

**COASTAL PELAGIC SPECIES ADVISORY SUBPANEL REPORT ON
AMENDMENT 17: LIVE BAIT FISHERY ALLOWANCE**

In a joint meeting on September 6, 2018 with the Coastal Pelagic Species Management Team (CPSMT), the CPS Advisory Subpanel (CPSAS) heard a presentation by Trung Nguyen, CPSMT member from the California Department of Fish and Wildlife, summarizing CPSMT Report 1 and Supplemental Report 2 on Amendment 17: Life Bait Fishery Allowance. These reports were included in the Council's September Briefing Book (Agenda Item C.1.a, CPSMT Report 1, and Supplemental Report 2, September 2018).

The CPSAS again compliments the CPS Management Team for their thoughtful approach to the live bait issue. In summary, we support the Range of Alternatives (ROA) and analyses provided by the CPSMT. Further, we support Alternative 2 as the preferred choice because it best addresses the Purpose and Need for this Amendment. It also follows the CPSMT's recommended approach to provide flexibility. This allows Council discretion in selecting management measures as needed, after considering CPSMT analyses of CPS variability and catch composition and recommendations for the most appropriate catch allowance when a stock is declared overfished. This would allow for directed sardine fishing in the live bait fishery without predetermined limits under a rebuilding plan, as provided in the present management framework.

Our detailed comments follow:

As the CPSMT Report 1 stated: "Currently, when a CPS stock is overfished, Section 5.1.4 of the CPS FMP limits live bait fishing of that stock to no more than 15 percent of landed weight, and if Pacific sardine were declared overfished, Section 4.6.2.1 prohibits any directed fishing for sardine. When a CPS stock is not overfished, the FMP does not have a specific framework for setting management measures or harvest restrictions on live bait fishing, but allows the Council to manage the fishery by harvest guideline or quota, season, or gear restrictions at any point under the framework management process." The Report also noted that the live bait fishery targets relatively pure schools of sardine or anchovy for different uses.

The CPSAS June supplemental statement (F.1.a Supplemental CPSAS Report, June 2018) explained that the prescriptive values for an overfished stock emanated from Amendment 8, approved 18 years ago, long before the extra layers of precaution were implemented in Amendment 13, with Overfishing Limits, Annual Catch Limits, etc.

Fishing members on the CPSAS also point out that, in their experience and contrary to the 2018 low sardine biomass estimate, sardines are readily available in the nearshore in California. The current restrictions specified in CPS fishery management plan (FMP) Sections 4.6.2.1 and 5.1.4, if applied, would precipitate harsh socio-economic impacts on recreational fisheries that rely on sardine for live bait, particularly in California. These restrictions would prohibit the directed sardine live bait fishery, thus causing huge economic loss to the recreational fishery. CPSMT Report 1 pointed out: "...the live bait fishery is an extremely valuable component of the West Coast's recreational fishing community and economy, as well as some commercial fishery sectors such as the albacore tuna fishery."

The CPSAS again asks the Council to consider the points we raised in our June supplemental report:

- The CPS FMP itself notes that sardines, and all CPS, are driven primarily by environmental cycles. Regarding the 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 Alternative 2 fit both the FMP’s theme of “***recovery based on realistic projections***” and the combination of science, practicality and common-sense highlighted in 2018 National Oceanic and Atmospheric Administration (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.

Further, it is important that the Council acknowledge the growing number of studies examining CPS variability in an ecosystem-based management context, and their findings that our CPS fisheries have a negligible impact on ecosystem function and other marine life. For example, Olsen et al (2018)¹ published a very recent evaluation of the effects of fishing on ocean ecosystems, using a number of Atlantis ecosystem models from around the world. Their analysis, which includes the California Current Atlantis Model, suggests that doubling the fisheries on small pelagic fishes will have minimal direct impacts on ecosystems.

Flexibility is a recurring theme that the Council will hear in its Ecosystem Management agenda item. We’re asking the Council to consider the natural variability in CPS stocks and apply flexibility to CPS management policies. We ask the Council to select Alternative 2 as the preliminary preferred alternative, and set a course that will result in final approval of Amendment 17 at the November 2018 Council meeting.

Minority Statement:

A minority of the CPSAS differs in part from the majority of the subpanel in that she supports the implementation of a mandatory catch reporting and monitoring program in order to provide the Council and National Marine Fisheries Service with the ability to track live bait harvest in-season, similar to other directed CPS fisheries. Mandatory catch reporting will allow the Council to

¹ *Ocean Futures Under Ocean Acidification, Marine Protection, and Changing Fishing Pressures Explored Using a Worldwide Suite of Ecosystem Models*. Frontiers in Marine Science Volume 5 | Article 64 www.frontiersin.org 1 March 2018 |

account for live bait harvest against the annual catch limit in a more accurate and timely fashion than the current voluntary logbook program, and may be the best way to ensure that all catch remains below any annual catch limit that's established as part of a rebuilding plan. A minority of the CPSAS notes that a mandatory catch reporting program could be developed concurrently with the FMP amendment, and does not necessarily need to be part of the amendment language itself, provided that these catch reporting protocols can be implemented on a similar timeline as the amendment, ideally on or prior to July 1, 2019. Even if a mandatory catch reporting program is developed separately from the FMP amendment process, the Council may want to seek clarification on the specific mechanisms that currently exist which could be used to implement such a program.

PFMC
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