

§ 665.102

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§ 665.102 [Reserved]

§ 665.105 At-sea observer coverage.

§ 665.103 Prohibitions.

All fishing vessels subject to §§ 665.100 through 665.105 must carry an observer when directed to do so by the Regional Administrator.

In addition to the general prohibitions specified in § 600.725 of this chapter and § 665.15, it is unlawful for any person to fish for American Samoa bottomfish MUS using gear prohibited under § 665.104.

§§ 665.106–665.119 [Reserved]

§ 665.104 Gear restrictions.

§ 665.120 American Samoa coral reef ecosystem fisheries. [Reserved]

(a) *Bottom trawls and bottom set gillnets.* Fishing for American Samoa bottomfish MUS with bottom trawls and bottom set gillnets is prohibited.

§ 665.121 Definitions.

(b) *Possession of gear.* The possession of a bottom trawl or bottom set gillnet within the American Samoa fishery management area is prohibited.

As used in §§ 665.120 through 665.139: *American Samoa coral reef ecosystem management unit species (American Samoa coral reef ecosystem MUS)* means all of the Currently Harvested Coral Reef Taxa and Potentially Harvested Coral Reef Taxa listed in this section and which spend the majority of their non-pelagic (post-settlement) life stages within waters less than or equal to 50 fathoms in total depth.

(c) *Poisons and explosives.* The possession or use of any poisons, explosives, or intoxicating substances for the purpose of harvesting bottomfish is prohibited.

American Samoa Currently Harvested Coral Reef Taxa:

Family name	Samoa name	English common name	Scientific name	
Acanthuridae (Surgeonfishes)	afinamea .....	orange-spot surgeonfish .....	<i>Acanthurus olivaceus.</i>	
	Aanani .....	yellowfin surgeonfish .....	<i>Acanthurus xanthopterus.</i>	
	ponepone, gaitolama .....	convict tang .....	<i>Acanthurus triostegus.</i>	
	Alogo .....	eye-striped surgeonfish .....	<i>Acanthurus dussumieri.</i>	
	pone-i-usama .....	blue-lined surgeon .....	<i>Acanthurus nigroris.</i>	
	laulama, .....	blue-banded surgeonfish .....	<i>Acanthurus lineatus.</i>	
	Maogo .....	blackstreak surgeonfish .....	<i>Acanthurus nigricauda.</i>	
	ponepone .....	whitecheek surgeonfish .....	<i>Acanthurus nigricans.</i>	
	Pone .....	white-spotted surgeonfish .....	<i>Acanthurus guttatus.</i>	
	pone, pala'ia, logoulia .....	ringtail surgeonfish .....	<i>Acanthurus blochii.</i>	
	ume-isu .....	brown surgeonfish .....	<i>Acanthurus nigrofuscus.</i>	
	ili'ilia, umelei .....	elongate surgeonfish .....	<i>Acanthurus mata.</i>	
	ume-masimasi .....	mimic surgeonfish .....	<i>Acanthurus pyroferus.</i>	
	ume-ulutao .....	yellow-eyed surgeonfish .....	<i>Ctenochaetus strigosus.</i>	
	Balistidae (Triggerfishes) .....	sumu, sumu-laulau .....	striped bristletooth .....	<i>Ctenochaetus striatus.</i>
		sumu-apa'apasina, sumu-si'umumu.	two-spot bristletooth .....	<i>Ctenochaetus binotatus.</i>
		sumu-ului .....	bluespine unicornfish .....	<i>Naso unicornus.</i>
		sumu-laulau .....	orangespine unicornfish .....	<i>Naso lituratus.</i>
		sumu-uo'uo, sumu-aloalo .....	black tongue unicornfish .....	<i>Naso hexacanthus.</i>
		sumu-gase'ele'ele .....	bignose unicornfish .....	<i>Naso vlamingii.</i>
Atule .....		whitemargin unicornfish .....	<i>Naso annulatus.</i>	
atuleau, namuaui .....		spotted unicornfish .....	<i>Naso brevirostris.</i>	
malie-aloalo .....		barred unicornfish .....	<i>Naso thynnoides.</i>	
Aso .....		titan triggerfish .....	<i>Balistoides viridescens.</i>	
Carcharhinidae (Sharks) .....	Malie .....	orangestriped triggerfish .....	<i>Balistapus undulatus.</i>	
	apeape, malie-alamata .....	pinktail triggerfish .....	<i>Melichthys vidua.</i>	
	Malu .....	black triggerfish .....	<i>Melichthys niger.</i>	
	malau-ugatele, malau-va'ava'a.	blue triggerfish .....	<i>Pseudobalistes fuscus.</i>	
	malau-tui .....	picassofish .....	<i>Rhinecanthus aculeatus.</i>	
	Holocentridae (Soldierfish, squirrelfish.	malau-tui .....	bridled triggerfish .....	<i>Sufflamen fraenatum.</i>
		malau-tui .....	bigeye scad .....	<i>Selar crumenophthalmus.</i>
malau-tui .....		mackerel scad .....	<i>Decapterus macarellus.</i>	
malau-tui .....		grey reef shark .....	<i>Carcharhinus amblyrhynchos.</i>	
malau-tui .....		silvertip shark .....	<i>Carcharhinus albimarginatus.</i>	

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Family name	Samoa name	English common name	Scientific name
		blotcheye soldierfish .....	<i>Myripristis murdjan</i> .
		brick soldierfish .....	<i>Myripristis amaena</i> .
	malau-mamo, malau-va'ava'a	scarlet soldierfish .....	<i>Myripristis pralinia</i> .
	malau-tuauli .....	violet soldierfish .....	<i>Myripristis violacea</i> .
		whitetail soldierfish .....	<i>Myripristis vittata</i> .
	malau-pu'u .....	yellowfin soldierfish .....	<i>Myripristis chryseres</i> .
		pearly soldierfish .....	<i>Myripristis kuntee</i> .
		double tooth squirrelfish .....	<i>Myripristis hexagona</i> .
	malau-tianiu .....	blackspot squirrelfish .....	<i>Sargocentron melanospilos</i> .
		file-lined squirrelfish .....	<i>Sargocentron microstoma</i> .
		pink squirrelfish .....	<i>Sargocentron tiereoides</i> .
	malau-tui, malau-talapu'u, malau-tusitisi, malau-pauli.	crown squirrelfish .....	<i>Sargocentron diadema</i> .
		peppered squirrelfish .....	<i>Sargocentron punctatissimum</i> .
		blue-lined squirrelfish .....	<i>Sargocentron tiere</i> .
	tamalu, mu-malau, malau-toa	saber or long jaw squirrelfish .....	<i>Sargocentron spiniferum</i> .
		spotfin squirrelfish .....	<i>Neoniphon</i> spp.
Kuhliidae (Flagtails) .....	Safole, inato .....	barred flag-tail .....	<i>Kuhlia mugil</i> .
Kyphosidae (Rudderfish) .....	nanue, mata-mutu, mutumutu	rudderfish .....	<i>Kyphosus cinerascens</i> <i>Kyphosus biggibus</i> .
	Nanue .....	rudderfish .....	<i>Kyphosus vaigienses</i> .
Labridae (Wrasses) .....	lalafi, tagafa malakea .....	napoleon wrasse .....	<i>Cheilinus undulatus</i> .
	Lalafi-matamumu .....	triple-tail wrasse .....	<i>Cheilinus trilobatus</i> .
	lalafi-matapua'a .....	floral wrasse .....	<i>Cheilinus chlorourus</i> .
	lalafi-pulepule .....	harlequin tuskfish .....	<i>Cheilinus fasciatus</i> .
	sugale .....	bandcheek wrasse .....	<i>Oxycheilinus diagrammus</i> .
	sugale .....	arenatus wrasse .....	<i>Oxycheilinus arenatus</i> .
	sugale-tatanu .....	whitepatch wrasse .....	<i>Xyrichtys aneitensis</i> .
	sugale-mo'o .....	cigar wrasse .....	<i>Cheilio inermis</i> .
	sugale-laugutu, sugale-uli, sugale-aloa, sugale-lupe.	blackeye thicklip .....	<i>Hemigymnus melapterus</i>
	sugale-gutumafia .....	barred thicklip .....	<i>Hemigymnus fasciatus</i> .
	lape, sugale-pagota .....	three-spot wrasse .....	<i>Halichoeres trimaculatus</i> .
	sugale-a'au, sugale-pagota, ifigi.	checkerboard wrasse .....	<i>Halichoeres hortulanus</i> .
	sugale-uluvela .....	weedy surge wrasse .....	<i>Halichoeres margaritaceus</i> .
	uloulo-gatala, patagaloa .....	surge wrasse .....	<i>Thalassoma purpurum</i> .
	lape-moana .....	red ribbon wrasse .....	<i>Thalassoma quinquevittatum</i> .
	sugale-samasama .....	sunset wrasse .....	<i>Thalassoma lutescens</i> .
	sugale-la'o, sugale-taili, sugale-gasufi.	rockmover wrasse .....	<i>Novaculichthys taeniourus</i> .
Mullidae (Goatfishes) .....	i'asina, vete, afulu .....	yellow goatfish .....	<i>Mulloidichthys</i> spp.
	Vete .....	yellowfin goatfish .....	<i>Mulloidichthys vanicolensis</i> .
	afolu, afulu .....	yellowstripe goatfish .....	<i>Mulloidichthys flavolineatus</i> .
	afoul, afulu .....	banded goatfish .....	<i>Parupeneus</i> spp.
	tusia, tulausaena, ta'uleia .....	dash-dot goatfish .....	<i>Parupeneus barberinus</i> .
	matulau-moana .....	doublebar goatfish .....	<i>Parupeneus bifasciatus</i> .
	moana-ula .....	redspot goatfish .....	<i>Parupeneus heptacanthus</i> .
	i'asina, vete, afulu, moana .....	yellow saddle goatfish .....	<i>Parupeneus cyclostomas</i> .
	matulau-ilamutu .....	side-spot goatfish .....	<i>Parupeneus pleurostigma</i> .
	i'asina, vete, afulu .....	multi-barred goatfish .....	<i>Parupeneus multifasciatus</i> .
Mugilidae (Mulletts) .....	anae, aua, fuafua .....	fringelip mullet .....	<i>Crenimugil crenilabris</i> .
	moi, poi .....	false mullet .....	<i>Neomyxus leuciscus</i> .
Muraenidae (Moray eels) .....	Pusi .....	yellowmargin moray eel .....	<i>Gymnothorax flavimarginatus</i> .
	maoa'e .....	giant moray eel .....	<i>Gymnothorax javanicus</i> .
	pusi-pulepule .....	undulated moray eel .....	<i>Gymnothorax undulatus</i> .
Octopodidae (Octopus) .....	fe'e fe'e .....	octopus octopus .....	<i>Octopus cyanea</i> , <i>Octopus ornatus</i> .
Polynemidae .....	umiumia, i'ausi .....	threadfin .....	<i>Polydactylus sexfilis</i> .
Pracanthidae (Bigeye) .....	matapula .....	glasseye .....	<i>Heteropriacanthus cruentatus</i> .
	matapula .....	bigeye .....	<i>Priacanthus hamrur</i> .
Scaridae (Parrotfishes) .....	Fuga .....	stareye parrotfish .....	<i>Calotomus carolinus</i> .
	fuga, galo-uluto'i, fuga-valea, laea-mamanu.	parrotfish .....	<i>Scarus</i> spp.
	ulapokea, laea-ulapokea .....	Pacific longnose parrotfish .....	<i>Hipposcarus longiceps</i> .
Scombridae .....	Tagi .....	dogtooth tuna .....	<i>Gymnosarda unicolor</i> .
Siganidae (Rabbitfish) .....	loloa, lo .....	forktail rabbitfish .....	<i>Siganus aregoteus</i> .
Sphyrnidae (Barracuda) .....	Sapatu .....	heller's barracuda .....	<i>Sphyrna helleri</i> .
	Saosao .....	great barracuda .....	<i>Sphyrna barracuda</i> .
Turbinidae (turban shells, green snails.	Alli .....	green snails .....	<i>Turbo</i> spp.

American Samoa Potentially Harvested Coral Reef Taxa:

Samoa name	English common name	Scientific name
sugale, sugale-vaolo, sugale-a'a, lalafi, lape-a'au, la'ofia.	wrasses (Those species not listed as CHCRT).	Labrida.
malie, apoapo, moemoeo	sharks (Those species not listed as CHCRT).	Carcharhinidae, Sphyrnidae.
Fai	rays and skates	Dasyatidae, Myliobatidae.
pe'ape'a	batfishes	Ephippidae.
mutumutu, misimisi, ava'ava-moana	sweetlips	Haemulidae.
talitaliuli	remoras	Echeneidae.
mo'o, mo'otai	tilefishes	Malacanthidae.
Tiva	dottybacks	Pseudochromidae.
aneanea, tafuti	prettyfins	Plesiopidae.
Tapua	coral crouchers	Caracanthidae.
	flashlightfishes	Anomalopidae.
	groupers	Serranidae.
gatala, ataata, vaolo, gatala-uli, gatala-sega, gatala-aleva, ateate, apoua, susami, gatala-sina, gatala-mumu.	(Those species not listed as CHCRT or BMUS).	
lupo, lupota, mamalusi, ulua, sapoanae, taupapa, nato, filu, atuleau, malauli-apamoana, malauli-sinasama, malauli-matalapo'a, lai.	jacks and scads (Those species not listed as CHCRT or BMUS).	Carangidae.
Malau	soldierfishes and squirrelfishes (Those species not listed as CHCRT).	Holocentridae.
i'asina, vete, afulu, afoul, ulula'oa	goatfishes (Those species not listed as CHCRT).	Mullidae.
pone, palagi	surgeonfishes (Those species not listed as CHCRT).	Acanthuridae.
pelupelu, nefu	herrings	Clupeidae.
nefu, file	anchovies	Engraulidae.
mano'o, mano'o-popo, mano'o-fugafuga, mano'o-apofusami, mano'o-a'au.	gobies	Gobiidae.
mu, mu-taiva, tamala, malai, feloitega, mu-mafalaugutu, savane-ulusama, matala'oa.	snappers (Those species not listed as CHCRT or BMUS).	Lutjanidae.
sumu, sumu-papa, sumu-taulau	trigger fishes (Those species not listed as CHCRT).	Balistidae.
Lo	rabbitfishes (Those species not listed as CHCRT).	Siganidae.
nanue, matamutu, mutumutu	rudderfishes (Those species not listed as CHCRT).	Kyphosidae.
ulisega, atule-toto	fusiliers	Caesionidae.
filoa, mata'ele'ele, ulamalosi	emperors (Those species not listed as CHCRT or BMUS).	Lethrinidae.
pusi, maoa'e, atapanoa, u'aulu, apeape, fafa, gatamea, pusi-solasulu.	eels (Those species not listed as CHCRT).	Muraenidae, Chlopsidae, Congridae, Moringuidae, Ophichthidae.
fo, fo-tusiloloa, fo-si'umu, fo-loloa, fo-tala, fo-manifi, fo-aialo, fo-tuauili.	cardinalfishes	Apogonidae.
pe'ape'a, laulafau	moorish idols	Zanclidae.
tifitifi, si'u, i'usamasama, tifitifi-segaula, laulafau-laumea, alosina.	butterfly fishes	Chaetodontidae.
tu'u'u, tu'u'u-sama, tu'u'u-lega, tu'u'u-ulavapua, tu'u'u-matamalu, tu'u'u-alomu, tu'u'u-ulavela, tu'u'u-atugauli, tu'u'u-tusiuli, tu'u'u-manini.	angelfishes	Pomacanthidae.
tu'u'u, mutu, mamo, tu'u'u-lumane	damsel fishes	Pomacentridae.
i'atala, la'otele, nofu	scorpionfishes	Scorpaenidae.
mano'o, mano'o-mo'o, mano'o-palea, mano'o-la'o.	blennies	Blenniidae.
sapatu	barracudas (Those species not listed as CHCRT).	Sphyraenidae.
la'o, ulutu'i, lausiva	hawkfishes (Those species not listed as CHCRT).	Cirritidae.
la'otale, nofu	frogfishes	Antennariidae.
ta'oto	pipefishes and seahorses	Syngnathidae.
tagi	sandperches	Pinguipedidae.
taoto-ena, taoto-sama, 'au'aulauti, taotito	dog tooth tuna	<i>Gymnosarda unicolor</i> .
taotao, taoto-ama	trumpetfish	<i>Aulostomus chinensis</i> .
sue, sue-vaolo, sue-va'a, sue-lega, sue-mu, sue-uli, sue-lape, sue-afa, sue-sugale.	cometfish	<i>Fistularia commersoni</i> .
ali	puffer fishes and porcupine fishes	Tetradontidae.
moamoa	flounders and soles	Bothidae, Soleidae.
fugafuga, tuitui, sava'e	trunkfishes	Ostraciidae.
amu	sea cucumbers and sea urchins	Echinoderms.
	blue corals	Heliopora.

**Fishery Conservation and Management**

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Samoan name	English common name	Scientific name
amu .....	organpipe corals .....	Tubipora.
amu .....	ahermatypic corals .....	Azooxanthellates.
amu .....	mushroom corals .....	Fungiidae.
amu .....	small and large coral polyps .....	
amu .....	fire corals .....	Millepora.
amu .....	soft corals and gorgonians.	
lumane, matalelei .....	anemones .....	Actinaria.
	soft zoanthid corals (Those species not listed as CHCRT).	Zoanthinaria.
sisi-sami .....	sea snails .....	Mollusca.
aliao, alili .....		Gastropoda.
sea .....	sea slugs .....	<i>Trochus</i> spp.
	black lipped pearl oyster .....	Opisthobranches.
faisua .....	giant clam .....	<i>Pinctada margaritifera</i> .
pipi, asi, fatuaua, tio, pae, fole .....	other clams .....	Tridacnidae.
ula, pa'a, kuku, papata .....	lobsters, shrimps, mantis shrimps, true crabs and hermit crabs (Those species not listed as Crustacean MUS).	Other Bivalves.
	sea squirts .....	Crustaceans.
	sponges .....	Tunicates.
amu .....	lace corals .....	Porifera.
amu .....	hydroid corals .....	Stylasteridae.
	segmented worms (Those species not listed as CHCRT).	Solanderidae.
limu .....	seaweed .....	Annelids.
	Live rock.	Algae.

All other American Samoa coral reef ecosystem MUS that are marine plants, invertebrates, and fishes that are not listed in the American Samoa CHCRT table or are not American Samoa bottomfish, crustacean, precious coral, or western Pacific pelagic MUS.

**§ 665.122 [Reserved]**

**§ 665.123 Relation to other laws.**

To ensure consistency between the management regimes of different Federal agencies with shared management responsibilities of fishery resources within the American Samoa fishery management area, fishing for American Samoa coral reef ecosystem MUS is not allowed within the boundary of a National Wildlife Refuge unless specifically authorized by the USFWS, regardless of whether that refuge was established by action of the President or the Secretary of the Interior.

**§ 665.124 Permits and fees.**

(a) *Applicability.* Unless otherwise specified in this subpart, §665.13 applies to coral reef ecosystem permits.

(1) *Special permit.* Any person of the United States fishing for, taking or retaining American Samoa coral reef ecosystem MUS must have a special permit if they, or a vessel which they operate, is used to fish for any:

(i) American Samoa coral reef ecosystem MUS in low-use MPAs as defined in §665.99;

(ii) American Samoa Potentially Harvested Coral Reef Taxa in the coral reef ecosystem management area; or

(iii) American Samoa coral reef ecosystem MUS in the coral reef ecosystem management area with any gear not specifically allowed in this subpart.

(2) *Transshipment permit.* A receiving vessel must be registered for use with a transshipment permit if that vessel is used in the American Samoa coral reef ecosystem management area to land or transship PHCRT, or any American Samoa coral reef ecosystem MUS harvested within low-use MPAs.

(3) *Exceptions.* The following persons are not required to have a permit under this section:

(i) Any person issued a permit to fish under any FEP who incidentally catches American Samoa coral reef ecosystem MUS while fishing for bottomfish MUS, crustacean MUS, western Pacific pelagic MUS, precious coral, or seamount groundfish.

(ii) Any person fishing for American Samoa CHCRT outside of an MPA, who does not retain any incidentally caught American Samoa PHCRT; and