

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

Tropical Tuna and Silky Shark Final Rule

NMFS published a final rule ([87 FR 40731](#)) on July 8, 2022, that implements Resolutions C-21-04 (*Conservation Measures for Tropical Tunas in the Eastern Pacific Ocean During 2022-2024*) and C-21-06 (*Conservation Measures for Shark Species, with Special Emphasis on the Silky Shark (Carcharhinus Falciformis), for the Years 2022 and 2023*). These Resolutions were adopted at the Resumed 98th Meeting of the Inter-American Tropical Tuna Commission (IATTC) in October 2021. This final rule is necessary for the conservation and management of tropical tuna stocks and silky shark in the EPO and for the United States to satisfy its obligations as a member of the IATTC.

This final rule implements fishing management measures for tropical tuna (i.e., bigeye tuna, yellowfin tuna, and skipjack tuna) in the eastern Pacific Ocean (EPO). The fishing restrictions apply to purse seine vessels of class sizes 4-6 (carrying capacity of 182 metric tons (mt) or greater), and longline vessels greater than 24 meters in overall length, that fish for tropical tuna in the EPO. Several provisions included in Resolution C-21-04 did not need to be implemented through this final rule because they were already codified in regulations and were not set to expire.

This final rule implements several new fishing restrictions on purse seine vessels, including additional closure days for vessels that exceed an annual catch level of 1,200 mt for bigeye tuna, amendments to provisions related to *force majeure* exemptions, a gradual reduction in the number of active fish aggregating device (FAD) per vessel, controls on FAD satellite buoy activations and deactivations, and FAD data reporting requirements. The final rule also implements data reporting requirements for canneries and, in 2023, reporting of Vessel Monitoring Systems data to the IATTC.

To implement Resolution C-21-06, which extended the previous IATTC Resolution on silky shark for 2 years, the existing regulations on silky shark will remain in effect with no proposed amendments.

Pacific Bluefin Tuna Final Rule

On August 5, 2022, NOAA Fisheries published regulations implementing IATTC Resolution C-21-05, which establish catch limits for Pacific bluefin tuna ([87 FR 47939](#)). In each year, NOAA Fisheries will impose an initial trip limit, an intermediate trip limit, and a lower trip limit on individual fishing vessels that reduce as catch thresholds are met throughout the year. At the beginning of each period (semi-annual or quarter), the initial trip limit will be imposed unless at the start of the period, the threshold for the intermediate or lower trip limit is met. Similarly, if the intermediate trip limit has been imposed during the previous period, the intermediate trip limit will

remain in effect unless at the start of the next period the threshold to reduce the trip limit to the lower trip limit has been met. In each year, if the annual limit is estimated to be met, the fishery will be closed. The rule requires fish buyers to submit, within 24 hours of lancing, electronic landing receipts with Pacific bluefin tuna landings in California ports using the [E-tix system](#). Please see the [Pacific bluefin tuna harvest webpage](#) for more information.

Deep-Set Buoy Gear Exempted Fishing Permit Federal Register Notice

A Federal Register Notice regarding the Council's June 2022 recommendations on eight Deep-Set Buoy Gear Exempted Fishing Permit applications published on August 1, 2022. NMFS is accepting public comments through August 31, 2022. Additional information can be found [here](#).

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