



June 10, 2009

Mr. Donald K. Hansen
Chair, Pacific Fishery Management Council
7700 NE Ambassador Place, Suite 101
Portland, OR 97220

RE: Agenda Item E.7. Consideration of Inseason Adjustments – Petrale Sole

Dear Chairman Hansen and Council Members:

Oceana is greatly concerned by the findings of the recent U.S. petrale sole stock assessment, which determined the petrale sole population is at 11.6% of unfished biomass (Agenda Item E.6.a Attachment 1, June 2009). This biomass estimate places this population deep within the overfished category. This stock assessment represents a twenty percent decrease from the findings of the last assessment completed in 2005. Moreover, the stock assessment forecast predicts this population will continue to decline unless conservation and management actions are taken to curb the directed petrale sole fishery and control petrale sole bycatch. We therefore respectfully request that the Council take immediate actions to close the directed fishery for the remainder of 2009, control bycatch in any other fisheries and implement appropriate area closures so that this population can rebuild to healthy, productive and sustainable levels.

The Pacific Fishery Management Council and National Marine Fisheries Service have the moral and legal responsibility to prevent overfishing and rebuild overfished stocks as quickly as possible. The Magnuson Stevens Fishery Conservation and Management Act requires that “[c]onservation and management measures shall prevent overfishing while achieving, on a continuing basis, the optimum yield from each fishery for the United States fishing industry” 16 U.S.C. § 1851(a)(1). In the case of petrale sole, where the stock is now clearly overfished, conservation and management measures must be taken to rebuild the stock as quickly as possible.

Given the scientific information before the Council, it would be ill advised to delay action until 2011 when the Allowable Biological Catch will be set at zero under the 40:10 harvest control rule. Taking immediate action is imperative for the long-term sustainability of the petrale sole population and its role in a healthy ocean ecosystem. We look forward to working with you on this important matter.

Sincerely,

Ben Enticknap
Pacific Project Manager