

UNMANAGED FORAGE FISH PROTECTION INITIATIVE

In April, the Council adopted a Pacific Coast Fishery Ecosystem Plan for the U.S. Portion of the California Current Large Marine Ecosystem (FEP) 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.

Initiative 1 is intended to recognize the importance of forage fish to the marine ecosystem off of the U.S. West Coast, and to provide adequate protection for 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 managed by the Council, or the States, until the Council has had an adequate opportunity to assess the science relating to any proposed fishery and any potential impacts to existing fisheries and communities. Under the current rules, there is some risk that fisheries could develop before such analyses could be conducted.

The Council has adopted a two-stage process for implementing FEP Initiative 1: amending and updating the list of authorized fisheries and gear for Federal waters off the U.S. West Coast at 50 CFR 600.725(v), and developing any additional necessary protections for unfished and unmanaged forage fish through recommendations to amend one or more of the Council's FMPs. The first step in that process, reviewing and updating the federal list of allowable fisheries and gear, is underway (Agenda Item I.1).

The second stage of the Council's guidance on protecting unfished forage fish is to incorporate any additional needed protections into the current suite of FMPs through an FMP amendment process (Final Council Action at G.1.d, June 2012).

As laid out in the Ecosystem Initiatives Appendix and in the attached Ecosystem Workgroup report, the first step in this process is to draft a list of forage species suitable for additional Council protections under FEP Initiative 1. The Council has adopted the following definition for "forage fish" species, based on a Smith et al. (2011) paper on low trophic level species: *species that are often present in high abundance, forming dense schools or aggregations, and which are generally plankton feeders for a large part of their life cycle*. In November 2011, the Council's Ecosystem Plan Development Team (EPDT) provided the Council with a preliminary draft list of pelagic forage fish species in a table (A.2) now provided in the FEP Appendix. The EPDT's report, and Table A.2., address both managed and unmanaged forage fish species.

Once the Council has defined the set of unmanaged, unfished forage fish species or species groups that fall under its Exclusive Economic Zone-based authority, it should next review the connections those species have to FMP fish and fisheries. After identifying these connections, the Council may then use the FMP amendment process to assign the unfished, unmanaged forage fish species to the appropriate FMP(s) as either fishery management unit (FMU) or ecosystem component species.

After the Council has adopted FMP amendments to add new species or species groups to one or more of its FMPs, and has transmitted those amendments and their accompanying analyses to NMFS, the agency would consider finalizing prohibitions on future fisheries for those species through the Federal rulemaking process. Although the Council could choose to add species to just one of its FMPs, it might also consider a comprehensive amendment to add new species to different FMPs through the same discussion and analysis process, and through a combined rulemaking process to address each of the relevant FMPs.

To summarize, the Council's charges under FEP Initiative 1 are to:

- Broadly define the set of unmanaged, unfished forage fish species or species-groups that fall under its authority;
- Review the connections those species or species groups may have to FMP species as either prey of those species, bycatch within the fisheries managed under the FMP, similarity to FMP species, or other connection to FMP species;
- Develop FMP amendments to add those species to the appropriate FMPs as non-targeted FMU species.

Council Action:

1. Review and comment on draft list of pelagic forage species.
2. Provide guidance on amending management plans to protect forage species.

Reference Materials:

1. Agenda Item I.2.b, Supplemental ad hoc Ecosystem Workgroup Report.
2. Agenda Item I.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:** Provide Guidance on Amending Fishery Management Plans to Protect Forage Species
- Mike Burner

PFMC
08/22/13