. purse seine fishing vessels;
 - The vessel transferring the fish has insufficient well space for the fish; and
 - The vessel transferring the fish engages in no additional purse seine sets during the remainder of the fishing trip.
- After engaging in net sharing under these limited circumstances, the owners and operators of both U.S. purse seine vessels must record the net sharing activity on their respective catch report forms, also known as Regional Purse Seine Logsheets (RPLs), as specified below:

Instructions for Recording Net Sharing Activity on RPLs for Vessels Transferring Fish

- Enter the information regarding the set on which net sharing occurred as you would for any other set.
- In the columns for retained catch, enter only the amount of fish that is kept on board the vessel.
- In the position fields, on a blank line directly below the information for that set, enter “Transferred fish by net sharing to” and enter the name of the vessel that received the fish and the amount of fish transferred, by species.

Instructions for Recording Net Sharing Activity on RPLs for Vessels Accepting Fish

- Enter the date, position details for where the net sharing activity takes place, and time of receipt of the fish as the set start time.
- Enter 1 (FISHING) as the Activity Code.
- Enter 8 (OTHER) as the School Association Code.
- In the fields for retained catch, enter the amount of fish received by net sharing, by species, and the well numbers.
- In the fields for discards, enter the amount of any discards, by species.
- On a blank line directly below the information for the net sharing, enter the phrase “Received fish by net sharing from” and enter the name of the vessel transferring the fish and the type of set, in the position fields.

For additional information please contact:

Regional Administrator
attn: International Fisheries Division
NMFS Pacific Islands Regional Office
1601 Kapiolani Blvd., Suite 1110
Honolulu, HI 96814

Tel: 808-944-2200
Fax: 808-973-2941
Email: pirohonolulu@noaa.gov



Appendix 1

Pacific Transshipment Declaration Form and Instructions

FOR OFFICE USE ONLY

FORM UNIQUE IDENTIFIER:

LOCATION DESCRIPTOR: [High Seas, EEZ, etc.]

PACIFIC TRANSSHIPMENT DECLARATION FORM

LOCATION OF TRANSSHIPMENT: _____
(If at port, enter the PORT NAME; if at sea, give latitude and longitude of position in decimal form, to 0.1 degrees)

DATE(S) OF TRANSSHIPMENT: _____
(MM/DD/YYYY) – (MM/DD/YYYY)

Section 1: OFFLOADING VESSEL	Section 2: RECEIVING VESSEL	Section 3: OBSERVER (for transshipments at sea only)
VESSEL NAME: OFFICIAL NUMBER: NAME OF VESSEL OPERATOR:	VESSEL NAME: OFFICIAL NUMBER: NAME OF VESSEL OPERATOR: QUANTITY OF FISH PRODUCT ALREADY ON BOARD THE RECEIVING VESSEL PRIOR TO THIS TRANSSHIPMENT, BROKEN DOWN BY AREA OF CAPTURE: Amount: _____ Unit of Measurement: _____ RFMO Area: _____ Amount: _____ Unit of Measurement: _____ RFMO Area: _____ Amount: _____ Unit of Measurement: _____ RFMO Area: _____	The information in this box is provided to verify the presence of the named observer and does not represent the observer's concurrence with the information provided on this form. The observer may choose not to sign this form. OBSERVER NAME: SIGNATURE (IF ON BOARD): DATE (MM/DD/YYYY): <input type="checkbox"/> WCPFC Authorized <input type="checkbox"/> IATTC Authorized

Section 4: CODES

WEIGHT: WW: whole weight, GG: gilled & gutted, GX: gutted, headed & tailed, HG: headed & gutted, GT: gilled, gutted & tailed, GO: gutted only, not gilled, FL: filleted, LO: loins

GEAR: PS: Purse seines, DL: Drifting longlines, PL: Poles and lines, HOVL: Hand operated vertical lines (non-squid), DN: Driftnets, TL: Trolling lines, HP: Harpoons, MVL: Mechanized vertical lines (non-squid), OT: Other type(s) of gear

Section 4: SPECIES	FR – FRESH FZ - FROZEN DR - DRIED	FORM OF PRODUCT (insert weight codes as shown above)	QUANTITY TRANSSHIPPED		FISHING GEAR USED TO TAKE THE FISH (insert gear code as shown above)	GEOGRAPHIC LOCATION OF FISH CATCHES		
			NUMBER OF FISH (if longline-caught)	ESTIMATED WEIGHT AND UNIT OF MEASUREMENT		I - Inside WCPFC Area O - Outside WCPFC Area, (if O, specify if in the IATTC Area)	Circle One: EEZ (Country of Capture) or HS (High Seas)	If you indicate EEZ, write in the country of capture
Bigeye tuna							EEZ or HS	
Yellowfin tuna							EEZ or HS	
Albacore							EEZ or HS	
Skipjack tuna							EEZ or HS	
Swordfish							EEZ or HS	
Blue marlin							EEZ or HS	
Striped marlin							EEZ or HS	
Sailfish							EEZ or HS	
Spearfish							EEZ or HS	
Sharks							EEZ or HS	

Complete information on both front and back of the form.

Section 4: CODES

WEIGHT: WW: whole weight, GG: gilled & gutted, GX: gutted, headed & tailed, HG: headed & gutted, GT: gilled, gutted & tailed, GO: gutted only, not gilled, FL: filleted, LO: loins
 GEAR: PS: Purse seines, DL: Drifting longlines, PL: Poles and lines, HOVL: Hand operated vertical lines (non-squid), DN: Driftnets, TL: Trolling lines, HP: Harpoons, MVL: Mechanized vertical lines (non-squid), OT: Other type(s) of gear

Section 4: SPECIES	FR - FRESH FZ - FROZEN DR - DRIED	FORM OF PRODUCT (insert weight codes as shown above)	QUANTITY TRANSSHIPPED		FISHING GEAR USED TO TAKE THE FISH (insert gear code as shown above)	GEOGRAPHIC LOCATION OF FISH CATCHES		
			NUMBER OF FISH (if longline-caught)	ESTIMATED WEIGHT AND UNIT OF MEASUREMENT		I - Inside WCPFC Area O - Outside WCPFC Area (if O, specify if in the IATTC Area)	Circle One: EEZ (Country of Capture) or HS (High Seas)	If you indicate EEZ, write in the country of capture
Pacific bluefin tuna							EEZ or HS	
							EEZ or HS	
							EEZ or HS	
							EEZ or HS	

Section 5: U.S. VESSELS WITH RECEIVING VESSEL PERMITS TRANSSHIPPING LONGLINE-CAUGHT FISH | **Section 6: U.S. SPTT-LICENSED PURSE SEINE VESSEL INFORMATION**

BROKER OR SHIPPING AGENT AND CONTACT INFORMATION: PORT OF LANDING:	TRIP NO.: _____ TRIP START DATE: _____ DESTINATION OF FISH: _____ TO BE PROCESSED AT: _____
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Section 7: FOR TRANSSHIPMENTS IN THE IATTC CONVENTION AREA

DEPARTURE DATE (MM/DD/YYYY/HOUR): _____	LOCATION OF DEPARTURE (PORT NAME): _____	TRANSSHIPMENT START DATE (MM/DD/YYYY/HOUR): _____
RETURN DATE (MM/DD/YYYY/HOUR): _____	LOCATION OF RETURN (PORT NAME): _____	TRANSSHIPMENT END DATE (MM/DD/YYYY/HOUR): _____
AGENT'S NAME: _____	FLAG AND RADIO CALL SIGN OF OFFLOADING VESSEL: _____	FLAG AND RADIO CALL SIGN OF RECEIVING VESSEL: _____

I certify that the above information is complete and accurate to the best of my knowledge.

OWNER or OPERATOR NAME: _____

Indicate if owner or operator of: Offloading vessel Receiving vessel

SIGNATURE: _____ DATE: _____

Complete information on both front and back of form.

Instructions for Pacific Transshipment Declaration Form: The owner and operator of any U.S. vessel (“operator” means the master or other individual aboard and in charge of the vessel) used for the following: each transshipment of highly migratory species (HMS) in the Western and Central Pacific Fisheries Convention Area (WCPFC Area), each transshipment of HMS captured in the WCPFC Area and transshipped elsewhere, and transshipments subject to the regulations implementing decisions of the Inter-American Tropical Tuna Commission (IATTC) at 50 CFR Part 300 Subpart C, must ensure the completion and submission of this form. **The form must be completed and signed within 24 hours of the completion of the transshipment. Completed forms must be submitted separately by both the offloading vessel and the receiving vessel for each transshipment.**

Addresses and Due Dates:

For purse seine vessels holding a license issued under 50 CFR 300.32 for South Pacific Tuna Fisheries, the original form must be submitted to the NMFS American Samoa Field Office, P.O. Box 4150, Pago Pago, AS 96799 or NMFS American Samoa Field Office, Pago Plaza, Suite 201, Pago Pago, AS 96799 for courier service delivery, within 14 days of completion of the transshipment.

For vessels permitted under the requirements of 50 CFR 660.707 (generally, albacore troll vessels), the original form must be submitted to the NMFS Fisheries Resources Division in La Jolla, California within 30 days of the transshipment. Please contact the Fisheries Resources Division at (858) 546-7192 or (858) 546-7000 for the address for submitting the form.

For vessels subject to the receiving vessel requirements of 50 CFR 665.14(c) and 50 CFR 801(e) for receiving fish caught with longline gear, the original form must be submitted to the NMFS Pacific Islands Fisheries Science Center, 2570 Dole Street, Honolulu, HI 96822 within 72 hours of landing.

For offloading vessels subject only to the requirements at 50 CFR Part 300 Subpart C (i.e., for transshipments including fish caught and transshipped only in the IATTC Area), please contact the NMFS Fisheries Resources Division in La Jolla, California at (858) 546-7192 or (858) 546-7000 to find out the due dates and address for submitting the form.

For all other vessels the original form must be submitted to the NMFS Pacific Islands Fisheries Science Center, 2570 Dole Street, Honolulu, HI 96822 within 72 hours after entering port for transshipments at sea and within 72 hours of completion of the transshipment for transshipments in port.

Special Instructions for High Seas and Emergency Transshipments:

For transshipments on the high seas or emergency transshipments that would otherwise be prohibited, a copy of the form with or without signatures must be submitted by fax or email to the NMFS Pacific Islands Regional office (fax: (808) 973-2941; email: pir.wcpfc@noaa.gov) no later than 10 calendar days after completion of the transshipment. The original form with signatures must be submitted no later than 15 calendar days after first entering port or 15 calendar days after completion of the transshipment for emergency transshipments in port to the address where the forms would normally be submitted for a particular vessel (e.g., for a purse seine vessel, the original form would be submitted to the NMFS American Samoa Field Office).

Special Instructions for Sections 5, 6, and 7:

Section 5 is only to be completed by operators of vessels subject to the receiving vessel permit requirements under 50 CFR 665.801(e).

Section 6 is only to be completed by operators of purse seine vessels holding a license issued under 50 CFR 300.32 for South Pacific Tuna Fisheries.

Section 7 is only to be completed for transshipments subject to the regulations implementing decisions of the IATTC at 50 CFR Part 300 Subpart C.

Specific instructions:

Location of Transshipment: Enter the port name where the transshipment took place, including the name of the country for ports outside the United States, or enter the latitude and longitude in decimal form, to the nearest 0.1 degrees, at the start of the transshipment, if the transshipment took place at sea.

Date(s) of Transshipment: Enter the beginning and ending dates for the transshipment as MM/DD/YYYY to MM/DD/YYYY.

Section 1: Offloading Vessel

Enter the current name of the offloading vessel.

Enter the offloading vessel's official number, which is the documentation number assigned by the U.S. Coast Guard (USCG) or the certificate number issued by a state or the USCG for an undocumented vessel, or any equivalent number if the vessel is registered in a foreign nation.

Enter the full name of the offloading vessel operator. "Operator" means the master or other individual aboard and in charge of the vessel.

Section 2: Receiving Vessel

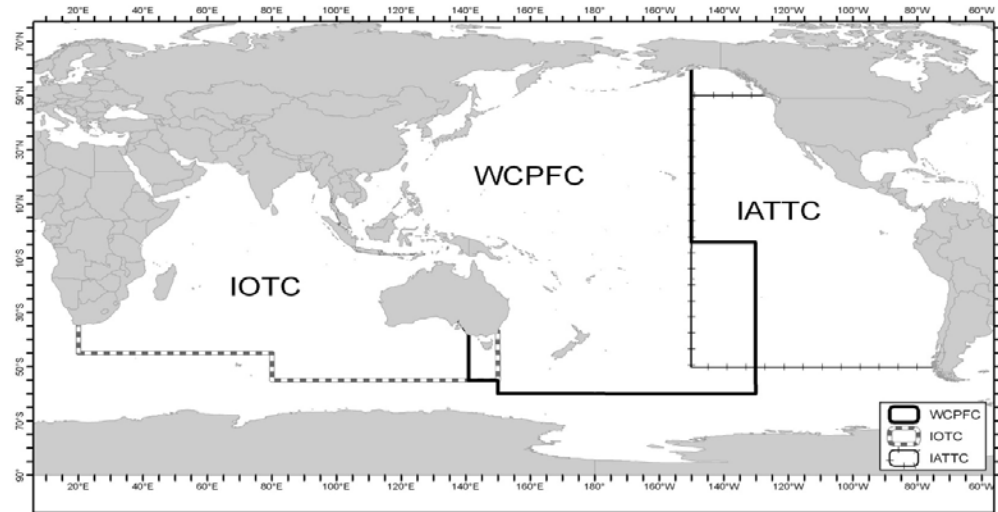
Enter the current name of the receiving vessel.

Enter the receiving vessel's official number, which is the documentation number assigned by the USCG or the certificate number issued by a state or the USCG for an undocumented vessel, or any equivalent number if the vessel is registered in a foreign nation.

Enter the full name of the receiving vessel operator. "Operator" means the master or other individual aboard and in charge of the vessel.

If you are subject to the regulations at 50 CFR 300.218(b) (i.e., your transshipment takes place in the WCPFC Area or involves fish caught in the WCPFC Area), enter the estimated quantity of fish product on board the receiving vessel prior to this transshipment, broken down by the area of capture of the product. Enter the unit of measurement for the amount (pounds (lb) or metric tons (mt)). Indicate the amount originating from each tuna Regional Fisheries Management Organization (RFMO) area. WCPFC denotes Western and Central Pacific Fisheries Commission, IATTC denotes Inter-American Tropical Tuna Commission, IOTC denotes Indian Ocean Tuna Commission, ICCAT denotes International Commission for the Conservation for Atlantic Tunas, and CCSBT denotes the Commission for the Conservation of Southern Bluefin Tuna. If any product originated from an area of overlap as indicated on Figure 1 below, indicate the quantity and write in both areas in the same row. If any product originated from an area outside the jurisdiction of a tuna RFMO, please write in "None" after RFMO Area.

Figure 1. Map of Tuna RFMOs



Section 3: Observer (for transshipments at sea only)

If there are one or more observers on board the offloading and/or receiving vessel, the name of at least one of the observer(s) must be included in this section for transshipments at sea. Please place an “O” or an “R” next to each observer name to indicate whether the observer was on board the offloading vessel or the receiving vessel. The operator of the vessel must request the observer to sign and date the form if the observer is on board the vessel. If the observer does not wish to sign the form please write “signature declined” after SIGNATURE (IF ON BOARD). If the observer is on board the other vessel, the request for signature is not required. Please check the appropriate box or boxes to indicate whether the observer is authorized by the WCPFC and/or the IATTC.

Section 4: Species

If a given species was caught in multiple national jurisdictions or in both national jurisdictions and on the high seas, a separate entry, using a separate row, must be made in each instance. If a given species was in more than one condition (e.g., both fresh and frozen) or in more than one product form (e.g., some whole and some gutted and gilled), a separate entry must be made in each instance. If a given species was caught by different gear types, a separate entry must be made for each gear type.

For each entry, identify the processed state of the fish (FR for fresh, FZ for frozen, or DR for dried), the processed state of the product using the weight codes identified on the form, and the estimated weight of the product transshipped and the unit of measurement (pounds (lb), metric tons (mt), or kilograms (kg)). Operators completing Section 7 of the form must use kg as the unit of measurement. For longline-caught fish, also enter the number of fish transshipped.

For each species transshipped, enter the fishing gear used to take the fish using the gear codes identified on the form. If the fishing gear is not included in the list, enter the code for “Other type(s) of gear” (OT) and specify the fishing gear.

For each entry, enter the code to identify the area in which the product was caught:

Indicate I for fish caught inside the WCPFC Area or O for fish caught outside the WCPFC Area. If O, specify if caught in the IATTC Area by writing “IATTC”.

Circle EEZ if the product was caught in waters under national jurisdiction (of any nation).

Circle HS if the product was caught on the high seas (in international waters).

If EEZ is circled, specify the name of the country in whose waters the fish were captured.

If a particular species is not included on the form, write in the name of the species in one of the empty rows at the bottom of the list. Additional forms may be used to accommodate additional species and multiple entries of the same species.

Section 5: Vessels with Receiving Vessel Permits Transshipping Longline-Caught Fish

Only operators of vessels subject to the receiving vessel permit transshipment reporting requirements under 50 CFR 665.801(e) must complete this section:
Enter the broker or shipping agent for the receiving vessel and contact information (name, mailing address, and telephone number or email address).
Enter the intended port of landing.

Section 6: SPTT-Licensed Purse Seine Vessel Information

Only operators of vessels issued licenses under 50 CFR 300.32 must complete this section:
Enter the trip number.
Enter the trip start date in DD/MM/YYYY format.
Enter the intended port of destination of the transshipped fish.
Enter the location where the fish will be processed.

Section 7: For Transshipments in the IATTC Convention Area

This section should be completed for transshipments that are subject to the regulations at 50 CFR Part 300 Subpart C:
Enter the trip start date and time in MM/DD/YYYY/HOUR format.
Enter the location of the departure (port name).
Enter the intended trip end date and time in MM/DD/YYYY/HOUR format (provide the best possible estimate for the hour).
Enter the location of the return (port name).
Enter the dates the transshipment takes place (start date and end date) in MM/DD/YYYY/HOUR format.
Enter the name of the agent (i.e., the broker or shipping agent).
Enter the flag and radio call sign of the offloading vessel.
Enter the flag and radio call sign of the receiving vessel.

Section 8: Signature

The owner or operator of the vessel must print his or her name, sign it, and give the date of signature.
Check one box to indicate whether you are the owner or operator of the OFFLOADING vessel or the owner or operator of the RECEIVING vessel.

Public reporting burden for this collection of information is estimated to average 60 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other suggestions for reducing this burden to Michael D. Tosatto, Regional Administrator, NMFS Pacific Islands Regional Office, 1601 Kapiolani Blvd., Suite 1110, Honolulu, HI 96814. Information submitted to NMFS will be managed as confidential data consistent with the requirements of NOAA Administrative Order 216-100, Section 506(d) of the WCPFC Implementation Act, and regulations under 50 CFR Part 300. This information might be disclosed to the WCPFC, either through your direct submission or through subsequent disclosure by NMFS. Information submitted or disclosed to the WCPFC will be subject to the procedures, policies, and practices adopted by the WCPFC, but NOAA and NMFS cannot provide any assurance of confidentiality. Notwithstanding any other provisions of the law, no person is required to respond to, nor shall any person be subjected to a penalty for failure to comply with, a collection of information subject to the requirements of the Paperwork Reduction Act, unless that collection of information displays a currently valid OMB Control Number.

Appendix 2

U.S. Purse Seine Discard Form and Instructions

FOR OFFICE USE ONLY
FORM UNIQUE IDENTIFIER: [WIN + DATE] _____

U.S. PURSE SEINE DISCARD FORM

Section 1: Vessel Information

Vessel Name:

International Radio Call Sign:

License Number (WCPFC Area Endorsement Number):

Section 2: Personnel Information

Name of Vessel Operator:

Nationality of Vessel Operator:

Name of Observer on Board:

Section 3: Discard Information

Date and Time of Discard in MM/DD/YYYY/HOUR Format:

Location of Discard (Latitude and Longitude Coordinates to the Nearest Minute of Arc):

Date and Time of Set in MM/DD/YYYY/HOUR Format:

Location of the Set (Latitude and Longitude Coordinates to the Nearest Minute of Arc):

Type of Set (Check One): Unassociated Feeding on Baitfish Drifting Log, Debris or Dead Animal

Drifting Raft, FAD or Payao Anchored Raft, FAD or Payao Other _____

Reason for Discard (Check All that Apply):

Fish Unfit for Human Consumption Insufficient Well Space Serious Equipment Malfunction

Amount of Discarded Fish, by Species (in metric tons):

Skipjack tuna _____ Yellowfin tuna _____ Bigeye tuna _____

Amount of Retained Fish from the Set, by Species (in metric tons):

Skipjack tuna _____ Yellowfin tuna _____ Bigeye tuna _____

Section 4: Optional Additional Information

Instructions for U.S. Purse Seine Discard Form: Owners and operators of fishing vessels of the United States equipped with purse seine gear that discard bigeye tuna, yellowfin tuna, or skipjack tuna caught in the Western and Central Pacific Fisheries Convention Area must ensure completion of this form. One form must be completed for each set from which any fish are discarded. The form must be completed and submitted to the Executive Director of the Western and Central Pacific Fisheries Commission (WCPFC) within 48 hours of each discard at the following address: E-Mail (Transshipment@wcpfc.int) or Fax (+691 320-1108).

A copy of the form must be submitted to the NMFS American Samoa Field Station within 48 hours of each such discard at the following address: E-Mail (Gordon.Yamasaki@noaa.gov and Elia.Henry@noaa.gov) or Fax (684-633-1400). A hard copy of the form must be provided to the observer on board the vessel.

Section 1: Vessel Information

Enter the current name of the vessel.

Enter the vessel's International Radio Call Sign, which is the unique radio station identifier assigned to the vessel by the Federal Communications Commission.

Enter the WCPFC Area Endorsement number of the vessel (issued by NMFS under 50 CFR 300.212). Enter "none" if none.

Section 2: Personnel Information

Enter the name of the vessel operator (the master or other individual aboard and in charge of the vessel).

Enter the nationality of the vessel operator.

Enter the name of the observer on board. Enter "none" if none.

Section 3: Discard Information

Enter the date and time of the discard in MM/DD/YYYY/HOUR format. The time should be entered using a 24 hour clock (e.g., 2:16 pm would be 14:16) in Coordinated Universal Time (UTC).

Enter the location of the discard (latitude and longitude coordinates to the nearest minute of arc).

Enter the date and start time for the set from which the fish is discarded in MM/DD/YYYY/HOUR format. The time should be entered using a 24 hour clock (e.g., 2:16 pm would be 14:16) in Coordinated Universal Time (UTC).

Enter the location of the set (latitude and longitude coordinates to the nearest minute of arc).

Check the appropriate box for the type of the set. If you check "Other," provide a brief description of the set type on the adjacent line.

Check the appropriate box or boxes for the reason(s) for the discard.

Enter the amounts, in metric tons, of all bigeye tuna, yellowfin tuna, and skipjack tuna discarded from the set, broken down by species.

Enter the amounts, in metric tons, of all bigeye tuna, yellowfin tuna, and skipjack tuna retained from the set, broken down by species.

Section 4: Optional Additional Information

If there is any other information you wish to include, please do so in this section.

Public reporting burden for this collection of information is estimated to average 30 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other suggestions for reducing this burden to Michael D. Tosatto, Regional Administrator, NMFS Pacific Islands Regional Office, 1601 Kapiolani Blvd., Suite 1110, Honolulu, HI 96814. Information submitted to NMFS will be managed as confidential data consistent with the requirements of NOAA Administrative Order 216-100, Section 506(d) of the WCPFC Implementation Act, and regulations under 50 CFR Part 300. Information submitted to the WCPFC will be subject to the procedures, policies, and practices adopted by the WCPFC, but NOAA and NMFS cannot provide any assurance of confidentiality. Notwithstanding any other provisions of the law, no person is required to respond to, nor shall any person be subjected to a penalty for failure to comply with, a collection of information subject to the requirements of the Paperwork Reduction Act, unless that collection of information displays a currently valid OMB Control Number.