



U.S. DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
NATIONAL MARINE FISHERIES SERVICE
Pacific Islands Regional Office
1601 Kapiolani Blvd., Suite 1110
Honolulu, Hawaii 96814-4700
(808) 944-2200 • Fax (808) 973-2941

November 13, 2012 DRAFT

Dear _____:

This letter is to inform you about a final rule to implement decisions of the Western and Central Pacific Fisheries Commission.

This final rule implements requirements for the following types of U.S. fishing vessels:

- Vessels that offload or receive transshipments of highly migratory species (HMS) for commercial purposes;
- Vessels that provide bunkering or other support services to fishing vessels for commercial purposes;
- Vessels that receive bunkering or engage in other support services for commercial purposes;
- Vessels that enter or exit a certain area of the high seas called the “Eastern High Seas Special Management Area;” and
- U.S. purse seine fishing vessel requirements relating to discards from purse seine fishing vessels.

The final rule was published in the *Federal Register* on _____ and is effective on _____. Enclosed with this letter is a copy of the final rule, as well as a copy of the Small Entity Compliance Guide, which is intended as a plain-language summary of how owners and of affected vessels, and other affected entities, can comply with these new regulations.

Several of the new requirements pertain only to owners and operators of U.S. purse seine fishing vessels fishing in the western and central Pacific Ocean. One of these requirements prohibits net sharing (i.e., 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) except in the following circumstances:

- 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;
- 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, U.S. purse seine vessels must record the net sharing activity on their catch report forms, also known as Regional Purse Seine Logsheets (RPLs). The instructions for recording the net sharing are included in the enclosed compliance guide, but I am highlighting them below for your convenience.



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.
- However, in the columns for retained catch, enter only the amount of fish that is kept on board the vessel.
- On a blank line directly below the information for that set, enter the phrase “Transferred fish by net sharing to” and enter the name of the vessel that received the fish. Also enter the amount of fish, by species, in the position fields.

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

- Enter the information regarding the set on which the net sharing occurred that is the same as the set details provided by the vessel transferring the fish, including information on date, set position, and set start time. Leave the fields for retained catch and discards blank.
- Enter 1 (FISHING) as the Activity Code.
- Enter 8 (OTHER) as the School Association Code.
- In the retained catch fields, enter the phrase “Received fish by net sharing from” and enter the name of the vessel transferring the fish.

If you need additional information or have any questions, please contact Rini Ghosh (808-944-2273; Rini.Ghosh@noaa.gov) or Tom Graham (808-944-2219; Tom.Graham@noaa.gov).

Sincerely,

Michael D. Tosatto
Regional Administrator