

NATIONAL MARINE FISHERIES SERVICE (NMFS) REPORT
ON HIGHLY MIGRATORY SPECIES (HMS) ACTIVITIES

Proposed List of Fisheries for 2018

NMFS published a proposed rule on October 12, 2017 ([82 FR 47424](#)) that includes the List of Fisheries (LOF) for 2018 as required by Section 118 of the Marine Mammal Protection Act (MMPA). The public comment period ends on November 13, 2017. NMFS must classify each commercial fishery on the LOF into one of three categories under the MMPA based upon the level of mortality and serious injury of marine mammals that occurs incidental to each fishery. The classification of a fishery on the LOF determines whether participants in that fishery are subject to certain provisions of the MMPA, such as registration, observer coverage, and take reduction plan requirements. The 2018 LOF proposes to reclassify the California/Oregon large-mesh drift gillnet (DGN) fishery from a Category I fishery (*frequent* incidental mortality or serious injury of marine mammals) to a Category II fishery (*occasional* incidental mortality or serious injury of marine mammals) because the most recent mean annual take estimate for the CA/OR/WA stock of sperm whale by this fishery is 0.4. This take estimate from the most recent five year period of available data (2011-2015) is 14 percent of the stock's Potential Biological Removal (PBR) of 2.7. Mortality and serious injury to the stock is less than 50 percent but more than 1 percent of the stock's PBR; thus, NMFS proposes this fishery be reclassified as Category II. NMFS does not anticipate changes in its DGN observer coverage target based on the category change.

The sperm whale mortality and serious injury estimate in the proposed 2018 LOF was derived from the [2017 publication by Carretta, Moore, and Forney](#) that NMFS briefed the Council on during the March 2017 meeting. This estimation method was only used for sperm whales in the DGN fishery for the 2017 LOF, but will likely be applied to additional stocks in future assessments.