

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

Notice of Availability (NOA) and Proposed Rule to Implement Amendment 4 to the HMS Fishery Management Plan (FMP): Revisions to the Biennial Management Cycle

On January 23, 2018, NMFS published a NOA ([83 FR 3108](#)) and requested public comment on Amendment 4 to the HMS FMP. The public comment period is 60 days, and will end on March 26, 2018. NMFS has 90 days from the publication date to approve, disapprove, or partially approve the proposed changes to the FMP. Additionally, NMFS anticipates publication of and request for comments on the proposed rule to implement Amendment 4, to occur shortly after publication of the NOA. The comment period on the proposed rule will be 45 days.

Amendment 5 to the HMS FMP: Federal Limited Entry Drift Gillnet (DGN) Permit

NMFS notified the Council on December 14, 2017 that Amendment 5 is approved. NMFS is currently drafting final regulations to implement Amendment 5 and anticipates the final rule will publish sometime before the PFMC March 2018 Meeting.

Final List of Fisheries for 2018

NMFS published a final rule on February 7, 2018 ([83 FR 5349](#)), that includes the List of Fisheries (LOF) for 2018 as required by Section 118 of the Marine Mammal Protection Act (MMPA). 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 (M/SI) 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 reclassifies the California/Oregon large-mesh DGN fishery from a Category I fishery (*frequent* incidental M/SI of marine mammals) to a Category II fishery (*occasional* incidental M/SI of marine mammals) based on the most recent estimates of marine mammal M/SI in the fishery ([November 2017 H.1.a NMFS Report 1](#)).

Final Rule for Tropical Tuna in the eastern Pacific Ocean (EPO) for 2018-2020

On November 14, 2017, NMFS published a proposed rule in the Federal Register ([82 FR 52700](#)) under the Tuna Conventions Act to implement provisions included in Resolution C-17-02 (*Conservation Measures for Tropical Tunas in the Eastern Pacific Ocean During 2018-2020*). Resolution C-17-02 was adopted at the July 2017 Inter-American Tropical Tuna Commission (IATTC) meeting. If approved for final rulemaking, the rule will apply to U.S. commercial fishing vessels that use purse seine or longline gear and fish for tropical tuna (i.e., yellowfin, bigeye, and skipjack tuna) in the IATTC Convention Area¹ during 2018 through 2020. The rule maintains several purse seine regulations that had been in effect for 2017 including:

- a 72-day fishing closure period,
- a time/area closure in the EPO for 31 days, and

¹ The IATTC Convention Area includes the waters bounded by the coast of the Americas, the 50° N. and 50° S. parallels, and the 150° W. meridian. This area includes the United States West Coast Exclusive Economic Zone (EEZ).

- a requirement that all tropical tuna be retained on board and landed, except in specified circumstances.

In addition, the rule revises several measures including:

- the regulations related to force majeure and
- the U.S. bigeye tuna catch limit for longline vessels greater than 24 meters in length (increase from 500 mt to 750 mt).

There are also several new regulations relating to:

- transfers of bigeye tuna longline catch limits between IATTC members and
- fish aggregating devices.

NMFS expects this final rule to publish by mid-March 2018.

Advanced Notice of Proposed Rulemaking (ANPR) for IATTC Capacity Limits for purse seine vessels on the IATTC Regional Vessel Register

NMFS is considering amending regulations governing the management of purse seine vessel capacity limits associated with the IATTC Regional Vessel Register ([50 CFR 300.22\(b\)](#)). NMFS will publish an ANPR in early March to provide notice to the public and request comments that will help determine what, if any, regulatory amendments would make management of U.S. tuna purse seine capacity more effective. In the rulemaking, NMFS will also announce its intent to make a technical correction to the carrying capacity in U.S. regulations to match the actual carrying capacity on record with the IATTC, which increased when the IATTC re-examined a vessel's capacity used in the original capacity limit calculation.

Updates on HMS International Activities

Pacific bluefin tuna Management Strategy Evaluation (MSE) meeting

The 1st Pacific bluefin tuna MSE meeting will occur May 30-31, 2018, in Yokohama, Japan. Similar to the North Pacific albacore (NPALB) MSE workshops, it is anticipated that the MSE process will be explained to stakeholders, who will then engage in the development of initial management objectives. NMFS asks the Council to consider potential management objectives for the Pacific bluefin tuna stock, which may be biological or have socio-economic considerations. For example, the WCPFC recently adopted, and it is anticipated that the IATTC will also adopt, a second rebuilding target of 20% unfished spawning stock biomass to be achieved by 2034 with a 60% probability. A management objective could be to maintain the stock at or above that rebuilding target after 2034. Another objective may be to maintain the stock above a limit reference point. For additional examples, see a 2016 [presentation](#) to the WCPFC Northern Committee that includes objectives considered for NPALB.

Other International Meetings in 2018

Below is a list of the 2018 international meetings related to Pacific HMS that the U.S. will track and participate in. In particular, please note that the annual IATTC meeting will be held later than usual. Consequently, the General Advisory Committee meeting will be held after the June Council meeting.

IATTC-related Meetings²

IATTC Scientific Advisory Committee	May 14-18	La Jolla, CA
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² For more information on future meetings, visit: <https://www.iattc.org/MeetingsENG.htm>

U.S. Scientific Advisory Subcommittee	June 27	La Jolla, CA
U.S. General Advisory Committee	June 28	La Jolla, CA
IATTC Annual Meeting	August 16-30	TBD, Guatemala
Joint IATTC-Northern Committee Working Group*	September 3-7	TBD, Japan
<i>WCPFC-related Meetings</i> ³		
Scientific Committee	August 8-16	Busan, Korea
Northern Committee*	September 3-7	TBD, Japan
Technical & Compliance Committee	Sept. 26-Oct. 2	Majuro, Marshall Islands
U.S. Permanent Advisory Committee Annual Meeting	TBD	Honolulu, HI
	TBD	TBD
<i>ISC-related Meetings</i> ⁴		
Pacific Bluefin Working Group	March 5-11	La Jolla, CA
Statistics Working Group	March 14-15	Shizuoka, Japan
Albacore Working Group	March or April	TBD
Shark Working Group	April 10-16	La Jolla, CA
Billfish Working Group	April or May	TBD
Pacific Bluefin Tuna Management Strategy Evaluation Workshop	May 30-31	Yokohama, Japan
Plenary (Annual Meeting)	July 11-16	Korea

*These two meetings will occur concurrently.

³ For more information on future meetings, visit: <https://www.wcpfc.int/meetings>

⁴ For more information on future meetings, visit: http://isc.fra.go.jp/meetings/future_meetings.html