

COASTAL PELAGIC SPECIES MANAGEMENT TEAM REPORT ON IMPLEMENTATION  
OF THE MAGNUSON-STEVENSON REAUTHORIZATION ACT (MSRA)

The Coastal Pelagic Species Advisory Subpanel (CPSAS) and the Coastal Pelagic Species Management Team (CPSMT) held a joint work session via teleconference on August 19, 2008 to review and discuss the revised National Standard 1 (NS-1) Guidelines proposed by the National Marine Fisheries Service (Agenda Item C.5.b, Attachment 1). The CPSMT recommends the Council consider the following comments for inclusion in a Council's response under the comment period for this proposed action.

The CPSMT agreed that the harvest policy found in the CPS fishery management plan (FMP) is flexible enough to accommodate the annual catch limit provisions of the Magnuson-Stevens Reauthorization Act (MSRA). Major features of the FMP in this regard include: (1) close monitoring of CPS fisheries to minimize "management uncertainty"; (2) conducting annual stock assessments for actively managed CPS to reduce "scientific uncertainty"; and (3) a general maximum sustainable yield (MSY) control rule that explicitly accounts for the current condition of the stock, the sensitivity of CPS' biomass and productivity to environmental variability, and the important ecological role CPS play in the California Current ecosystem. By including a 'CUTOFF' value to account for forage needs and uncertainty, and a time varying estimate of the MSY exploitation rate ( $F_{msy}$ ) based on sea surface temperature to account for environmental variability, the control rule provides for management below MSY for actively managed stocks.

In terms of the CPS FMP harvest policy, some additional concerns that the CPSMT has with the proposed NS-1 guidelines relate to: (1) the presence of "monitored" species in the FMP; (2) low biomass unrelated to overfishing; (3) krill as a prohibited species in the FMP; and (4) transboundary conservation and management of CPS.

The CPS FMP contains three "monitored species (stocks)": northern anchovy, jack mackerel, and market squid. Monitored species are either exploited at very low levels or are under state jurisdiction, or both. It is presumed that market squid, a monitored species, would be exempt from annual catch limit (ACL) and accountability measure (AM) provisions due to its sub-annual life cycle. The CPSMT supports the interpretation exempting market squid from ACL and AM provisions.

Monitored species are often data-poor stocks, making the assessment of ACLs and AMs potentially problematic. However, these stocks are not without effective management and the CPS FMP includes mechanisms for elevating these stocks to active management if landings surpass existing annual limits or a conservation concern arises. The CPSMT recommends that the final rule specifically provides ample flexibility in setting annual catch levels and accountability measures for these stocks as long as they remain monitored stocks. In this regard, the proposed NS-1 guidelines may want to formally institute a stock conservation and management category for monitored stocks.

For CPS stocks, low biomass conditions may result from overfishing, unfavorable environmental conditions, or both acting together; therefore the term "overfished" may be misleading. In the CPS FMP, management measures for CPS do not depend on whether low biomass is due to excess fishing or unfavorable environmental conditions, because reductions in fishing mortality are required in either case. Nonetheless, The CPSMT recommends Section 600.310(e)(2) on page 32540 of the *Federal Register* notice (Agenda Item C.5.b, Attachment 1) that pertains to status determination criteria include a "depleted" stock status that describes a conservation concern triggered by factors other than harvest. This is particularly important for CPS populations that can fluctuate substantially in response to cyclical environmental conditions regardless of harvest policy.

Amendment 12 added krill to the CPS FMP and placed it in a third stock category, "prohibited harvest species." This means that the harvest of krill is prohibited in the U.S. west coast exclusive economic zone, and the mandated optimum yield for krill has been set to zero. Because there is no harvest of krill, overfishing cannot occur and krill cannot be overfished. However, because krill can be construed as a stock that is part of the fishery it may be deserving of special recognition in the proposed NS-1 guidelines, or at the least, clarification that this species group is considered "outside the fishery" and not subject to the requirements set for fished stocks.

Pacific coast CPS are transboundary resources that are shared between the U.S., Mexico, and Canada, but for which there is no formal transboundary conservation and fishery management. The potential for overfishing a CPS stock has been a continuing concern in the absence of comprehensive CPS conservation and management, which has heightened lately with increased demand for CPS for use in aquafeeds. In view of the proposed NS-1 guidelines particularly as they pertain to international fisheries (Section 600.310(k) on page 32546 of the *Federal Register* notice) it is all the more imperative that transboundary conservation and management of west coast CPS fisheries is achieved.

PFMC  
09/09/08