

COASTAL PELAGIC SPECIES ADVISORY SUBPANEL SUPPLEMENTAL REPORT ON
LIVE BAIT FISHERY ALLOWANCE AMENDMENT SCOPING

In a joint webinar on June 4, 2018 with the Coastal Pelagic Species Management Team (CPSMT), the Coastal Pelagic Species Advisory Subpanel (CPSAS) heard a presentation by Kirk Lynn, (CPSMT) Vice Chair, summarizing the CPSMT's Report on Live Bait Fishery Allowance Amendment – Scoping (Agenda Item F.1.a, CPSMT Report 1).

In summary: The full CPSAS compliments the CPSMT for a thoughtful report and supports the Purpose and Need and Timeline as stated. A majority of the CPSAS also support the Proposed Action and Scope as recommended by the CPSMT, i.e. including both Sections 5.1.4 and 5.1.1. We urge the Council to approve the Report and adopt a schedule that includes final action at the November 2018 Council meeting.

Our detailed comments follow:

Responding to the 2018 update sardine biomass estimate of 52,065 metric tons (mt), and the possibility that the sardine fishery could be declared overfished if the 2019 update assessment declines much further, the Council tasked the CPSMT to review the CPS Fishery Management Plan (FMP), in particular section 5.1.4, regarding prescribed limits on the live bait fishery, and to develop a purpose and need statement for a potential FMP amendment. During the course of its review, the management team also identified Section 5.1.1, which contains prescriptive limits for commercial incidental allowances, as another possible FMP revision.

Currently, when a stock is overfished, the CPS FMP prohibits any directed fishing on that stock, automatically limits incidental landings to 15 percent for live bait, and reduces the maximum incidental take from 45 to 20 percent for other commercial CPS fishing. These prescriptive values for an overfished stock emanated from Amendment 8, approved 18 years ago. However, these longstanding restrictions would now precipitate serious socio-economic impacts to the wetfish industry, particularly in California, and to recreational fisheries that rely on sardine for live bait, because sardines are plentiful in the nearshore in California, contrary to the low biomass estimate, and sardines often school with other CPS finfish at rates that may be even higher than 45 percent. A sharp reduction in the incidental catch rate would curtail virtually all other CPS finfish fisheries, in addition to preempting direct live bait harvest.

Kirk Lynn pointed out that the CPSMT is responsible for analyzing CPS catch composition to recommend the most appropriate catch allowance when a fishery is closed, and the team recognizes the dynamic fluctuations in both stocks and fisheries, as well as the characteristic mixing of CPS schools. The CPSMT Report **Proposed Action** is to revise the CPS FMP regarding allowable harvests for both live bait fisheries and incidental harvests for other commercial fisheries when a stock is overfished.

The **Purpose and Need** highlights the management team's recommended approach to provide flexibility for the CPSMT and Council to set incidental catch allowances or allow directed fishing

in the live bait fishery without predetermined limits, whether during the annual management cycle or under a rebuilding plan.

A majority of the CPSAS concurs with the Report's statement: "The **proposed action** is needed because the current prescribed fishery management measures in Chapter 5...limit the ability of the Council to determine on a case-by-case basis the appropriate catch levels that will reduce mortality and discard potential, while still allowing for the continued prosecution of other important CPS fisheries." We also agree with discussion during the webinar, noting that the original prescriptive limits in Amendment 8 came long before the extra layers of precaution implemented in Amendment 13, with Overfishing Limits, Annual Catch Limits etc. Further, actively managed CPS stocks, i.e. sardine and Pacific mackerel, have an implicit rebuilding plan through the use of CUTOFF. The CPSMT Report notes that the Council also has taken additional precautionary measures to reduce mortality and discards.

The CPSAS also asks the Council to consider the following points:

- The CPS FMP itself notes that sardines, and all CPS, are driven primarily by environmental cycles. Re: rebuilding programs for overfished CPS stocks, the FMP states: "*It is impossible to develop a rebuilding program that would be guaranteed to restore a stock to the MSY level in ten years, because CPS stocks may remain at low biomass levels for more than ten years even with no fishing. The focus for CPS is, therefore, on the average or expected time to recovery based on realistic projections.*"

The CPSMT Report and recommendations fit both the FMP's theme of "**recovery based on realistic projections**" and the combination of science, practicality, and common-sense highlighted in the 2018 National Oceanic and Atmospheric Administration's (NOAA) Fishery Priorities, which speak about sustaining fishing communities as well as resources.

Pertaining specifically to the live bait fishery, it is important to acknowledge:

- California's recreational fishery contributes tremendous socio-economic benefits to the state. According to NOAA statistics, in 2015, marine recreational anglers spent \$1.5 billion on fishing activities, adding an additional \$1.3 billion of economic value and support of approximately 16,000 full and part-time jobs.
- The live bait fishery represents the highest-value use of the sardine resource on the west coast, catches are small, and more than 90 percent of the live bait 'borrowed' from the ocean is returned alive.

Minority Statement

A minority of the CPSAS differs in part from the majority of the subpanel in that she supports retaining the focus of a proposed FMP amendment on the live bait fishery in particular. If the Council chooses to consider additional revisions to the CPS FMP regarding incidental catch allowances in other CPS fisheries when a stock is overfished, a minority of the CPSAS recommends that an analysis first be conducted to determine whether the FMP's current approach is appropriate to meeting the Council's primary objectives with regard to incidental catch of overfished stocks (i.e., minimizing both fishing mortality and discards). Such a review could include an evaluation of the FMP's existing incidental catch allowances alongside alternative

management approaches, and could then help determine whether the current approach is sufficient or whether further revisions to the FMP may be warranted.

The CPSAS thanks the Council for considering these comments and recommendations.

PFMC
6/9/2018