



CALIFORNIA WETFISH PRODUCERS ASSOCIATION

Representing California's Historic Fishery

October 24, 2005

Dr. Don McIsaac, Executive Director
Mr. Don Hansen, Chair
Members of the Pacific Fishery Management Council
7700 NE Ambassador Place #200
Portland, OR 97220-1384

RE: Agenda Items D.1.d SARDINE STOCK ASSESSMENT and HARVEST GUIDELINE and
D.2.d ALTERNATIVES FOR KRILL MANAGEMENT

Dear Dr. McIsaac, Chairman Hansen and Council members,

These comments are submitted on behalf of the California Wetfish Producers Association, which represents the majority of wetfish processors and fishermen in Monterey and southern California. We appreciate this opportunity to present our views and concerns regarding the CPS agenda items noted above.

Re: D.1.d – Pacific Sardine Stock Assessment and Harvest Guideline, we fully support the statement of the CPS Advisory Subpanel, with emphasis on the underlined portions:

The CPSAS supports the recommended preliminary HG, which is based on the harvest formula, defined in the Coastal Pelagic Species (CPS) Fishery Management Plan (FMP). However, the CPSAS voiced unanimous and strong concern that research on Pacific Northwest (PNW) sardine has not been adequately incorporated in the model to date. Furthermore, additional research is needed to evaluate the migration rates, spawning contribution, and relationship of PNW sardine to the spawning biomass as a whole.

The CPSAS is encouraged about plans for a synoptic survey of the sardine resource in April 2006. The CPSAS recommends that data collected during research surveys in the PNW be analyzed and included in the assessment model for the next year's stock assessment.

And:

The CPSAS recommends the Council encourage National Marine Fisheries Service to continue to fund comprehensive annual CPS research, including the survey off the PNW and explore a possibility to encourage similar surveys in Canada and Mexico.

The CPSAS continues to strongly believe that coordinated international management of CPS fisheries is essential to avoid the potential for coastwide overfishing. Moreover, the CPSAS also agrees that inclusion of complete Mexican catch statistics is vital to the CPS assessment process.

We would greatly appreciate the Council's continued appeals to the NMFS and the State Department, stressing the critical importance of trilateral sardine research and transboundary cooperative management to avoid overfishing the Pacific sardine resource.

Re: D.2.d. – Alternatives for Krill Management

As a member of the Coastal Pelagic Species Advisory Subpanel, I supported the CPSAS statement presented to the Council on this issue. However, because I'm unable to attend the November Council meeting in person, I appreciate this opportunity to offer the following clarification of the CPSAS statement from the perspective of CWPA and California's wetfish industry.

First, CWPA members agree that krill is critically important to the ecosystem as forage for other marine life, and in order to avoid potentially negative effects to other species, the Council should explore measures to protect krill from overharvest. However, we're concerned that implementing a ban on krill fishing through the CPS Fishery Management Plan, with scant information on the resource, could set a potentially damaging precedent for other CPS fisheries.

We understand that, to date, the Council has received no proposals to begin a krill fishery off the west coast. We further understand that all three west coast states have longstanding prohibitions against landing krill in any west coast port. Thus the recent interest in regulating krill is driven by a fear that a fishery could develop at some future time, through a loophole in the "national" list of fisheries at 50 CFR 600.725 that provides a general category of "fishing with trawl gear" for unspecified species among the fisheries listed by NMFS for waters under the jurisdiction of the PFMC. Thus, someone wanting to engage in fishing for krill with trawl gear (the principal gear used in other krill fisheries) off the West Coast would not need any permits from NMFS and, as with a factory-trawl catcher-processor vessel, could avoid landing the catch on the west coast.

We understand and support the Council's interest in acting to protect krill from the unintended consequence of unregulated fishing. However, we also agree with and support the concern expressed by the CPSAS re: diverting funding and resources to krill management at a time when considerable work and research on other CPS, specifically sardine, have been repeatedly requested and are currently under-funded and incomplete.

If there could be some benefit to including krill within the CPS FMP, especially with regard to providing additional resources to enhance research on the complex of species including sardine, we could support the proposal to amend the CPS FMP to include krill. However, we also agree with and reiterate the CPSAS recommendation that krill be included under a third category of management rather than as an "active" or "monitored" species. This third category, such as a research category, would need to be created.

Our first preference, however, is to investigate other examples of alternative categories or strategies that may have utility for krill management on the West Coast.

Perhaps the most direct and immediate action would be to close the existing loophole by amending the list of fisheries to clarify that the general category of "fishing with trawl gear" for unspecified species does not include krill. Then anyone wanting to engage in krill fishing with any other gear (e.g., purse seine) would be required to notify the Council 90 days in advance. The Council would have opportunity at that time, based on real, rather than hypothetical, interest, to advise NMFS on how to control the activity.

We have read with interest the public comment submitted in support of prohibiting fishing on krill by listing it as forage in other FMP-managed fisheries. While we appreciate the concern expressed for krill's importance in the ecosystem, we also agree with the conclusion reached in the alternatives analysis that many species could be so categorized – in fact, virtually every organism in the marine environment is forage for something else. We suggest that perhaps the most direct and immediate approach is to clarify the list of fisheries, which would buy additional time to further investigate the best solution to regulate krill.

Thank you very much for your consideration of these comments.

Best regards,

Diane Pleschner-Steele
Executive Director

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SEP 27 2005

PFMC

Re: Request to Protect Krill as a Forage Species

Dear Pacific Fishery Management Council Members,

The West coast of the United States supports some of the world's most important commercial fisheries. These fisheries are made possible by the extremely productive waters of the California Current System off the coast of Washington, Oregon, and California and the Alaska Current in the Gulf of Alaska. Euphausiids, or krill, play a central role in these marine ecosystems. **Krill form a key link between phytoplankton and commercial and recreationally important fish, marine mammals, and seabirds. Most species (including humans) are only one or two feeding levels away from krill, and it is the primary prey of most of the commercial fish, marine mammal, and seabird species of Alaska, Washington, Oregon, and California.** Commercially important species that directly or indirectly depend upon krill include salmon, pollock, rockfish, hake, flatfish, squid, mackerel, sardine, and herring. The combined economic value of these resources exceeds \$5 billion annually.

Krill production in these waters support some of the most diverse fish, marine mammal and seabird communities in the world including 6 species of threatened or endangered marine mammals and 1 species of endangered seabird – all of which either directly or indirectly depend upon krill resources. As a group of fishermen, marine biologists, and conservationists we believe that krill is a trophic key for Pacific Coast ecosystems – for both fished and protected species. In order to effectively protect these important marine resources and the ecosystem upon which they depend, it is critical to protect the integrity and health of krill off the West coast of the United States. **Commercial and recreational fisheries can only recover if the ecosystems upon which they depend are intact.**

In recognition of its importance in marine food webs, krill fishing has been banned in the state waters of Washington, Oregon, and California. Recently the PFMC was asked to consider a similar ban for Federal waters. Based primarily on the advice of NMFS, at the November 2004 meeting, the Council

“directed staff to begin development of management measures to regulate directed fisheries for krill within Council-managed waters. These measures would be incorporated into an amendment to the CPS FMP as described in Option 2 of Options for Controlling Fishing for Krill (Agenda Item H.4.b, November 2004).” *PFMC decisions, November 2004, PFMC website.*

If formally adopted, this option (amending the CPS FMP for krill) could open the door for directed commercial krill fishing in Federal waters. It is not clear why the Council is tentatively adopting option 2 rather than option 3 – designating krill as forage under one or more FMPs and thereby prohibiting fishing for krill. This would a) protect this important forage species for commercially important and protected resources, b) be consistent with ecosystem management goals for the Pacific fisheries, and c) be consistent with the ban established by state regulatory authorities in Washington, Oregon, and California.

The Presidentially-appointed US Commission on Ocean Policy recommended that marine resources should managed on an ecosystem basis “to reflect the relationships among all ecosystem components,

including humans and nonhuman species and the environments in which they live.” (US Oceans Commission Report – Executive Summary, September 2004). Protecting krill resources is the most direct means to achieve such a policy. While fully protecting krill will have no economic impact on existing commercial or recreational marine resources, the initiation of a fishery may have severe impacts. While not particularly controversial, fully protecting krill will help preserve and maintain the health of the marine ecosystem upon which commercial and recreational users depend.

In its April 2005 meeting the Council:

“reviewed a progress update from National Marine Fisheries Service (NMFS) Southwest Region (SWR) on a proposed course of action for management of krill in the West Coast Exclusive Economic Zone and National Marine Sanctuaries under the auspices of the Coastal Pelagic Species FMP. The Council approved a draft outline for an alternatives analysis. The Council will provide guidance on a preferred schedule at the April meeting following a progress update from NMFS SWR on the alternatives analysis.” *PFMC decisions, March 2005, PFMC website.*

This decision resulted in the issuing of a Statement of Work for the development of a NEPA-consistent Alternatives Analysis for krill management (Agenda Item F.1.a NMFS Report 2 April 2005). It is not at all clear to us how the Council has decided to tentatively move forward with Option 2 of the Options for Controlling Fishing for Krill (Agenda Item H.4.b, November 2004) before the Alternatives Analysis that should provide the information upon which to base any management decision has been completed. This concern was underlined by PFMC and NMFS moving forward with a meeting that was held on June 6, 2005 at the Southwest Fisheries Science Center to:

“discuss the status, distribution, existing data sets and potential stock assessment methods, and management research needs for these two species in the EEZ. The Pacific Fisheries Management Council hopes to develop a program to regulate potential krill fishing in federal waters under the Magnuson-Stevens Act.” *Summary of a Meeting on California Current Krill off the U.S. West Coast, June 6, 2005. NMFS Southwest Fisheries Science Center, Large Conference Room.*

We strongly feel that Option 3 is the better management approach, and believe that any actions to develop a stock assessment analyses – tentative or otherwise – for krill management should not be made until the Alternatives Analysis described in Agenda Item F.1.a NMFS Report 2 April 2005 has been completed.

Specifically, as a group of researchers, commercial stakeholders, and non-government organizations, we would like to urge the PFMC to fully consider and adopt Option 3 (protect krill as a forage species) as the approach that a) protects coastal pelagic ecosystems, b) insures the long-term sustainability of coastal pelagic commercial fisheries, c) assures the protection and recovery of threatened or endangered marine species, d) is consistent with management policies already adopted by Washington, Oregon and California State regulatory authorities, and e) is a comparatively painless way for the Council to proactively enact an ecosystem-based management approach to marine resources . Thank you for your consideration.

Sincerely,

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