

**NATIONAL MARINE FISHERIES SERVICE  
HIGHLY MIGRATORY SPECIES REPORT**

**REGULATORY ACTIVITY**

**Vessel Capacity Proposed Rule**

NMFS is proposing regulations under authority of the Tuna Conventions Act of 1950, as amended, to revise the total U.S. vessel well volume carrying capacity limit for the purse seine fishery which targets tuna species in the IATTC Convention Area. The proposed changes would ensure that U.S. regulations are consistent with the amount authorized under resolutions adopted by the IATTC. If adopted, the proposed rule would set the purse seine carrying capacity limit to 31,775 cubic meters and require small purse seine vessels to be accounted for in the total capacity limits by including them on the IATTC Vessel Register. These revisions would ensure that the United States is satisfying its obligations under the Tuna Conventions Act while dismantling regulatory constraints preventing economic development of U.S. industry. The proposed rule will be available for public comment in September 2010.

**List of Fisheries (LOF) 2011**

On June 25, NMFS published the proposed 2011 list of fisheries (75 FR 36318). The proposed LOF for 2011 reflects new information on interactions between commercial fisheries and marine mammals. Under the Marine Mammal Protection Act (MMPA), NMFS must classify each commercial fishery on the LOF into one of three categories based upon the level of serious injury and mortality of marine mammals that occurs incidental to each fishery. The classification of a fishery in 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.

A number of proposed changes will affect fisheries on the west coast. Of particular relevance to HMS fisheries is the proposal to reclassify the California/Oregon drift gillnet fishery from a Category I to a Category III fishery and to reclassify the California tuna purse seine fishery from a Category II to a Category III fishery given low levels of serious injury and mortality of marine mammals. In addition, NMFS is proposing a number of changes to the lists of marine mammals species/stocks seriously injured or killed in various fisheries and the number of participants in each fishery.

**Leatherback Critical Habitat**

On January 5, 2010, NMFS published a proposed rule in the Federal Register (75 FR 319) that would revise the current critical habitat for the leatherback sea turtle (which currently is restricted to nesting beach habitat in St. Croix, USVI) by designating additional areas within the Pacific Ocean. The proposed rule was open for public comment for 60 days and subsequently extended for an additional 45 days. The public comment period closed on April 23, 2010. The CHRT is currently reviewing public comments received (including the Council's April 22, 2010 to David Cottingham) and considering revisions to the areas being proposed as critical habitat, the important features (termed primary constituent elements or PCEs) essential for the

conservation of leatherback sea turtles in marine species, and the activities that would require special management to protect the PCEs.

## **NEW NOAA LEADERSHIP**

### **Russell Smith III**

In February 2010, Russell Smith III joined the NOAA leadership team as the new deputy assistant secretary for international fisheries. One of Russell's chief responsibilities will be to serve as the new U.S. government commissioner for the International Commission for the Conservation of Atlantic Tunas (ICCAT). He will also provide high-level coordination among all of the tuna regional fishery management organizations. Moreover, Russell will be working very closely with Dr. James Turner, director of NOAA International Affairs, and Eric Schwaab, Assistant Administrator for NOAA Fisheries, on a number of key priorities.

## **UPCOMING MEETINGS**

September 17, 2010, La Jolla, CA. General Advisory Committee and Scientific Advisory Subcommittee to the U.S. Section to the Inter-American Tropical Tuna Commission (IATTC) meeting

September 23-October 1, 2010, Antigua, Guatemala. IATTC and the Agreement on the International Dolphin Conservation Program (AIDCP) meetings

September 30-October 5, 2010, Pohnpei, Federated States of Micronesia. Western and Central Pacific Fisheries Commission (WCPFC) Technical and Compliance Committee (TCC) meeting

December 6-10, 2010, Honolulu, HI. WCPFC annual meeting

## **RECENT MEETINGS**

July 6-9, 2010, Manta, Ecuador: Shark Identification Guide Workshop: This workshop, third in a series of shark workshops sponsored by NOAA Fisheries, the U.S. State Department, Ecuador's Ministry of Fisheries, Mexico's National Commission of Fisheries and Aquaculture, and a host of regional organizations, was convened to provide hands-on training for species-specific shark identification methods and basic laboratory skills for employing genetic identification techniques. Workshop participants collaborated on development of a regional Spanish-language Shark Identification Guide and Data Collection Sheet covering the most commonly encountered shark species in the region's fisheries. Dr. John Hyde of the NMFS SWFSC La Jolla laboratory provided the genetics training and Craig Heberer of the NMFS SWR Sustainable Fisheries Division presented an overview of U.S. HMS shark monitoring programs and data collection protocols. These workshops have focused on improving catch and landings data for trans-boundary shark resources including HMS FMP Management Unit Species shortfin mako, blue shark, and common thresher shark.

July 21-26, Victoria, BC, Canada: International Scientific Committee for Tuna and Tuna-Like Species in the North Pacific Ocean (ISC10)

August 30, 2010, La Jolla, CA: Consultation on Pacific Bluefin Tuna between the IATTC, Mexico, and Japan. Meeting documents will be available at the following website: <http://www.iattc.org/Meetings2010/Technical-Meeting-on-Sharks-2010ENG.htm>.

August 30, 2010, La Jolla, CA: IATTC Technical Meeting on Sharks. Meeting documents will be available at the following website: <http://www.iattc.org/Meetings2010/Technical-Meeting-on-Sharks-2010ENG.htm>.

August 31-September 3, 2010, La Jolla, CA: IATTC Scientific Advisory Committee meetings . Meeting documents will be available at the following website: <http://www.iattc.org/Meetings2010/Technical-Meeting-on-Sharks-2010ENG.htm>

## **Summary of the 10<sup>th</sup> Meeting of the International Scientific Committee for Tuna and Tuna-Like Species in the North Pacific Ocean**

International Scientific Committee for Tuna and Tuna-Like Species in the North Pacific Ocean (ISC10) met in Victoria, B.C., Canada from 21-26 July 2010. This meeting reviewed stock assessment progress in the past year and developed conservation advice on albacore tuna, Pacific bluefin tuna, striped marlin and swordfish, and established a new shark working group.

### **Pacific bluefin tuna**

ISC noted that current  $F$  (2004-2006) is greater than most commonly used biological reference points (BRP) that may serve as potential target reference points. ISC provided the following consensus conservation advice:

*Given the conclusions of the July 2010 PBFWG workshop (Annex 7), the current (2004-2006) level of  $F$  relative to potential biological reference points, and the increasing trend of  $F$ , it is important that the level of  $F$  is decreased below the 2002-2004 levels, particularly on juvenile age classes.*

The next assessment is planned for 2012.

### **Albacore tuna**

Because an assessment for albacore tuna was last conducted in 2006, ISC provided no new conservation advice and maintained its 2007 advice, that fishing mortality should not be increased. ISC10 concluded that a full albacore assessment should occur as soon as possible. The next assessment is planned for 2011.

### **Striped marlin**

For striped marlin, the last assessment was completed in 2007 and ISC maintained its existing conservation advice, adopted in 2007, that fishing mortality should be reduced from current (2001-2003) levels.

### **Swordfish**

For swordfish, ISC conducted an update of the EPO swordfish stock assessment and reached the same conclusion as in 2009, that the WCPO and EPO stocks in the North Pacific Ocean are healthy and above the level required to sustain recent catches. ISC provided no conservation advice for these stocks.

### **Sharks**

ISC10 established a Shark Working Group to conduct stock assessments and other scientific studies as required. It will collaborate with other RFMOs and initially work on assessments of blue and shortfin mako sharks. Other sharks of particular interest are: bigeye thresher, pelagic thresher, silky, oceanic whitetip, and hammerhead.