

CONSIDERATION OF FURTHER PROTECTION OF CURRENTLY UNMANAGED FORAGE SPECIES

The Pacific Fishery Management Council (Council) has been considering the need for additional protective measures for unexploited forage species, such as some herrings, smelts, silversides, Pacific sandlance, Pacific saury, and a host of mesopelagic species (myctophidae, bathylagidae, etc.). The Council has not yet determined that additional protections are warranted, but the Council and its Ecosystem Plan Development Team (EPDT), have conducted preliminary reviews of which species within the West Coast Exclusive Economic Zone could be considered unmanaged by either Federal or state processes.

In June 2011, the Council took action on the question of regulatory authority in the development of a new Fishery Ecosystem Plan (FEP). This decision point dealt with whether the Council's ecosystem plan would have regulatory components to address spatial management (cross-species MPAs, such as has occurred in the Channel Islands National Marine Sanctuary) or species (including forage species) not covered under the existing Fishery Management Plans (FMPs). The Council chose not to include a regulatory component initially, and moved to develop an ecosystem plan that is primarily advisory in nature with the potential for expanding the plan to include regulatory authority in the future. Further, the Council moved to continue to manage stocks and fisheries through existing Council-adopted FMPs; additional management measures for forage fish species, if any, would be considered through the Coastal Pelagic Species FMP, as the Council deems appropriate. However, the Council tasked the EPDT with developing a list of species that are not currently included in any FMP, that are not under State management, are not listed under the ESA, and which could be the target of future fishery exploitation.

In response, the EPDT provided a report to the Council in November 2011 (November 2011 Agenda Item H.2.a. Attachment 1, Appendix A, http://www.pcouncil.org/wp-content/uploads/H2a_ATT1_DRAFT_ECO_PLAN_NOV2011BB.pdf) that was intended to help the Council to identify important unmanaged forage species, identify the potential for fisheries to develop on those species, and consider how protections for unmanaged species could be implemented. The Council discussed a variety of options and tasked the EPDT with exploring in greater detail the regulatory authorities and management mechanisms available to the Council (Agenda Item G.1.b, EPDT Report).

As a result of public comment regarding potential ambiguity in whether further protection is to be explored as a CSP FMP agenda item or within development of the FEP, and if or when such activity was scheduled, the Council scheduled this agenda item to clarify intent and process. This is an administrative matter and the Council will not be taking any fishery management or regulatory action under this agenda item. At this meeting, the Council is tasked with reviewing the EPDT report, which details four general alternatives on the potential protection or regulation of un-fished species, and providing guidance on the need for future Council action. The Council will likely consider its overall workload as reviewed under Agenda Item G.7 when determining the most appropriate course of action on this matter.

Council Action:

- 1. Provide Guidance on Mechanisms for Potential Future Council Management, if Appropriate.**

Reference Materials:

1. Agenda Item G.1.b, EPDT Report.
2. Agenda Item G.1.c, Public Comment.

Agenda Order:

- a. Agenda Item Overview Mike Burner
- b. Reports and Comments of Advisory Bodies and Management Entities
- c. Public Comment
- d. **Council Action:** Provide Guidance on Mechanisms for Potential Future Council Management, if Appropriate

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