

PACIFIC SARDINE REBUILDING PLAN FISHERY MANAGEMENT PLAN  
AMENDMENT- FINAL

In September 2024, the National Marine Fisheries Service (NMFS) asked the Pacific Fishery Management Council (Council) to schedule an agenda item to consider changes to the rebuilding plan for the northern subpopulation of Pacific sardine. This request stems from a U.S. District Court order which vacated select portions of the rebuilding plan (implemented as Amendment 18 to the Coastal Pelagic Species Fishery Management Plan (CPS FMP)) and vacated the Preliminary Draft Environmental Assessment (EA) in its entirety. As the entirety of the amendment was not vacated, National Oceanic & Atmospheric Administration General Counsel has advised that the revised Pacific sardine rebuilding plan and EA (Attachment 1) can reflect much of the original amendment but should make revisions as necessary to respond to the court's order. Any revisions to the rebuilding plan adopted by the Council must in part address the fact that Amendment 18 lacked reliance on an acceptable biological catch and/or annual catch limit (ACL) to rebuild the sardine stock.

Attachment 1 provides a draft EA for Amendment 18 that describes five action alternatives in addition to No Action for the Council to consider. Each of these alternatives incorporates the use of ACLs to foster rebuilding of the northern sardine stock. Three of those alternatives are from Amendment 18. Each alternative presents a potential ACL that relies on outputs from the Rebuilder analysis conducted in 2020. In addition to considering a new ACL, the Council will need to consider setting a new  $T_{\text{target}}$ .

In addition to adopting an ACL and corresponding  $T_{\text{target}}$ , the Council will need to adopt FMP language to reflect any changes to the rebuilding plan. Attachment 2 provides a proposed redline of the CPS FMP Section 4.5.1 which describes the Pacific sardine rebuilding plan.

**Council Action:**

- 1. Adopt a revised Pacific sardine rebuilding plan.**
- 2. Adopt a new  $T_{\text{target}}$ .**
- 3. Provide guidance on FMP language.**

**Reference Materials:**

1. Agenda Item J.2, Attachment 1: Draft Preliminary Draft Environmental Assessment for the Pacific Sardine Rebuilding Plan (**Electronic Only**).
2. Agenda Item J.2, Attachment 2: CPS FMP as proposed to be Amended.
3. *Agenda Item J.2, Supplemental Attachment 3: National Standard Guidelines Analysis.*
4. If received, Public Comments are electronic only ([see e-portal](#)).

**Agenda Order:**

- J.2 Pacific Sardine Rebuilding Plan  
Fishery Management Plan Amendment - Final                      Jessi Waller/Katrina Bernaus

- a. Reports and Comments of Management Entities and Advisory Bodies
- b. Public Comment
- c. **Council Action:** Adopt a Final Preferred Alternative for a Pacific Sardine Rebuilding Plan, including an FMP Amendment

PFMC  
10/24/24