The purpose of this action is to prohibit new directed commercial fishing in Federal waters on unmanaged, unfished forage fish species until the Council has had an adequate opportunity to both assess the scientific information relating to any proposed directed fishery and consider potential impacts to existing fisheries, fishing communities, and the greater marine ecosystem. This action is needed to proactively protect unmanaged, unfished forage fish of the U.S. West Coast EEZ in recognition of the importance of these forage fish to the species managed under the Council’s FMPs and to the larger CCE. This action is not intended to supersede tribal or state fishery management for these species, and coordination would still occur through the existing Council process.
round and thread herring, mesopelagic fishes, Pacific sandlance, Pacific saury, Silversides, Osmerid smelts, and Pelagic squids (with the exception of Humboldt squid)
Re: Pacific Fishery Management Council Request for Comments on Draft Fishery Management Plan Amendments Protecting Unfished and Unmanaged Forage Fish Species

Dear Reviewer,

In April 2013, the Council adopted a Pacific Coast Fishery Ecosystem Plan (FEP) for the U.S. portion of the California Current Large Marine Ecosystem as a vehicle for bringing ecosystem-based principles into the Council decision-making process under its existing Fishery Management Plans (FMPs). At the same time, the Council adopted an Ecosystem Initiatives Appendix, which provides examples of how the Council could address issues that affect two or more Council FMPs or coordinate major Council policies across the FMPs to fulfill identified FEP needs.

The Council is nearing completion of the first designated initiative. Initiative 1 is intended to recognize the importance of forage fish to the marine ecosystem off the U.S. West Coast, and to provide adequate protection for unfished and unmanaged forage fish. The Council is not pursuing a permanent moratorium on fishing for forage fish. Instead, the Council’s objective is to prohibit the development of new directed fisheries on forage species that are not currently fished within federal waters (3-200 nm offshore) or managed by the Council, until the Council has had an adequate opportunity to assess the science relating to any proposed fishery and any potential impacts to existing fisheries, fishing communities, and the greater marine ecosystem.

At its September 2014 meeting, the Council chose a preliminary preferred alternative, Alternative 2, which would amend all four of the Council’s FMPs to bring unfished and unmanaged forage species into the Council’s FMPs and to prohibit future directed commercial fisheries for those species from developing without scientific information on harvest sustainability and potential ecological effects of the fisheries. This multi-FMP amendment is known as Comprehensive Ecosystem-Based Amendment 1 (CEBA 1) and will include these FMP amendments: Amendment 15 to the Coastal Pelagic Species (CPS) FMP, Amendment 25 to the Pacific Coast Groundfish FMP, Amendment 3 to the Highly Migratory Species FMP, and Amendment 19 to the Pacific Coast Salmon FMP.

The following species and species groups are under Council consideration to become EC species shared (Shared EC Species) between all four of the Council’s FMPs:

- Round herring (Erinnucius tetroch) and thread herring (Opitchoena liberta and O. mediata)
- Mesoleopliac fishes of the families Myctophidae, Engraulidiae, Paralabididae, and Gonostomatidae
- Pacific sahalance (Ammodrpa hassenius)
- Pacific saury (Cololabis saira)

- Silversides (Family Atherinidae)
- Smelts (the family Osmeridae)
- Pelagic squid (families: Cranchidae, Gonatidae, Histioteuthidae, Octopoteuthidae, Chononemophasis, (except Humboldt squid,Dosidicus gigas), Onychoteuthidae, and Thysanoteuthidae)

Enclosed for your review is the draft FMP amendment language and draft Council Operating Procedure (COP) 24, which the Council adopted for public review at its September 2014 meeting. Draft COP 24 is based on the Council’s preliminary preferred alternative, which would allow the development of new fisheries for unfished species and is structured similarly to existing COPs associated with FMP fisheries. Should a U.S. citizen wish to develop targeted fisheries for Shared EC Species at some future time, COP 24 would provide the Council and the public a framework for evaluating the potential impacts of such a fishery to existing fisheries, fishing communities, and the greater marine ecosystem.

The Council notes that jacksnelt (Atherinopteryx californiensis) are an existing EC species in the CPS FMP. Jacksmelt are also a member of the silversides family (Atherinidae), a family proposed for inclusion as Shared EC Species in all four FMPs. In an effort to avoid duplication and in response to comments at the September Council meeting, the enclosed draft FMP language for CPS removes jacksmelt from the existing EC species list in recognition of their inclusion in the Shared EC Species list as a silverside. However, the Council has also heard recommendations to leave jacksmelt under both categories and is seeking additional input on the matter.

Comments can be mailed, faxed, or emailed to pipecomments@noaa.gov. The Council is scheduled to take final action and adopt a final preferred alternative for this initiative at its March 2015 meeting in Vancouver, Washington. Comments received by 11:59 p.m. on February 9th, 2015 will be included in the March 2015 Briefing Book. Comments received by 11:59 p.m. on March 2, 2015 will be distributed at the March Council meeting and oral comments will also be received at the meeting. Please see the Council’s web page for complete public comment guidelines.

Should you have any questions regarding the Council’s Comprehensive Ecosystem-Based Amendment, please contact Mr. Mike Burner at the Council office.

Sincerely,

[Signature]

D. O. McIsaac, Ph.D.
Executive Director

[Signature]

Mr. Mike Burner

Cc: Council Members
Ecosystem Workgroup
Ecosystem Advisory Subpanel
Mr. Chuck Tracy
Mr. Mike Burner
• National Environmental Policy Act, Cumulative Effects Analysis
• Magnuson-Stevens Fishery Conservation and Management Act – National Standards, Essential Fish Habitat and Council Fishery Management Plan Consistency
• Endangered Species Act Consistency
• Marine Mammal Protection Act Consistency
• Migratory Bird Treaty Act and Executive Order 13185 (Responsibilities of Federal Agencies to Protect Migratory Birds) Consistency
• Coastal Zone Management Act Consistency
• Administrative Procedure Act Consistency
• Paperwork Reduction Act Consistency
• Information Quality Act Consistency
• Executive Order 13132 (Impacts of the Action Relative to Federalism)
• Executive Order 13175 (Consultation and Coordination with Indian Tribal Governments)
• Executive Order 12898 (Environmental Justice)
• Regulatory Flexibility Act Consistency and Executive Order 12866 (Regulatory Planning and Review)
5.0 Consistency with FMPs

Chapter 5 considers the consistency of CEE and requirements:

- Magnuson-Stevens Fishery Conservation and Management Act (Section 301)
- Endangered Species Act (Section 7)
- Marine Mammal Protection Act (Section 7(f))
- Migratory Bird Treaty Act and Endangered Species Act
- Administrative Procedure Act (Section 5)
- Paperwork Reduction Act (Section 5)
- Impacts of the action relative to Federal consultation and coordination with Environmental justice, E.O. 12898
- Regulatory Flexibility Act and E.O. 12898
- CEQ requirements and Chapter 6.

Table 4.1: CEQ Cumulative Effects Analysis Process

<table>
<thead>
<tr>
<th>Steps in the process</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 Identify the significant cumulative effects and define the assessment goals</td>
</tr>
<tr>
<td>2 Establish the geographic scope for the analysis</td>
</tr>
<tr>
<td>3 Establish the timeframe for the analysis</td>
</tr>
<tr>
<td>4 Identify other actions affecting the resources and communities of concern</td>
</tr>
<tr>
<td>5 Characterize the resources, ecosystems, and human communities in terms of their response to cumulative effects</td>
</tr>
<tr>
<td>6 Characterize the stressors affecting the resources and communities to require mitigation</td>
</tr>
<tr>
<td>7 Define a baseline condition for the resources and communities of concern</td>
</tr>
<tr>
<td>8 Identify the important causes and effects of cumulative effects, resources, ecosystems, and human communities</td>
</tr>
<tr>
<td>9 Determine the magnitude and significance of cumulative effects</td>
</tr>
<tr>
<td>10 Modify or add alternatives to avoid or mitigate cumulative effects</td>
</tr>
<tr>
<td>11 Monitor the cumulative impacts of the management</td>
</tr>
</tbody>
</table>

5.1 Magnuson-Stevens Act (MSA) - National Standards

5.1.1 National Standards

Section 301 of the MSA requires that FMPs are consistent with ten National Standards, which are:

- National Standard 1: Conservation and management of the optimum yield of fish and invertebrates
- National Standard 2: Conservation and management of the marine ecosystem
- National Standard 3: To the extent practicable, the conservation of the marine ecosystem, and its interrelated stock

The CEQ process for consistency with NEPA requirements is described in Chapter 6.

6.4 List of Persons and Agencies Consulted

This action is a Council-recommended action that includes all interested and potential cooperating agencies, such as the USFWS, tribal government representatives, and state representatives from Washington, Oregon, California, and Idaho. The main authors for this document were the members of the Council’s Ad Hoc Ecosystem Workgroup:

Mike Burner (Pacific Fishery Management Council staff), Yvonne deRyncker (Chair, National Marine Fisheries Service), Larry Gilbertson (Quinault Nation Division of Natural Resources), Josh Lindley (National Marine Fisheries Service), Corey Niles (Washington Department of Fish and Wildlife), Cyris Schmit (Oregon Department of Fish and Wildlife), Richard Scully (Idaho Department of Fish and Game), Retired, and Deb Wilson-Vandenbarg (Vice-Chair, California Department of Fish and Wildlife).

The Council’s suite of advisory bodies reviewed and commented on this document during its development from the September 2013 through March 2015 meetings. Additionally, the following people were also consulted or were involved in reviewing drafts of the document (alphabetical order by institution, then by last name):

California Department of Fish and Wildlife: Caroline McKnight
National Marine Fisheries Service: Robert Anderson, Mary Bhutinthee, Sarah Biegel (NEPA Coordinator) Monica DeAngelis, Jennifer McCarthy, Brent Norberg, and Chris Yates of the West Coast Region; Kimberly Rivers of the Alaska Region; and Vic Broder, Isaac Kaplan, and Waldo Wakefield of the Northwest Fisheries Science Center.

NOAA General Counsel, Southwest: Judson Feder
Northwest Indian Fisheries Commission: Robert Jones
Oregon Department of Fish and Wildlife: Troy Buell, Robert Hannah, and Eric Schnider
Quinault Indian Nation Fisheries: E. Joseph Schumaker
University of Washington: Brandy Wippel
Washington Department of Fish and Wildlife: Lorna Wargo and Jessi Deroguesaux

The authors appreciate the cooperation of the following international experts, who were consulted on historic fishery-development efforts, worldwide, for fisheries with the potential to target mesopelagic fishes:

Wojciech Pelczarski, Deputy Director, Sea Fisheries Institute in Gdynia, Poland; Geir Huse, Institute of Marine Research, Bergen, Norway, and Yimin Ye, Chief of the Marine and Inland Fisheries Branch, Fisheries and Aquaculture Branch, Food and Agriculture Organization, Rome.

Copies of this EA and MSA analysis and other supporting documents for this action are available from the Council website (www.pacificCouncil.org) and from Mike Burner, Pacific Fishery Management Council, 7700 NE Ambassador Place, Suite 101, Portland, OR 97220.
7.0 Draft FMP Amendment Language and Draft Council Operating Procedure 24

Informational Report 3
November 2014

Pacific Fishery Management Council
7702 NE Ambassador Place, Suite 100, Portland, OR 97220-1384
Phone 503-230-2250, Fax 503-230-2256, info@fisherycouncil.org
Dorothy M. Lowman, Chair, Donald M. McLean, Executive Director

October 21, 2014

Re: Pacific Fishery Management Council Request for Comments on Draft Fishery Management Plan Amendments Protecting Unfished and Unmanaged Forage Fish Species

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The following species and species groups are under Council consideration to become EC species shared (Shared EC Species) between all four of the Council’s FMPs:

- Round herring (Erimenes tetrodon) and thread herring (Opisthonema libertae and O. macrinum)
- Mesopelagic fishes of the families Myctophidae, Bathylagidae, Parapidae, and Gonostomidae
- Pacific sand lance (Ammodites hexapterus)
- Pacific saury (Cololabis satira)
- Silversides (family Atherinoidei)
- Smelts of the family Osmeridae
- Pelagic squids (families: Cranchiidae, Gonatusidae, Histioneidae, Ommastrephidae, Onychoteuthidae, and Tylestommatidae)

Enclosed for your review is the draft FMP amendment language and draft Council Operating Procedure (COP) 24, which the Council adopted for public review at its September 2014 meeting. Draft COP 24 is based on the Council’s preliminary preferred alternative, which would allow the development of new fisheries for unfished species and is structured similarly to existing COPs associated with FMP fisheries. Should a U.S. citizen want to develop targeted fisheries for Shared EC Species at some future time, COP 24 would provide the Council and the public a framework for evaluating the potential impacts of such a fishery to existing fisheries, fishing communities, and the greater marine ecosystem.

The Council notes that jacksnelt (Atherinopus californiensis) are an existing EC species in the CPS FMP. Jacksmelt are also a member of the silversides family (Atherinopsidae), a family proposed for inclusion at Shared EC Species in all four FMPs. In an effort to avoid duplication and in response to comments at the September Council meeting, the enclosed draft FMP language for CPS removes jacksmelt from the existing EC species list in recognition of their inclusion in the Shared EC Species list as a silverside. However, the Council has also heard recommendations to leave jacksmelt under both categories and is seeking additional input on the matter.

Comments can be mailed, faxed, or emailed to fmp.comments@washington.gov. The Council is scheduled to take final action and adopt a final preferred alternative for this initiative at its March 2015 meeting in Vancouver, Washington. Comments received by 11:59 p.m. on February 9th, 2015 will be included in the March 2015 Briefing Book. Comments received by 11:59 p.m. on March 2, 2015 will be distributed at the March Council meeting and oral comments will also be received at the meeting. Please see the Council’s webpage for complete public comment guidelines.

Should you have any questions regarding the Council’s Comprehensive Ecosystem-Based Amendment, please contact Mr. Mike Burner at the Council office.

Sincerely,

D. O. Madrid, Ph.D.
Executive Director
MDB 29

Cc: Council Members
Ecosystem Workgroup
Ecosystem Advisory Subpanel
Mr. Chuck Tracy
Mr. Mike Burner
Table 1-2 EC species under the CPS FMP include:

<table>
<thead>
<tr>
<th>Common Name</th>
<th>Scientific Name</th>
</tr>
</thead>
<tbody>
<tr>
<td>Pacific herring</td>
<td><em>Clupea pallasii</em></td>
</tr>
<tr>
<td>Jacksmelt</td>
<td><em>Atherinopsis californiensis</em></td>
</tr>
</tbody>
</table>

Table 1-3 EC species shared between all four of the Council’s FMPs, including the CPS FMP.

<table>
<thead>
<tr>
<th>Common Name</th>
<th>Scientific Name</th>
</tr>
</thead>
<tbody>
<tr>
<td>Round herring</td>
<td><em>Etrumeus teres</em></td>
</tr>
<tr>
<td>Thread herring</td>
<td><em>Opisthonema libertate, O. medirastre</em></td>
</tr>
<tr>
<td>Mesopelagic fishes</td>
<td><em>Families: Myctophidae, Bathylagidae, Paralepididae, and Gonostomatidae</em></td>
</tr>
<tr>
<td>Pacific sand lance</td>
<td><em>Ammodramis hexapterus</em></td>
</tr>
<tr>
<td>Pacific saury</td>
<td><em>Cololabis saira</em></td>
</tr>
<tr>
<td>Silversides*</td>
<td><em>Atherinopsidae</em></td>
</tr>
<tr>
<td>Smelts</td>
<td><em>Osmeridae</em></td>
</tr>
<tr>
<td>Pelagic squids</td>
<td><em>Families: Cranchiidae, Gonaidae, Histioteuthidae, Octopoteuthidae, Ommastrephidae except Humboldt squid, Onychoteuthidae, and Thysanoteuthidae</em></td>
</tr>
</tbody>
</table>

Silversides include jacksmelt, which is also listed in Table 1-2 as an EC species specific to the CPS FMP. Jacksmelt is subject to the same directed fishing prohibition as other Shared EC Species, but it may also be subject to additional management and monitoring requirements that the Council develops for the Table 1-2 EC species particular to this FMP.

***
Shared EC Species could continue to be taken incidentally without violating Federal regulations, unless regulated or restricted for other purposes, such as with bycatch minimization regulations. The targeting of Shared EC Species is prohibited.
A.1 FEP Initiative 1, Protection for Unfished Forage Fish

The Council began FEP Initiative 1 in September 2013 and completed it as Comprehensive Ecosystem-Based Amendment 1 (CEBA 1) in March 2015. The Council adopted the following purpose and need statement for CEBA 1:

*The purpose of this action is to prohibit new directed commercial fishing in Federal waters on unmanaged, unfished forage fish species until the Council has had an adequate opportunity to both assess the scientific information relating to any proposed directed fishery and consider potential impacts to existing fisheries, fishing communities, and the greater marine ecosystem. This action is needed to proactively protect unmanaged, unfished forage fish of the U.S. West Coast Exclusive Economic Zone (EEZ) in recognition of the importance of these forage fish to the species managed under the Council’s FMPs and to the larger CCE. This action is not intended to supersede tribal or state fishery management for these species, and coordination would still occur through the existing Council process.*

CEBA 1 amends each of the FMPs to bring these species and species groups into the FMPs as ecosystem component (EC) species shared between all four of the Council’s FMPs:

- Round herring (*Etrumeus teres*) and thread herring (*Opisthonema libertate* and *O. medirastre*)
- Mesopelagic fishes of the families *Myctophidae*, *Bathyagidae*, *Paralepididae*, and *Gonostomatidae*
- Pacific sand lance (*Ammodytes hexapterus*)
- Pacific saury (*Cololabis saira*)
- Silversides (family *Atherinopsidae*)
- Smelts of the family *Osmeridae*
- Pelagic squids (families: *Cranchiidae*, *Gonatidae*, *Histiotethidae*, *Octopoteuthidae*, *Ommastrephidae* except Humboldt squid (*Dosidicus gigas*), *Onychoteuthidae*, and *Thysanoteuthidae*)

In the Council’s FMPs, this group of species is collectively referred to as the “Shared EC Species.” CEBA 1 includes these FMP amendments: Amendment 15 to the Coastal Pelagic Species (CPS) FMP, Amendment 25 to the Pacific Coast Groundfish FMP, Amendment 3 to the Highly Migratory Species (HMS) FMP, and Amendment 19 to the Pacific Coast Salmon FMP. CEBA 1 prohibits the development of new directed commercial fisheries for Shared EC species within the U.S. West Coast EEZ, while allowing existing incidental harvest of these species to continue to occur. However, CEBA 1 also includes Council Operating Procedure (COP) 24, which specifies conditions for exempted fishing permits to collect scientific information on the feasibility of future fisheries targeting Shared EC Species. COP 24 does not assume that future fisheries for Shared EC Species will occur; instead, it sets out conditions for collecting scientific information in case there is future public interest in beginning new fisheries for Shared EC Species.

***
For those images where sources are not shown directly on image, all are courtesy of the U.S. National Oceanic and Atmospheric Administration, except:

Slide 1: Fireworks over Vancouver, Washington, City of Vancouver
Slide 3: Pacific saury, Oregon Department of Fish and Wildlife (repeated at Slide 4); thread herring, United Nations Food and Agriculture Organization (repeated at Slide 4).
Slide 5: Spokane, Washington, City of Spokane
Slide 6: Vancouver, Washington, City of Vancouver