



U.S. DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
NATIONAL MARINE FISHERIES SERVICE
Pacific Islands Regional Office
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September 9, 2025

Ms. Agnes Sablan
Director, Division of Coastal Resources Management
CNMI Bureau of Environmental and Coastal Quality
P.O. Box 501304
Saipan, MP 96950

Attn: Arthur Charfauros, Federal Consistency Contact

Dear Ms. Sablan:

The National Marine Fisheries Service (NMFS) is proposing to amend regulations to implement a crew training requirement for longline fisheries operating under the Fishery Ecosystem Plan for Pelagic Fisheries of the Western Pacific Region. Specifically, the proposed action would expand the existing protected species handling and release training that is required for longline vessel owners and operators fishing under Hawai'i longline limited entry, American Samoa longline limited entry, and Western Pacific general longline permits to also include fishing vessel crew members. This action is intended to reduce post-release mortality of protected species during interactions and is necessary to comply with the terms and conditions of the most recent Endangered Species Act biological opinions for these fisheries.

Pursuant to section 307 of the Coastal Zone Management Act (33 U.S.C. 1456(c)(1)(C)) I have determined that the proposed action is consistent to the maximum extent practicable with the enforceable policies of the approved Coastal Zone Management Program of the Commonwealth of the Northern Mariana Islands (CNMI). I have enclosed a consistency determination that includes the information required by 15 CFR 930.39, and request your review of and concurrence with our determination. Under regulations at 15 CFR 930.41(a), we may presume your concurrence if we do not receive your response within 60 days from receipt of this consistency determination.

If you have any questions or comments or you would like to review draft documents that provide information and analysis supporting this determination, please contact Lynn Rassel at 808-725-5036 or lynn.rassel@noaa.gov.

Sincerely,

Sarah Malloy
Regional Administrator

Encl. CZMA Determination



Coastal Zone Management Act Federal Consistency Determination

Agency: National Marine Fisheries Service (NMFS)

Relevant Authorities: The Coastal Zone Management Act of 1972 (CZMA, 16 U.S.C. 1451, et seq.); CZMA Federal Consistency Regulations (15 CFR 930).

Determination: Consistent to the maximum extent practicable with the enforceable policies of Coastal Zone Management Program of the CNMI.

Description of proposed activity: NMFS is proposing to amend regulations at 50 CFR 665.814 to expand protected species training requirements for Western Pacific pelagic longline fisheries. The proposed action would apply to all longline vessels operating under the Fishery Ecosystem Plan for Pelagic Fisheries of the Western Pacific Region, including those registered under the Hawai'i longline limited entry permit, American Samoa longline limited entry permit, and the Western Pacific general longline permit. Although there are currently no active vessels operating under a Western Pacific general longline permit, the proposed rule would apply to any such vessels that may operate under such permit in the future. The proposed action would require that, in addition to longline vessel owners and operators, at least one crew member per vessel be trained and certified in protected species handling and release techniques. A trained individual must be on deck to direct proper handling and release when a protected species interaction occurs during gear retrieval. Crew training certificates would be valid for two years, and a valid copy would be required to be kept on the vessel.

Since the early 2000s, vessel owners and operators have been required to attend annual Protected Species Workshops conducted by NMFS, covering gear requirements, species identification, and handling and release techniques. These efforts, along with mitigation measures introduced in the 2000s, have successfully reduced interaction rates and mortalities with seabirds, mammals, sea turtles, and protected rays and sharks. However, because vessel operators may not always be present on deck during gear retrieval, there is a recognized training gap among crew members. In response, the Western Pacific Fishery Management Council and the False Killer Whale Take Reduction Team have recommended that NMFS develop and implement a crew training program to improve handling practices for turtles, seabirds, sharks, and marine mammals. Research has shown that proper handling techniques can significantly improve post-release survival.

Should a Western Pacific general longline fishery become active in the future, the required crew training would be delivered online, onboard vessels, or at NOAA local offices.

Expected coastal effects: The proposed training activities are limited to existing developed and operational maritime areas, namely, onboard fishing vessels and NOAA local offices, or online. These areas are already designated for maritime use, or conducted virtually, and do not involve any construction, land alteration, or discharge into coastal waters. As a result, the training would not directly affect natural coastal resources such as marine habitats, water quality, or shoreline ecosystems within CNMI's coastal zone management area.

Currently, U.S. longline vessels targeting tuna and swordfish operate within the U.S. Exclusive Zone (EEZ) around Hawaii, American Samoa, Pacific Remote Island Areas, and the adjacent high seas. Notably, there has been no longline fishing activity in the EEZ around the CNMI or the Guam in recent years.

The proposed action would not alter fishing activities including fishing location, timing, effort, authorized fishing gear types, harvest levels, and target catch. The proposed action is only expected to have an effect on protected species bycatch, lowering the number of mortalities and serious injuries in the fishery, thereby contributing positively to species conservation without affecting coastal environments in the CNMI.

Consistency evaluation: The CMNI is comprised of 14 islands that span 440 miles of the western Pacific Ocean. The entire land and water area of the commonwealth is included within the coastal zone. The policies and objectives of the CNMI's Coastal Zone Management Program can be combined into the following major components and functions: (1) promoting sustainable economic development and growth through careful planning, coordination and monitoring of coastal development, and consistency with the CZMA; (2) coordinating state and federal actions and making findings on proposed activities requiring federal consistency determinations pursuant to section 307 of the CZMA (16 U.S.C. Section 1456); and (3) balancing coastal resource use and preservation to ensure that future generations will continue to benefit from the CNMI's rich coastal resources.

Based on the above, the proposed action would not cause direct effects to CNMI's coastal zone management area, and the specifications are consistent with the policies and objectives of the Coastal Zone Management Program of the CNMI. Thus, NMFS has determined that the activity would be consistent to the maximum extent practicable with the enforceable policies and objectives of CNMI's Coastal Zone Management Program.