

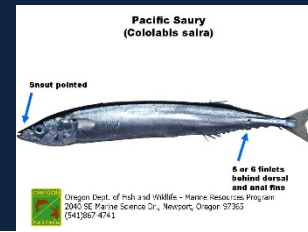
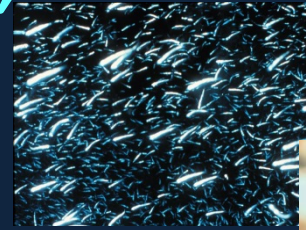
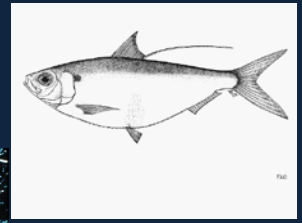
Comprehensive Ecosystem-Based Amendment 1

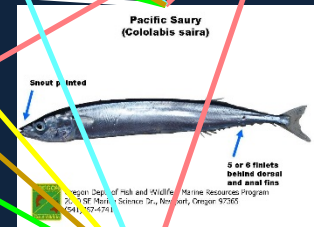
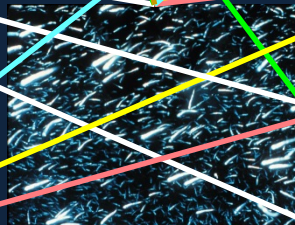
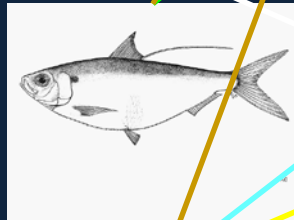
Ecosystem Workgroup
Presentation for E.4.a. and E.4.b.

March 9, 2015

The purpose of this action is to prohibit new directed commercial fishing in Federal waters on unmanaged, unfished forage fish species until the Council has had an adequate opportunity to both assess the scientific information relating to any proposed directed fishery and consider potential impacts to existing fisheries, fishing communities, and the greater marine ecosystem. This action is needed to proactively protect unmanaged, unfished forage fish of the U.S. West Coast EEZ in recognition of the importance of these forage fish to the species managed under the Council's FMPs and to the larger CCE. This action is not intended to supersede tribal or state fishery management for these species, and coordination would still occur through the existing Council process.

round and thread herring,
mesopelagic fishes,
Pacific sandlance,
Pacific saury,
Silversides,
Osmerid smelts, and
Pelagic squids
(with the exception of
Humboldt squid)







Pacific Fishery Management Council

7700 NE Ambassador Place, Suite 101, Portland, OR 97220-1384
Phone 503-820-2280 | Toll-free 866-806-7204 | Fax 503-820-2299 | www.pfmc.org
Dorothy M. Lowman, Chair | Donald O. McIsaac, Executive Director

October 21, 2014

Re: Pacific Fishery Management Council Request for Comments on Draft Fishery Management Plan Amendments Protecting Unfished and Unmanaged Forage Fish Species

Dear Reviewer,

In April 2013, the Council adopted a Pacific Coast Fishery Ecosystem Plan (FEP) for the U.S. Portion of the California Current Large Marine Ecosystem 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.

The Council is nearing completion of the first designated initiative. 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 unfished and unmanaged 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 fished within federal waters (3-200 nm offshore) or managed by the Council, until the Council has had an adequate opportunity to assess the science relating to any proposed fishery and any potential impacts to existing fisheries, fishing communities, and the greater marine ecosystem.

At its September 2014 meeting, the Council chose a preliminary preferred alternative, Alternative 2, which would amend all four of the Council's FMPs to bring unfished and unmanaged forage species into the Council's FMPs and to prohibit future directed commercial fisheries for those species from developing without scientific information on harvest sustainability and potential ecological effects of the fisheries. This multi-FMP amendment is known as Comprehensive Ecosystem-Based Amendment 1 (CEBA 1) and will include these FMP amendments: Amendment 15 to the Coastal Pelagic Species (CPS) FMP, Amendment 25 to the Pacific Coast Groundfish FMP, Amendment 3 to the Highly Migratory Species FMP, and Amendment 19 to the Pacific Coast Salmon FMP.

The following species and species groups are under Council consideration to become EC species shared (Shared EC Species) between all four of the Council's FMPs:

- Round herring (*Etrumeus teres*) and thread herring (*Opisthonema libertate* and *O. medirastre*)
- Mesopelagic fishes of the families *Myctophidae*, *Bathylagidae*, *Paralepididae*, and *Gonostomatidae*
- Pacific sand lance (*Ammodytes hexapterus*)
- Pacific saury (*Cololabis saira*)

Page 2

- Silversides (family *Atherinopsidae*)
- Smelts of the family *Osmetidae*
- Pelagic squids (families: *Cranchiidae*, *Gonatidae*, *Histioteuthidae*, *Octopoteuthidae*, *Ommastrephidae* (except Humboldt squid, *Dosidicus gigas*), *Onychoteuthidae*, and *Thysanoteuthidae*)

Enclosed for your review is the draft FMP amendment language and draft Council Operating Procedure (COP) 24, which the Council adopted for public review at its September 2014 meeting. Draft COP 24 is based on the Council's preliminary preferred alternative, which would allow the development of new fisheries for unfished species and is structured similarly to existing COPs associated with FMP fisheries. Should a U.S. citizen want to develop targeted fisheries for Shared EC Species at some future time, COP 24 would provide the Council and the public a framework for evaluating the potential impacts of such a fishery to existing fisheries, fishing communities, and the greater marine ecosystem.

The Council notes that jacksmelt (*Atherinopsis californiensis*) are an existing EC species in the CPS FMP. Jacksmelt are also a member of the silversides family (*Atherinopsidae*), a family proposed for inclusion as Shared EC Species in all four FMPs. In an effort to avoid duplication and in response to comments at the September Council meeting, the enclosed draft FMP language for CPS removes jacksmelt from the existing EC species list in recognition of their inclusion in the Shared EC Species list as a silverside. However, the Council has also heard recommendations to leave jacksmelt under both categories and is seeking additional input on the matter.

Comments can be mailed, faxed, or emailed to pfmc_comments@noaa.gov. The Council is scheduled to take final action and adopt a final preferred alternative for this initiative at its March 2015 meeting in Vancouver, Washington. Comments received by 11:59 p.m. on February 9th, 2015 will be included in the March 2015 Briefing Book. Comments received by 11:59 p.m. on March 2, 2015 will be distributed at the March Council meeting and oral comments will also be received at the meeting. Please see the Council's web page for complete public comment guidelines.

Should you have any questions regarding the Council's Comprehensive Ecosystem-Based Amendment, please contact Mr. Mike Burner at the Council office.

Sincerely,

A handwritten signature in dark ink, appearing to read "D. O. McIsaac".

D. O. McIsaac, Ph.D.
Executive Director

MDB:esp

Cc: Council Members
Ecosystem Workgroup
Ecosystem Advisory Subpanel
Mr. Chuck Tracy
Mr. Mike Burner

- National Environmental Policy Act, Cumulative Effects Analysis
- Magnuson-Stevens Fishery Conservation and Management Act – National Standards, Essential Fish Habitat and Council Fishery Management Plan Consistency
- Endangered Species Act Consistency
- Marine Mammal Protection Act Consistency
- Migratory Bird Treaty Act and Executive Order 13185 (Responsibilities of Federal Agencies to Protect Migratory Birds) Consistency
- Coastal Zone Management Act Consistency
- Administrative Procedure Act Consistency
- Paperwork Reduction Act Consistency
- Information Quality Act Consistency
- Executive Order 13132 (Impacts of the Action Relative to Federalism)
- Executive Order 13175 (Consultation and Coordination with Indian Tribal Governments)
- Executive Order 12898 (Environmental Justice)
- Regulatory Flexibility Act Consistency and Executive Order 12866 (Regulatory Planning and Review)

Appendix Item 4
March 2015

AMENDMENT 1: PROTECTING UNFISHED AND UNMANAGED FORAGE FISH SPECIES

OF THE U.S. DEPARTMENT OF THE INTERIOR CALIFORNIA CURRENT ECOSYSTEM

PLANNING ENVIRONMENTAL ASSESSMENT FOR
AMENDMENT 15 TO THE COASTAL PELAGIC SPECIES FISHERY MANAGEMENT PLAN
AMENDMENT 25 TO THE PACIFIC COAST GROUPOUSE FISHERY MANAGEMENT PLAN
AND AMENDMENT 19 TO THE PACIFIC COAST SALMON FISHERY MANAGEMENT PLAN

PACIFIC FISHERY MANAGEMENT COUNCIL
700 E. MAIN ST., SUITE 100
PORTLAND, OR 97204
(503) 820-2280
(503) 826-7204
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FEBRUARY 2015

4.4 Cumulative Effects Analysis

A cumulative effects analysis is required by the CEQ. The CEQ defines “cumulative impact” as the incremental effects on the environment which result from the incremental effects of the action plus the reasonably foreseeable future actions that the agency undertakes or authorizes. Cumulative impacts are significant actions taking place over a period of time that the agency analyzes the cumulative effects of an action from a focus on those effects that are truly meaningful. The CEQ requires the agency to take several separate actions within the same analysis to take relevant actions together (cumulatively), so that the action could have a significant impact on the human environment.

The CEQ provides an 11-step process for cumulative effects analysis and into documents supporting a Federal action. The CEQ considers steps 1-4 to be part of scoping a project, and steps 5-11 to be part of analyzing the consequences of the action. Because the CEQ provides a process for the development of the Federal action, several earlier sections of this EA are relevant.

Table 4.1: CEQ Cumulative Effects Analysis Process

Steps in the process	
Scoping	1 Identify the significant cumulative effects of the action and define the assessment goal
	2 Establish the geographic scope for the analysis
	3 Establish the time frame for the analysis
	4 Identify other actions affecting the resources of concern
Describing the Affected Environment	5 Characterize the resources, ecosystem, and the response to cumulative effects
	6 Characterize the stresses affecting the resources and relations to regulatory requirements
	7 Define a baseline condition for the resources
Determining the Environmental Consequences	8 Identify the important cause-and-effect relationships, ecosystems, and human resources
	9 Determine the magnitude and significance of the cumulative effects
	10 Modify or add alternatives to avoid, minimize, or compensate for cumulative effects
	11 Monitor the cumulative impacts of the action and management

5.0 Consistency with FMPs

Chapter 5 considers the consistency of CEE and requirements:

- Magnuson-Stevens Fishery Conservation and Management Act (MSA)
- Endangered Species Act (Section 5)
- Marine Mammal Protection Act (Section 5)
- Migratory Bird Treaty Act and E.O. 12966
- Coastal Zone Management Act (Section 301)
- Administrative Procedure Act (Section 552)
- Paperwork Reduction Act (Section 502)
- Impacts of the action relative to federal actions
- Consultation and coordination with other agencies
- Environmental justice, E.O. 12898
- Regulatory Flexibility Act and E.O. 12866

Consistency with NEPA requirements and Chapter 6.

5.1 Magnuson-Stevens (MSA) – National Standards

5.1.1 National Standards

Section 301 of the MSA requires that FMPs be consistent with ten National Standards, which are:

National Standard 1: Conservation and management of the fishery resource on a continuing basis, the optimum yield from the fishery.

This action is intended to prevent the development of a fishery that the Council has had an opportunity to both develop and manage. The Council has directed fishery and consider potential impacts on the marine ecosystem. This action is explicitly intended to prevent the development of a fishery that the Council has had an opportunity to both develop and manage. Therefore, this standard is not affected by this action.

National Standard 2: Conservation and management of the fishery resource on a continuing basis, the optimum yield from the fishery.

Information to understand the baseline condition of the fishery resource, peer-reviewed literature, unpublished scientific information, and other information. This analysis document has been reviewed for consistency with the requirements of the Magnuson-Stevens Act and the National Standards.

National Standard 3: To the extent practicable, the fishery resource should be managed throughout its range, and interrelated stock and fishery resources should be managed in an integrated manner.

6.4 List of Persons and Agencies Consulted

This action is a Council-recommended action that includes all interested and potential cooperating agencies, such as the USFWS, tribal government representatives, and state representatives from Washington, Oregon, California, and Idaho. The main authors for this document were the members of the Council’s Ad Hoc Ecosystem Workgroup:

Mike Burner (Pacific Fishery Management Council staff), Yvonne deReynier (Chair, National Marine Fisheries Service), Larry Gilbertson (Quinalt Nation Division of Natural Resources), Joshua Lindsay (National Marine Fisheries Service), Corey Niles (Washington Department of Fish and Wildlife), Cyreis Schmitt (Oregon Department of Fish and Wildlife), Richard Scully (Idaho Department of Fish and Game, Retired), and Deb Wilson-Vandenberg (Vice-Chair, California Department of Fish and Wildlife).

The Council’s suite of advisory bodies reviewed and commented on this document during its development from the September 2013 through March 2015 meetings. Additionally, the following people were also consulted on or were involved in reviewing drafts of the document (alphabetical order by institution, then by last name):

California Department of Fish and Wildlife: Caroline McKnight

National Marine Fisheries Service: Robert Anderson, Mary Bhuthimethee, Sarah Biegel (NEPA Coordinator) Monica DeAngelis, Jennifer McCarthy, Brent Norberg, and Chris Yates of the West Coast Region; Kimberly Rivera of the Alaska Region; and Ric Brodeur, Isaac Kaplan, and Waldo Wakefield of the Northwest Fisheries Science Center.

NOAA General Counsel, Southwest: Judson Feder

Northwest Indian Fisheries Commission: Robert Jones

Oregon Department of Fish and Wildlife: Troy Buell, Robert Hannah, and Eric Schindler

Quinalt Indian Nation Fisheries: E. Joseph Schumaker

University of Washington: Bryanda Wippel

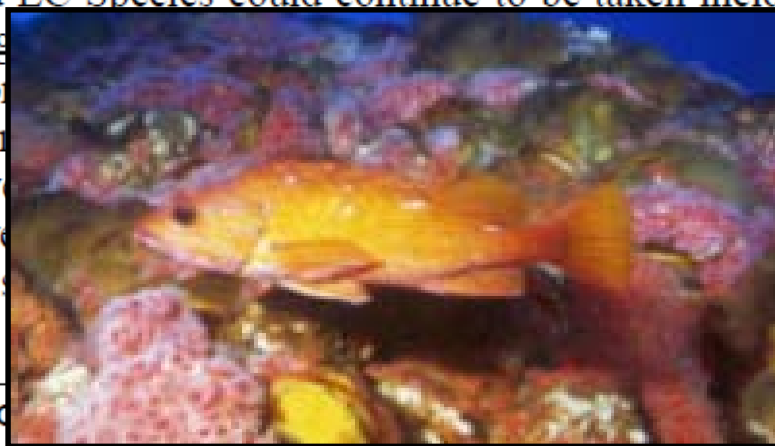
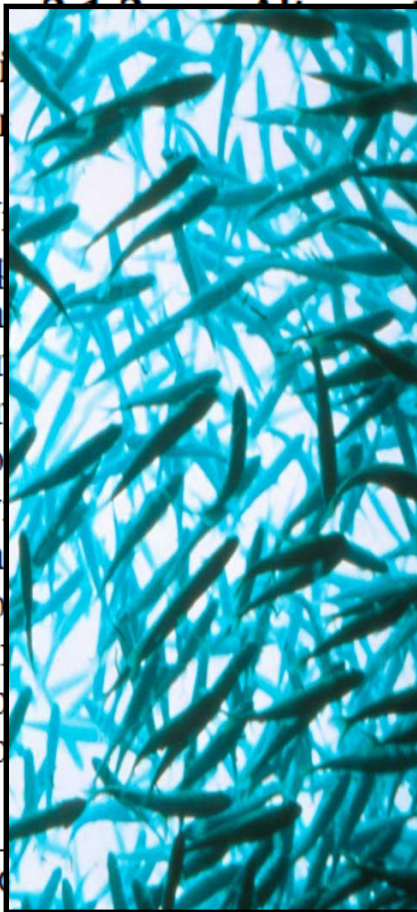
Washington Department of Fish and Wildlife: Lorna Wargo and Jessi Doeringhaus

The authors appreciate predator diet comments received from the Farallon Institute for Advanced Ecosystem Research: Thayer, Julie A., Amber I. Szoboszlai, and Spencer A. Wood. 2014. The California Current Predator Diet Database. Pangaea Data Publisher for Earth & Environmental Science (www.pangaea.de).

The authors also appreciate the aid of the following international experts, who were consulted on historic fishery-development efforts, worldwide, for fisheries with the potential to target mesopelagic fishes: Wojciech Pelczarski, Deputy Director, Sea Fisheries Institute in Gdynia, Poland; Geir Huse, Institute of Marine Research, Bergen, Norway, and Yimin Ye, Chief of the Marine and Inland Fisheries Branch, Fisheries and Aquaculture Branch, Food and Agriculture Organization, Rome.

Copies of this EA and MSA analysis and other supporting documents for this action are available from the Council website (www.pcouncil.org) and from Mike Burner, Pacific Fishery Management Council, 7700 NE Ambassador Place, Suite 101, Portland, OR 97220.

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7.0 Draft FMP Amendment Language and Draft Council Operating Procedure 24

Informational Report 3
November 2014



Pacific Fishery Management Council

7700 NE Ambassador Place, Suite 101, Portland, OR 97220-1384
Phone 503-820-2280 | Tollfree 866-806 7204 | Fax 503-820-2299 | www.pfmc.org
Dorothy M. Lowman, Chair | Donald O. McIsaac, Executive Director

October 21, 2014

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- Pacific sand lance (*Ammodytes hexapterus*)
- Pacific saury (*Cololabis saira*)

Page 2

- Silversides (family *Atherinopsidae*)
- Smelts of the family *Osméridae*
- Pelagic squids (families: *Cranchiidae*, *Gonatidae*, *Histioteuthidae*, *Octopoteuthidae*, *Ommastrephidae* (except Humboldt squid, *Dosidicus gigas*), *Onychoteuthidae*, and *Thysanoteuthidae*)

Enclosed for your review is the draft FMP amendment language and draft Council Operating Procedure (COP) 24, which the Council adopted for public review at its September 2014 meeting. Draft COP 24 is based on the Council's preliminary preferred alternative, which would allow the development of new fisheries for unfished species and is structured similarly to existing COPs associated with FMP fisheries. Should a U.S. citizen want to develop targeted fisheries for Shared EC Species at some future time, COP 24 would provide the Council and the public a framework for evaluating the potential impacts of such a fishery to existing fisheries, fishing communities, and the greater marine ecosystem.

The Council notes that jacksmelt (*Atherinopsis californiensis*) are an existing EC species in the CPS FMP. Jacksmelt are also a member of the silversides family (*Atherinopsidae*), a family proposed for inclusion as Shared EC Species in all four FMPs. In an effort to avoid duplication and in response to comments at the September Council meeting, the enclosed draft FMP language for CPS removes jacksmelt from the existing EC species list in recognition of their inclusion in the Shared EC Species list as a silverside. However, the Council has also heard recommendations to leave jacksmelt under both categories and is seeking additional input on the matter.

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Sincerely,

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D. O. McIsaac, Ph.D.
Executive Director

MDB:esp

Cc Council Members
Ecosystem Workgroup
Ecosystem Advisory Subpanel
Mr. Chuck Tracy
Mr. Mike Burner

Table 1-2 EC species under the CPS FMP include:

Common Name	Scientific Name
Pacific herring	<i>Clupea pallasii</i>
Jacksmelt	<i>Atherinopsis californiensis</i>

Table 1-3 EC species shared between all four of the Council's FMPs, including the CPS FMP.

Common Name	Scientific Name
Round herring	<i>Etrumeus teres</i>
Thread herring	<i>Opisthonema libertate</i> , <i>O. medirastre</i>
Mesopelagic fishes	Families: <i>Myctophidae</i> , <i>Bathylagidae</i> , <i>Paralepididae</i> , and <i>Gonostomatidae</i>
Pacific sand lance	<i>Ammodytes hexapterus</i>
Pacific saury	<i>Cololabis saira</i>
Silversides*	<i>Atherinopsidae</i>
Smelts	<i>Osmeridae</i>
Pelagic squids	Families: <i>Cranchiidae</i> , <i>Gonatidae</i> , <i>Histioteuthidae</i> , <i>Octopoteuthidae</i> , <i>Ommastrephidae</i> except Humboldt squid, <i>Onychoteuthidae</i> , and <i>Thysanoteuthidae</i>

Silversides include jacksmelt, which is also listed in Table 1-2 as an EC species specific to the CPS FMP. Jacksmelt is subject to the same directed fishing prohibition as other Shared EC Species, but it may also be subject to additional management and monitoring requirements that the Council develops for the Table 1-2 EC species particular to this FMP.

Shared EC Species could continue to be taken incidentally without violating Federal regulations, unless regulated or restricted for other purposes, such as with bycatch minimization regulations. The targeting of Shared EC Species is prohibited.

A.1 FEP Initiative 1, Protection for Unfished Forage Fish

The Council began FEP Initiative 1 in September 2013 and completed it as Comprehensive Ecosystem-Based Amendment 1 (CEBA 1) in March 2015. The Council adopted the following purpose and need statement for CEBA 1:

The purpose of this action is to prohibit new directed commercial fishing in Federal waters on unmanaged, unfished forage fish species until the Council has had an adequate opportunity to both assess the scientific information relating to any proposed directed fishery and consider potential impacts to existing fisheries, fishing communities, and the greater marine ecosystem. This action is needed to proactively protect unmanaged, unfished forage fish of the U.S. West Coast Exclusive Economic Zone (EEZ) in recognition of the importance of these forage fish to the species managed under the Council's FMPs and to the larger CCE. This action is not intended to supersede tribal or state fishery management for these species, and coordination would still occur through the existing Council process.

CEBA 1 amends each of the FMPs to bring these species and species groups into the FMPs as ecosystem component (EC) species shared between all four of the Council's FMPs:

- Round herring (*Etrumeus teres*) and thread herring (*Opisthonema libertate* and *O. medirastre*)
- Mesopelagic fishes of the families *Myctophidae*, *Bathylagidae*, *Paralepididae*, and *Gonostomatidae*
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- Pelagic squids (families: *Cranchiidae*, *Gonatidae*, *Histioteuthidae*, *Octopoteuthidae*, *Ommastrephidae* except Humboldt squid (*Dosidicus gigas*), *Onychoteuthidae*, and *Thysanoteuthidae*)

In the Council's FMPs, this group of species is collectively referred to as the "Shared EC Species." CEBA 1 includes these FMP amendments: Amendment 15 to the Coastal Pelagic Species (CPS) FMP, Amendment 25 to the Pacific Coast Groundfish FMP, Amendment 3 to the Highly Migratory Species (HMS) FMP, and Amendment 19 to the Pacific Coast Salmon FMP. CEBA 1 prohibits the development of new directed commercial fisheries for Shared EC species within the U.S. West Coast EEZ, while allowing existing incidental harvest of these species to continue to occur. However, CEBA 1 also includes Council Operating Procedure (COP) 24, which specifies conditions for exempted fishing permits to collect scientific information on the feasibility of future fisheries targeting Shared EC Species. COP 24 does not assume that future fisheries for Shared EC Species will occur; instead, it sets out conditions for collecting scientific information in case there is future public interest in beginning new fisheries for Shared EC Species.

For those images where sources are not shown directly on image, all are courtesy of the U.S. National Oceanic and Atmospheric Administration, except:

Slide 1: Fireworks over Vancouver, Washington, City of Vancouver

Slide 3: Pacific saury, Oregon Department of Fish and Wildlife (repeated at Slide 4); thread herring, United Nations Food and Agriculture Organization (repeated at Slide 4).

Slide 5: Spokane, Washington, City of Spokane

Slide 6: Vancouver, Washington, City of Vancouver