

**Update on the U.S. Marine Mammal Protection Act Import Provisions:
Implementation Process and Analysis of Marine Mammal Bycatch in Commercial Fisheries**

**Actualización sobre las Disposiciones de Importación de la Ley
de Protección de Mamíferos Marinos de EE. UU. : Proceso de Implementación
y Análisis de Captura Incidental de Mamíferos Marinos en Pesquerías Comerciales**

**Mise à Jour des Dispositions d'Importation de la Loi Américaine sur la
Protection des Mammifères Marins: Processus de Mise en Œuvre et Analyse des
Prises Accessoires de Mammifères Marins dans les Pêches Commerciales**

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EXTENDED ABSTRACT

The United States' Marine Mammal Protection Act (MMPA) states that the United States shall ban the importation of foreign commercial fish or fish products which have been caught with commercial fishing technology which results in the incidental kill or incidental serious injury of marine mammals in excess of United States standards or of any fish or fish product that was produced in a fishery that intentionally kills marine mammals in the course of those fishery operations. Previously, NOAA Fisheries, in consultation with foreign trading partners assembled a List of Foreign Fisheries (LOFF). This LOFF contains global fisheries information for fisheries that export seafood products to the United States, including the target catch, gear type used, number of vessels or participants, area of operation of the fishery, and data regarding incidents of marine mammal interaction in the course of fishing operations. Fishery and marine mammal interaction information was provided by nations and cross-checked with published information from regional fishery management organizations and Food and Agricultural Organization's national reports, scientific publications, and gray literature.

NOAA Fisheries is in year three of the five-year exemption period and here provides updates on the implementation of this regulation, including the introduction of a new web-based portal for accessing fishery information and completing the 2019 Progress Report. The Progress Report asks fisheries managers to provide information regarding their nation's regulations relating to marine mammal bycatch and fisheries management with the goal of tracking the reduction of marine mammal interaction in commercial fisheries. We previously analyzed fishing areas and gear types with the highest marine mammal incidental mortality. Passive gears, particularly gillnets, disproportionately entangle and kill more marine mammals than active gear types. A tried and true mitigation method to reduce harbor porpoise mortality is the use of net pingers, which act as a warning for porpoises in areas of submerged nets. However, for fisheries impacting multiple marine mammal species, no one method has been proven effective in reducing all interactions with nets. Due to the complexity of marine mammal bycatch mitigation and fisheries management, the MMPA team has conducted many technical consultations with nations to assist in their understanding of the MMPA.

For the 72nd Conference, we provided a brief overview and reviewed the Gulf and Caribbean nations represented in Gulf and Caribbean Fisheries Institute their list of fisheries, as well as any priorities and possible bycatch mitigation measures. Currently, the MMPA team is reviewing Progress Reports nations submitted in the summer of 2019 and will reach out to nations individually as appropriate. Information from the Progress Report will be included in the next iteration of the LOFF, which will be available for public comment in January 2020. The process to begin Comparability Findings will begin in November 2020.

Nations and researchers are encouraged to contact NOAA Fisheries Marine Mammal Protection Act team to schedule technical consultations or for any questions (mmpa.loff@noaa.gov).

KEYWORDS: Regulations, protected species mitigation, passive gears, seafood trade