

It is clear from the ongoing starvation of sea birds and marine mammals that sardine management is failing to meet the goal of the CPS FMP to “*provide adequate forage for dependent species.*” which is also an essential part of achieving Optimum Yield. As we have previously stated in letters and testimony, OY is described in the law as MSY as reduced for relevant social, economic *and ecological factors*, and OY is inadequately assessed or specified in the CPS plan as required. We ask the Council to immediately initiate an FMP amendment to address the above described flaws and deficiencies of the CPS FMP.

Incidental Harvest

If the 2015-16 Harvest Guideline is zero, the Council must not allow for incidental sardine harvest in other CPS fisheries. The CPS FMP states, “the total HG will consist of an incidental catch portion and a directed fishery portion”²¹ and “The amount of the HG needed for incidental trip limits when the fishery is nearing closure will vary depending on when the HG is projected to be achieved, but the incidental amount and the amount harvested directly must equal the total HG.”²² It has been the long practice of the Council as articulated in the FMP, to take the incidental allowance out of the overall HG. According to the FMP the Council can set incidental allowances anywhere between 0 to 45 percent of landed weight. In this situation, where the population has collapsed and there is overfishing, it should be set at zero. This is the only way to prevent exceeding the total HG of zero, and thereby complying with the CPS FMP

Conclusion

The draft 2015 Pacific sardine assessment indicates the Northern sardine population has collapsed below the CUTOFF threshold and the harvest guideline must therefore be set at zero. The sardine collapse has been exacerbated by overfishing and application of a harvest control rule that has allowed continued fishing on a precipitously declining population. This is a critical juncture in the management of Pacific sardines, as any further fishing mortality on sardines will further accelerate the current decline to the detriment of West Coast fishing communities and sardine predators that are already starving to death in unprecedented numbers.

Action must be taken swiftly to rebuild the sardine population and to fix the fundamental parameters of the harvest control rule such that the fishery does not resume until the stock has recovered over a CUTOFF of at least 640,000 metric tons. The effects of this population collapse are clearly evident above the water with starving sea lions and Brown Pelicans, but this is likely only be the tip of the iceberg. The consequences of the overfishing that has already occurred will undoubtedly have long term deleterious impacts on the California Current marine ecosystem. The ripple effects of the lack of sardine could reverberate throughout the ecosystem and coastal communities for years to come. Any further fishing mortality will increase the severity of these impacts and risks.

²¹ PFMC CPS FMP at 43

²² Id at 44.

