

# **Finding of No Significant Impact for the Project to Revise U.S. Commercial Fishing Regulations for Pacific Bluefin Tuna in the Eastern Pacific Ocean**

EAXX-006-48-1WC-1733505696

**I. Purpose of Finding of No Significant Impact (FONSI):** The National Environmental Policy Act (NEPA) requires the preparation of an Environmental Impact Statement (EIS) for any proposal for a major federal action significantly affecting the quality of the human environment. 42 U.S.C. § 4332(C). Agencies may issue a Finding of No Significant Impact (FONSI) if they determine that a proposed agency action will not have a significant effect on the human environment and therefore does not require the issuance of an EIS.

In preparing this FONSI, we reviewed the **Final Programmatic Environmental Assessment to Revise U. S. Commercial Fishing Regulations for Pacific Bluefin Tuna in the Eastern Pacific Ocean** (Programmatic EA), which evaluates the affected environment and the environmental effects of the proposed action and alternatives (including the duration of impact, and whether the impacts were adverse and/or beneficial and their magnitude).

**II. Approach to Analysis:** The Programmatic EA includes three alternatives: (1) a No Action alternative, (2) an alternative based on the catch limits for Pacific bluefin tuna (PBF) in the most recent Inter-American Tropical Tuna Commission (IATTC) Resolution, and (3) a higher catch limit than the 2024 IATTC recommended catch limit.

**III. Context:** PBF is a highly migratory species of substantial ecological and economic importance. The National Marine Fisheries Service (NMFS) regularly implements management measures for PBF harvest in the eastern Pacific Ocean (EPO), where the species is caught by U.S. coastal purse seine vessels, hook-and-line boats, and other gears. These measures follow from IATTC resolutions, which specify annual and biennial PBF catch limits for each IATTC Member and Cooperating Non-Member, including the United States.

The proposed action area is the IATTC Convention area, which includes the waters of the EPO bounded by the west coast of the Americas, the 50° N. and 50° S. parallels, and the 150° W. meridian. This area encompasses the U.S. West Coast Exclusive Economic Zone (EEZ) where most of the fishing that would be affected by the proposed action occurs.

The purpose of the proposed action is to provide a management scheme for PBF fishing in the IATTC Convention Area after the most recent catch limits expired at the end of calendar year 2024. The proposed action is necessary for the United States to satisfy its international obligations as a member of the IATTC and should be in effect by as soon as possible after the regulations expired, to comply with IATTC provisions. Additionally, a revised scheme for catch and trip limits is necessary to provide adequate fishing opportunity to U.S. fishermen now that the PBF stock is rebuilt, while ensuring that catches remain within the annual and biennial limits. If future IATTC resolutions fall within the scope of alternatives analyzed in this Programmatic Environmental Assessment, and the impacts or the affected environment have not significantly changed, this document may be used to evaluate the impacts of those actions.

**IV. Intensity:** The impact analysis in the Programmatic EA is based on estimates of the change in catch and fishing effort that would occur under each of the alternatives. We examine impacts on two dimensions of the affected environment: the biological impacts to the PBF stock, and the socioeconomic impacts to U.S. fisheries and fishing communities. As discussed in Section 3 of the Programmatic EA, we do not expect any of the proposed action alternatives to impact species other than PBF, due to the selective nature of the affected gear types. We do not anticipate impacts to protected species or marine mammals. The best scientific information available suggests that the catch levels under both action alternatives would not hinder the PBF stock's recovery or result in overfishing. We also do not anticipate any direct impacts to essential fish habitat, or to other fisheries in the action area. The socioeconomic impacts of both action alternatives are expected to be positive, while the No Action alternative may result in negative impacts relative to status quo due to a lack of management and failure to comply with the U.S. obligations as a Member of the IATTC. The U.S. fishery for PBF has operated since the mid-20<sup>th</sup> century and there is a reasonably high level of certainty about the impacts of these fishery activities. Additionally, the level of fishing effort proposed under both action alternatives is lower than historical fishing levels.

Additionally, the proposed action would not negatively impact public health and safety, historic or cultural resources, National Marine Sanctuaries, essential fish habitat, critical habitat, or species with prohibited take under the Magnuson-Stevens Fishery Conservation and Management Act. The proposed action would not have a substantial direct effect on any Indian tribes, Tribal sacred sites, or on the relationship between the Federal Government and Indian tribes, or on the distribution of power and responsibilities between the Federal Government and Indian tribes.

**V. Other Actions Including Connected Actions:** In Section 4.7 of the Programmatic EA, we consider the impacts of the proposed action alongside other past, present, and future foreseeable actions which affect the same biological and socioeconomic components of the affected environment. These actions include the 2022 Driftnet Modernization and Bycatch Reduction Act, issuance of exempted fishing permits, other national and international fisheries management actions, and variations in climate and weather conditions. Overall, we anticipate the cumulative impacts of the proposed action alongside other actions (including connected actions) to be positive, and any negative effects of the action alternatives to be insignificant. These impacts are generally the same for both action alternatives and for No Action, but we attempt to differentiate the cumulative impacts of the alternatives where possible.

**VI. Mitigation and Monitoring:** We do not anticipate adoption of any new mitigation, monitoring, or enforcement provisions as part of the Proposed Action. The Proposed Action maintains some management measures common to PBF regulations, including a 24-hour reporting requirement for fish tickets and inseason action procedures to adjust trip limits and close the fishery once certain thresholds are crossed. However, the Proposed Action does not add any additional restrictions or reporting requirements beyond those already in place.

## **DETERMINATION**

Based on the Final Programmatic EA for the Project to Revise U.S. Commercial Fishing Regulations for Pacific Bluefin Tuna in the Eastern Pacific Ocean, the National Oceanic and Atmospheric Administration (NOAA) National Marine Fisheries Service (NMFS) has determined in this Finding of No Significant Impact (FONSI) that preparation of an EIS for the Project to Revise U.S. Commercial Fishing Regulations for Pacific Bluefin Tuna in the Eastern Pacific Ocean

is not required because the proposed action will not have significant effects on the quality of the human environment. All adverse impacts of the proposed action as well as mitigation measures have been evaluated to reach this conclusion of no significant impacts.



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Date