

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

Updates on IATTC Regional Vessel Register (RVR) Regulations

The NMFS West Coast Region (WCR) intends to publish final regulations under the Tuna Conventions Act of 1950 (TCA), and Marine Mammal Protection Act (MMPA). The final regulations take into consideration public comment received during the proposed rulemaking stage. These regulations will implement new International Maritime Organization (IMO) requirements in Inter-American Tropical Tuna Commission (IATTC) Resolution C-18-06 (*Resolution (Amended) on a Regional Vessel Register*), and amend existing regulations related to the IATTC Regional Vessel Register (Vessel Register) for purse seine vessels fishing in the eastern Pacific Ocean (EPO). These regulations would apply to U.S. commercial fishing vessels fishing for tuna and tuna-like species in the EPO.

The final rule will expand IMO number requirements for U.S. commercial vessels authorized to fish on the high seas in the IATTC Convention Area, such that vessels less than 100 gross tons or 100 gross registered tons, but 12 meters or greater in overall length, will be required to obtain an IMO number. The final rule will also modify regulations associated with the IATTC Vessel Register, purse seine vessel permit application process, and incidental catch provisions. These revisions, if approved, will improve consistency with the IATTC management framework, while improving operational flexibility for the U.S. purse seine fleet. The final regulations are expected to become effective in January 2020. Collection of information requirements associated with the final rule will become effective upon OMB approval and notice in the Federal Register.

Proposed Regulations on Fish Aggregating Devices (FADs), Silky Shark Retention, and Observer Safety

NMFS WCR is preparing a single proposed rule under the TCA and MMPA to implement three IATTC resolutions and one AIDCP Resolution. This proposed rule is expected to publish in mid-November 2019.

The proposed regulations would implement Resolution C-19-01 (*Collection and Analyses of Data on Fish-Aggregating Devices*). This would eliminate duplicative reporting of FAD data that is currently collected from both purse seine vessel captains and onboard observers.

The proposed regulations would also implement Resolution C-19-05 (*Conservation Measures for Shark Species, with Special Emphasis on the Silky Shark (Carcharhinus Falciformis)*). This would prohibit retention of silky shark on longline vessels, and increase flexibility for accidental retention on purse seine vessels. U.S. longline vessels fishing in the IATTC Convention Area do not target silky sharks, and those individuals, which are infrequently caught, are typically released alive.

Lastly, the proposed rule would implement IATTC Resolution C-18-07 and AIDCP Resolution A-18-03 (both titled *Improving Observer Safety at Sea: Emergency Action Plan*). These Resolutions are intended to strengthen protections for observers in longline and transshipment observer programs required by the IATTC, and on purse seine vessels required by the AIDCP. Most of the

safety requirements in these Resolutions are already addressed in the U.S. Coast Guard (USCG) marine casualty requirements at 46 CFR part 4. This proposed rule is intended to fill the gaps between the existing USCG regulations and these Resolutions.