



Agenda Item H.2

NATIONAL COALITION FOR MARINE CONSERVATION
4 Royal Street, S.E., Leesburg, VA 20175

March 1, 2010

Pacific Fishery Management Council
7700 NE Ambassador Place, Suite 101
Portland, OR 97220

RE: Coastal Pelagic Species Amendment 13

Dear Council Members,

The National Coalition for Marine Conservation (NCMC) is a non-profit organization supported by conservation-minded fishermen that promotes an ecosystem-based approach to fishery management, emphasizing protection of the ocean forage base. We have previously submitted comments to the council on the Coastal Pelagic Species Fishery Management Plan, most recently in 2009 regarding implementation of new National Standard 1 guidance on setting annual catch limits for forage fish.¹

We respectfully submit these comments on the preliminary draft of Amendment 13², which we believe contains some positive steps forward in CPS management (see Recommendation #1 below), but unfortunately lacks sufficient analysis to determine if existing harvest control rules meet the requirements of the new Magnuson-Stevens Act and NS 1 Guidelines (Recommendation #2).

Recommendation 1. Add other important forage species to the CPS FMP and prohibit new fisheries until adoption of an E-FMP

Overall productivity of west coast fisheries depends on preserving the health and integrity of the food web. To take just one example, the survival of Pacific salmon at sea is dependent, in part, on the abundance and availability of

¹ NCMC letter, May 27; Joint letter with Marine Fish Conservation Network, Oceana and Greenpeace, August 27.

² Measures for Integrating New Provisions of the Magnuson-Stevens Fishery Conservation and Management Act and National Standard 1 Guidelines into Coastal Pelagic Species Management. Amendment 13 to the CPS FMP, Draft Preliminary Alternatives and Analyses. February 2010.

forage fish.³ So we are pleased that the council has included in the Draft Preliminary Alternatives for Amendment 13 an alternative to “add additional forage and/or bycatch species to the CPS FMP as EC species.”⁴ As the document states, there are many small pelagic species that are critical to the ecosystem as forage but which are not currently the target of commercial fisheries. We support adding these species to the CPS FMP as Ecosystem Component species in order to monitor their status, their role in the food web, and eventually to link fluctuations in their abundance to the abundance of managed CPS and the forage base as a whole. Amendment 13 suggests that monitoring and assessment of these EC species could be performed under the council’s developing Ecosystem Fishery Management Plan. In our view, then, **Amendment 13 should feature an explicit prohibition on the development of any new fisheries for EC species until such time as the E-FMP is adopted and appropriate regulatory measures implemented through the CPS FMP.**

Recommendation 2. Evaluate harvest control rules for compliance with new NS1 Guidelines before considering final action on Amendment 13

The NS1 Guidelines require forage fish FMPs to ensure that ecological factors are considered in setting annual catch limits in order to “maintain adequate forage for all components of the ecosystem.”⁵ Ecological factors, including fishing impacts on forage fish stocks and predator-prey interactions, are to be quantified and, even where quantification is difficult, the FMP must explicitly address them in its OY specification criteria.⁶ “Species interactions that have not been *explicitly* taken into account when calculating MSY should be considered as relevant factors for setting OY below MSY” and councils should consider “managing forage stocks for higher biomass than B_{MSY} to enhance and protect the marine ecosystem.”⁷

In Draft Amendment 13, the council acknowledges the need to analyze the existing harvest control rules for Pacific sardine and Pacific mackerel in terms of how they meet the new NS1 requirements; however, this analysis has yet to be done. Making this analysis even more critical is the fact that the document admits inconsistencies in how the CPS Management Team and the SSC interpret the existing control rules *and* presents a confounding explanation of where or how the rules address scientific uncertainty or ecological considerations or provide a buffer against overfishing.⁸

³ Emmet & Sampson. The Relationships Between Predatory Fish, Forages Fishes, and Juvenile Salmonid Marine Survival Off the Columbia River: A Simple Trophic Model Analysis. CalCOFI Rep., Vol. 48, 2007.

⁴ Alternative 3, page 14

⁵ 600.310(e)(3)(iii)(c)

⁶ 600.310(3)(iv)

⁷ 600.310(e)(3)(iv)(C)

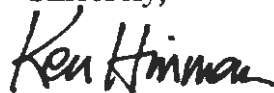
⁸Draft Amendment 13. Pages 8-9.

For instance, CUTOFF is defined as a minimum stock size threshold for rebuilding the spawning stock if the stock becomes overfished, but the document also says it is intended as a “buffer” to address economic and ecological considerations in the OY specification. It is not clear how it can be both; or either, for that matter. In the case of Pacific mackerel, CUTOFF is only 18,200 tons, well below $\frac{1}{2}$ B_{MSY} (the standard definition of an overfished stock).⁹ Mackerel is an important forage species, yet there is no analysis to determine if this CUTOFF value is adequate to protect its role as prey in the ecosystem, or if it is adequate, by what measure.

Council members and members of the public have requested a re-evaluation of the CPS harvest control rules to determine how they comply with provisions of the NS1 Guidelines in general and, in particular, how they incorporate ecological factors into the specification of ABC and ACL (OY). Until such an analysis has been performed and made available to the public, the council should withhold action on an amendment that purports to fully integrate new provisions of the Magnuson-Stevens Act and NS1 Guidelines into CPS management.

Thank you for your consideration.

Sincerely,



Ken Hinman
President

⁹ Dorval et al. Pacific Mackerel Stock Assessment for U.S. Management in the 2008-9 Fishing Season. NOAA Fisheries Service. June 2008. Page 70.