

**CENTER FOR MARINE CONSERVATION
NATURAL RESOURCES DEFENSE COUNCIL
ENVIRONMENTAL DEFENSE**

June 21, 2000

Pacific Fishery Management Council
2130 SW Fifth Avenue, Suite 224
Portland, OR 97201

Comments on June 2000 PFMC agenda item D. 13., Default Maximum Sustainable Yield (MSY) Fishing Rate within the Harvest Rate Policy.

Chairman Lone and Council Members,

The Center for Marine Conservation (CMC), the Natural Resources Defense Council (NRDC), and Environmental Defense (ED) respectfully submit these comments on the issue of designating a default MSY fishing rate for west coast groundfish. CMC, NRDC, and ED represent over 100,000 members on the west coast with an interest in healthy ocean ecosystems. We have carefully tracked harvest rate policies for west coast groundfish, and CMC has actively participated in the development of harvest policies as a member of the Council's Groundfish Advisory Panel and a participant in the Groundfish Harvest Rate Policy workshop.

Unfortunately, there is a growing list of west coast groundfish that are classified as "overfished" and in need of rebuilding. While it is true that oceanic conditions played a role in the groundfish decline, the fundamental problem is that fishing rates exceeded the rates of reproduction of these fish. The current crisis developed because the fisheries management system was unable to recognize and respond in time to the groundfish decline. Now the fish are in trouble and so is the industry that relies on them.

As the Council considers adoption of new MSY proxies (default MSY fishing rate), we have a simple question to ask: what has been learned from this painful groundfish decline? We think there is a simple answer to this question: the groundfish decline has provided a very clear lesson in the wrong way to deal with uncertainty and risk. We have seen how people and fish suffer when proof is required before catch limits can be reduced, because "proof" in fisheries science tends to come too late. It would have been better to use precautionary management 5 or 10 years ago, and reduce catch limits when scientists warned of the risks.

We urge the Council to demonstrate that a lesson has been learned from the groundfish decline; adopt MSY proxies that will prevent groundfish from being fished faster than they can reproduce. This is consistent with National Standard 1 of the Magnuson-Stevens Act which requires FMPs to contain measures to "prevent overfishing." 16 USC 1851 (a)(1).

To prevent overfishing, MSY proxies will have to be adjusted to lower fishing rates than the risk-neutral estimates that were made by the Groundfish Harvest Rate Policy review panel. These risk-neutral estimates of Fmsy are composite values for several groups of species, and composite values are likely to allow overfishing for up to half of the species in each group. Adoption of MSY proxies that are risk-neutral is contrary to the National Standard Guidelines which state that MSY estimates "must incorporate appropriate consideration of risk." 50 CFR § 600.310 (c)(2)(ii).

We urge the Council to adopt MSY proxies that incorporate appropriate consideration of risk, and are not likely to allow overfishing for any groundfish species. Using risk-neutral estimates derived from groups of species does not meet this goal. Instead, the Council should adopt risk-averse MSY proxies such as F60 for Sebastes species.

Thank you for the opportunity to comment,



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