

Agenda Item H.1.c.  
Public Comment  
September, 2014

Ms. Dorothy Lowman, Chair  
Pacific Fishery Management Council  
7700 NE Ambassador Place, Suite 101  
Portland, OR 97220

September 9, 2014

Dear Chair Lowman & Council Members,

Please accept these comments regarding ecosystem-based management and the protection of forage fish on behalf of the following organizations:

Midwater Trawlers Cooperative  
United Catcher Boats  
Oregon Trawl Commission  
Fishermen's Marketing Association  
Pacific Whiting Conservation Cooperative  
West Coast Seafood Processors Association  
Coos Bay Trawlers Association  
California Wetfish Producers Association  
Fishing Vessel Owners Association  
Point Conception Groundfish Fishermen's Association  
Ocean Gold Seafoods  
Ilwaco Fish Company  
Del Mar Seafoods  
Argos, Inc

Our organizations represent the majority of trawlers and shore-based and at-sea processors that participate in the west coast groundfish fishery. In addition, several of the organizations also represent a major portion of the participants in the coastal pelagic species fisheries. **We are unified in our recommendation that the Council adopt Alternative 2 as written in the Environmental Assessment as its Final Preferred Alternative (FPA) for the Unmanaged Forage Fish Protection Initiative under agenda item H.1.**

#### Rationale

Our groups have all demonstrated a commitment to sound fisheries management through a variety of actions over the years. This includes reasonable protections for forage fish, which fulfill an important role in a healthy ecosystem. To that end we support the Council's Statement of Purpose and Need for this action:

*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 California Current Ecosystem.*

Further, we believe that of the three alternatives analyzed, the Council's Preliminary Preferred Alternative (PPA), Alternative 2 selected in April 2014, best meets this Purpose and Need Statement. Alternative 2 brings specific forage fish species into four fishery management plans and prevents future targeted fisheries from developing on these species unless a scientific assessment of harvest sustainability is conducted. At the same time, Alternative 2 allows for the minor incidental take of these species, which currently takes place and has historically occurred. Alternative 2 requires that the species harvest be monitored so there will continue to be information available as to what levels of harvest of these species is occurring. The Council's mandate for biological protection is met without instituting potentially complex and possibly punitive regulations, which could have unnecessary negative economic consequences on existing fisheries.

#### Policy Guidance

The use of an ecosystem approach to management is strongly recommended by NMFS, which is why the comprehensive forage fish amendment is so important. The approach being considered by the Council of including particular forage fish species in the four Council fishery management plans as "ecosystem component" stocks is clearly contemplated under National Standard (NS) 1 Guidelines. Ecosystem component stocks are those which are not targeted and for which overfishing or overfished status is not a concern and that are generally not retained or sold. The species being considered under this action are clearly ecosystem component stocks. They have not now nor have they ever been targets for our fisheries. They are not now nor have they ever been deemed overfished. Any contact with these species is purely incidental in the pursuit of the target species and the small amounts that have been harvested historically reflect this reality.

#### Other Alternatives in Relation to Purpose and Need Statement

Alternative 1, the No Action alternative, is simply not appropriate given the Pacific Council's commitment to protecting forage fish species.

Alternative 3, which places prohibitions on retention of incidental catch, is also not appropriate given the direct consequences this requirement will have on existing fisheries. Additional species identification, sorting and discarding at-sea of these ecosystem component species will take additional time and effort and increase costs to existing fisheries with no direct biological benefit. The current and historic incidental take levels of these species are very minor and there is no indication that this trend will change in the future. Further, Alternative 3 essentially imposes management measures that are appropriate for "in the fishery" stocks, not "ecosystem components" as defined by NS 1.

There has been some additional discussion of adopting Alternative 2 with an added restriction on the amount of ecosystem species that could be taken incidentally defined as either a bycatch allowance or cap. It has been suggested that this would somehow be a compromise between Alternatives 2 and 3. We do not support this approach and any additional restrictions for the same reasons we do not support Alternative 3. Imposing additional management implications and associated costs that do not result in direct conservation benefits is unnecessary and unwarranted, particularly when there is no threat of target fishing for these species. This hybrid alternative also incorporates management measures that NS 1 guidelines define as “in the fishery” stocks, of which these are not. Based on everything we currently know, a target bycatch fishery on any of these species is not only unlikely, it borders on the realm of not possible.

### Conclusion

In summary, our organizations represent the majority of the industry that will be affected by this action. We are responsible stewards of the ocean and we are committed to the protections of important forage fish. To that end, we support Alternative 2 as the best approach with regards to the National Standard guidelines and to meet the Council’s mandate and Statement of Purpose and Need without adding additional expense and burden to existing fisheries. The analysis in the draft Environmental Assessment more than adequately supports our position. Alternative 2 protects unmanaged forage fish and we strongly recommend the Council support its Preliminary Preferred Alternative as the Final Preferred Alternative.

Thank you for your consideration.