

FISHERY MANAGEMENT PLAN AMENDMENT 13: ANNUAL CATCH LIMITS AND ACCOUNTABILITY MEASURES

The Magnuson-Stevens Fishery Conservation and Management Reauthorization Act of 2006 (MSRA) established several new fishery management provisions pertaining to National Standard 1 (NS1) of the Magnuson-Stevens Fishery Conservation and Management Act (MSA), which states “Conservation and management measures shall prevent overfishing while achieving, on a continuing basis, the optimum yield from each fishery for the United States fishing industry.” On January 16, 2009, the National Marine Fisheries Service (NMFS) published a final rule to implement the new MSRA requirements and amend the guidelines for NS1. The MSRA and amended NMFS guidelines introduce new fishery management concepts including overfishing levels (OFLs), annual catch limits (ACLs), annual catch targets (ACTs), and accountability measures (AMs) that are designed to better account for scientific and management uncertainty and to prevent overfishing. These important aspects of the MSRA are required to be implemented by 2011 for most species and by 2010 for those species subject to overfishing.

The Pacific Fishery Management Council’s (Council’s) Coastal Pelagic Species (CPS) Fishery Management Plan (FMP) includes harvest control rules for actively managed species (Pacific sardine and Pacific mackerel) that are intended to prevent overfishing while maintaining relatively high and consistent catch levels over the long-term and provide a solid foundation for new fishery management provisions such as OFLs, ACLs, and ACTs. The CPS FMP’s monitored stocks are either exempt from the new requirements because of their short life cycle (market squid) or are currently harvested at relatively low levels (anchovy, jack mackerel). ACLs for monitored stocks may be implemented with greater flexibility, but also greater precaution, than for actively managed species because they are assessed with less frequency.

At its March 2010 meeting, the Council identified the following preliminary preferred alternatives for Amendment 13:

- All actively managed and monitored species in the fishery management plan (FMP) remain “in the fishery” and krill are moved to a new Ecosystem Component (EC) category while continuing the existing harvest prohibitions for krill species.
- Add no new forage species to the EC category pending additional analysis of non-target stocks.
- Maintain existing Status Determination Criteria for CPS FMP stocks and develop a maximum sustainable yield (MSY) proxy for the Northern subpopulation of Northern anchovy.
- Adopt no preferred alternative at this time for OFLs, acceptable biological catches (ABCs), and ACLs, pending additional analyses and direct the CPS Management Team and the Scientific and Statistical Committee (SSC) to continue to analyze alternatives and report the results at the June Council meeting.
- Maintain the default harvest control rule for monitored stocks.
- Maintain all current species in the current CPS FMP and transfer no species to State management.
- Adopt no preferred alternative for sector-specific ACLs, AMs or ACTs. Rather, further analyze the use of AMs such as ACTs, set-asides, and management uncertainty buffers to address research, live bait, management uncertainty, and incidental fishery mortality.

Additionally, consider describing all of these tools in the CPS FMP framework to maintain annual flexibility in their application to CPS fishery management.

At this meeting, the Council is scheduled to take final action on Amendment 13. This schedule is anticipated to allow adequate time for the Secretarial approval process and full implementation by 2011.

Council Action:

- 1. Adopt a Final Amendment 13 Alternative.**
- 2. Provide Guidance on Amendatory Language Proposed Under Amendment 13.**

Reference Materials:

1. Agenda Item F.2.a, Attachment 1, *Draft Environmental Assessment for Amendment 13 to the Coastal Pelagic Species Fishery Management Plan.*
2. Agenda Item F.2.a, Attachment 2, Draft CPS FMP Amendatory Language Proposed Under Amendment 13.
3. Agenda Item F.2.b, Supplemental SSC Report.
4. Agenda Item F.2.b, Supplemental CPSMT Report.
5. Agenda Item F.2.b, Supplemental CPSAS Report.
6. Agenda Item F.2.c, Public Comment

Agenda Order:

- a. Agenda Item Overview
- b. Reports and Comments of Advisory Bodies and Management Entities
- c. Public Comment
- d. **Council Action:** Adopt Final Amendment

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05/27/10