

## COASTAL PELAGIC SPECIES ADVISORY SUBPANEL REPORT ON PACIFIC SARDINE DISTRIBUTION WORKSHOP

The Coastal Pelagic Species Advisory Subpanel (CPSAS) heard a presentation from Dr. Andre Punt, reporting on the National Marine Fisheries Service / Pacific Fishery Management Council Workshop on Pacific Sardine Distribution (Agenda Item H.1.a). Subpanel members also attended the Scientific and Statistical Committee (SSC) meeting during discussion of the Distribution Workshop report (Agenda Item H.1.a, Pacific Sardine Distribution Workshop Report). The CPSAS also reviewed the report itself, along with a supplemental public comment submitted by Dr. Richard Parrish (Agenda Item H.1.c. Supplemental Public Comment 3), which discussed his SARSIM model output for a distribution model that he presented in 2004. Any further consideration of potential changes to the DISTRIBUTION term should include Dr. Parrish's work.

The workshop report stated: "DISTRIBUTION, as defined in the CPS Fishery Management Plan, is an estimate of **the long-term average of the portion of total stock biomass** of the northern subpopulation occurring in U.S. waters." The workshop considered six alternatives for potentially developing a new DISTRIBUTION term. The Principal Participants described limitations for each of the potential alternatives, and determined that none of the alternatives were considered more suitable at this time to replace the current DISTRIBUTION term in the harvest control rules (HCR). In fact, reanalysis showed 87 percent to be a reasonable average over time.

The CPSAS expresses concern and opposition to any use of international catches to estimate DISTRIBUTION. Dr. Punt's presentation for Alternative 2 highlighted the following issues, which support this position:

- catches are generally a poor reflection of abundance; and
- factors impacting catches include effort, management regulations, and economic factors.

The Workshop report further noted that the sardine fishery operates in a relatively small portion of the overall habitat, so catch is a biased representation of total population. If the use of international catch data is considered further it would require a thorough Management Strategy Evaluation. In addition, this concept was not supported at the first sardine workshop where DISTRIBUTION was discussed.

Our position is further supported by the National Marine Fisheries Service (NMFS) statement in the preamble to the National Standard 1 guidelines Final Rule, which states [emphasis added]:

*"NMFS believes that **the intent of the [MSA Reauthorization Act] is not to unfairly penalize U.S. fishermen** for overfishing which is occurring predominantly at the international level. In many cases, applying [harvest] requirements to U.S. fishermen on just the U.S. portion of the catch ... would not lead to ending overfishing and **could disadvantage U.S. fishermen.**"*

*74 Fed. Reg. 3178, 3199 (Jan. 16, 2009) (response to comment 78).*

A recent statement by NMFS Assistant Administrator for Fisheries Eileen Sobeck stated that sardines are not now overfished nor is overfishing occurring. Absent a tri-national treaty with consistent management approaches and accurate catch reporting, subtracting estimated international catches from the U.S. harvest allowance is unfair to U.S. fishermen and more importantly, inconsistent with Federal regulations.

Regarding future work to address the DISTRIBUTION term, the CPSAS is concerned about the issue of workload priority and use of limited resources. Further analysis on the DISTRIBUTION term should remain a low priority in the absence of an international treaty. Moreover, the effect of DISTRIBUTION is immaterial when the sardine population is below the cutoff. The current HCR cutoff at 150,000 mt is beneficial and proactive in the conservation of sardines.

In conclusion, we again point out that this Distribution Workshop did not produce compelling new information that would substantially alter 87 percent as the valid long-term average for sardine DISTRIBUTION. Therefore, we recommend that the Council maintain the current DISTRIBUTION policy, and focus research priorities on improving the sardine stock assessment itself.

PFMC  
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