

NATIONAL MARINE FISHERIES SERVICE REPORT

Magnuson-Stevens Fishery Conservation and Management Act (MSA)

The following includes regulatory actions under the authority of MSA.

Final Rule for Vessel Monitoring System (VMS) and Pre-Trip Notification Requirements for the Drift Gillnet Fleet: The ping rate specified in the final rule is once per hour, as recommended by the Council (see [September 2014 Council Meeting Decision Summary Document](#), page 3). NMFS anticipates publishing this final rule in the *Federal Register* in February 2015. The effectiveness of the VMS requirements in this final rule will be delayed until after the Office of Management and Budget (OMB) approves the associated collection-of-information requirements under the Paperwork Reduction Act. NMFS will publish a notice in the *Federal Register* announcing OMB approval and the effectiveness of the VMS regulations.

Proposed Rule for Bag and Possession Limits for Pacific Bluefin Tuna: NMFS is developing a proposed rule to modify the existing bag limit of ten Pacific bluefin tuna per day to two per day, impose a maximum multiday possession limit of six Pacific bluefin tuna, and specify requirements for filleting tunas at sea based on recommendations from the Council (see the [November 2014 Council Meeting Decision Document](#), page 4). The filleting requirements would allow enforcement personnel to differentiate Pacific bluefin from other tuna species and are based on procedures described in Agenda Item [1.3.b, Supplemental CDFW Report](#), and Agenda Item [1.3.b, Supplemental REVISED EC Report](#). This proposed rule applies to U.S. anglers who fish either in the exclusive economic zone (EEZ) off the coast of California and/or in Mexico's waters and return to the U.S. EEZ or to U.S. ports with Pacific bluefin tuna on board. The filleting requirements would apply only south of Point Conception. NMFS anticipates publishing this proposed rule in the *Federal Register* by March 2015.

Pacific Bluefin Petition: NMFS is preparing a response to a petition from the Center for Biological Diversity (CBD) that requests NMFS to implement regulations for U.S. commercial and recreational fisheries that catch Pacific bluefin. Specifically, CBD requested that NMFS amend the U.S. Fishery Management Plan (FMP) for U.S. West Coast Fisheries for Highly Migratory Species (HMS) such that Pacific bluefin tuna become a prohibited species or, as an alternative, establish annual catch limits and a permanent minimum size requirement to protect age classes 1 to 2 from fishing mortality. NMFS published notice of its receipt of the petition in the *Federal Register* on July 24, 2014, ([79 FR 43017](#)) and received over 20,000 comments from the public (most of which were replicate form letters submitted by CBD). NMFS anticipates publishing its response to the petition in the *Federal Register* by April 2015.

Proposed Rule to Modify Prohibited Species Regulations in HMS Fisheries: NMFS is developing a proposed rule to clarify situations in which species listed as "prohibited" in the [HMS FMP](#) (see Section 6, page 60-61) may be retained. Some of these situations were in the FMP, but never explicitly stated in the regulations (50 [C.F.R. § 660.702](#), § [660.705](#) (e), and § [660.71](#) (a)(1)-(5)). This rule is based on recommendations from the Council (see the [November](#)

[2014 Council Meeting Decision Document](#), page 5). The rule proposes to allow vessel owners and operators with HMS permits to retain salmon and Pacific halibut provided that all applicable salmon and halibut rules are followed. The rule also proposes to allow retention of megamouth sharks, basking sharks, and great white sharks, provided that they will be sold or donated to scientific or educational organizations. NMFS anticipates publishing this proposed rule in the *Federal Register* by March 2015.

Tuna Conventions Act (TCA)

The following includes regulatory actions under the authority of the TCA.

2015 Bigeye Tuna Catch Limit for Longline Vessels: Fishing for bigeye tuna in the eastern Pacific Ocean (EPO) reopened on January 1, 2015, to longline vessels greater than 24 meters (78.74 feet) under a 500 metric ton (mt) catch limit for the 2015 calendar year. This catch limit was implemented in accordance with Inter-American Tropical Tuna Commission (IATTC) Resolution C-13-01 in a final rule that published in the *Federal Register* on April 9, 2014 ([79 FR 19487](#)).

Proposed Rule for Commercial Catch and Trip Limits for Pacific Bluefin Tuna: NMFS is developing a proposed rule to implement IATTC [Resolution C-14-06](#) in accordance with the advice from the Council (see the [November 2014 Council Meeting Decision Document](#), page 3). The proposed rule includes catch and trip limits that apply to U.S. commercial vessels that fish for Pacific bluefin tuna in the eastern Pacific Ocean during 2015 and 2016. The rule proposes a 600 mt catch limit for both years combined, but not to exceed 425 mt in a single year. Further, the rule specifies that if U.S. catch exceeds 300 mt in 2015, then US catch may not exceed 200 mt in 2016. In each year, NMFS is proposing a trip limit of 20 mt *until* catch is within 50 mt of the catch limit and a 2 mt trip limit *when* catch is within 50 mt of the catch limit. NMFS anticipates publishing this proposed rule in the *Federal Register* by March 2015.

Supplemental Proposed Rule to Implement IATTC Resolution C-14-02 to Require VMS: NMFS is developing VMS requirements for commercial fishing vessels that are 24 meters or more in overall length and used to target tuna or tuna-like species in the eastern Pacific Ocean. To integrate the requirements of IATTC [Resolution C-14-02](#), this supplemental proposed rule updates and revises the VMS requirements described in a proposed rule that NMFS published on February 6, 2014 ([79 FR 7156](#)). NMFS anticipates publishing this supplemental proposed rule in the *Federal Register* by March 2015, and publishing the final rule before the current grant for the Pacific States Marine Fisheries Commission VMS Reimbursement Program expires on June 30, 2015.