

GROUND FISH MANAGEMENT TEAM REPORT ON CONSIDERATION OF FURTHER PROTECTION OF CURRENTLY UNMANAGED FORAGE SPECIES

The Groundfish Management Team (GMT) reviewed the Ecosystem Plan Development Team (EPDT) report, [Agenda Item G.1.b, EPDT Report](#), and public comment on this item. We would also like to thank Mr. Mike Burner for presenting an overview of those options to the GMT and Groundfish Advisory Subpanel (GAP). If the Council wishes to prohibit or otherwise discourage fisheries for forage fish species, unless specifically authorized, the options presented by the EPDT do a good job of covering the range of available avenues. Given that the Council chose last June not to make the Ecosystem Plan regulatory in nature unless the existing fishery management plans (FMPs) prove inadequate ([June 2011 PFMC Minutes](#)), we think that there are options available that meet that general guidance. We have the following comments for Council consideration.

As part of our analysis to better align the groundfish FMP with the recently revised National Standard 1 (NS1) guidelines, we are in the process of determining which species may be included as ecosystem component (EC) species. We also continue to promote standardization of EC species under the Ecosystem Plan ([Agenda Item H.1.b, Supplemental GMT Report, June 2011](#)). Should the Council wish to designate species that could be considered forage fish and are not otherwise listed as “in the fishery” under any FMP, they might consider EC designation under the various FMPs as part of the ongoing efforts to align with NS1 guidelines. This would not prohibit harvest of any of the forage species, but would require an FMP amendment to set appropriate harvest levels and management measures, should any of those species change from being ECs to “in the fishery”. However, we note that this would likely require some coordinating role by the EPDT to ensure that all species for which fisheries might develop, and which are also important ECs, were covered by the various FMPs.

Updating the list of fisheries might also prevent the development of fisheries without a more affirmative role by the Council and National Marine Fisheries Service (NMFS). The EPDT has provided a suggested revision to that list as a starting point. The GMT agrees with updating the list, but recommends that the proposed revisions be reviewed by the appropriate advisory bodies prior to adopting any revisions. The broad provisions for “Recreational (non-FMP)” or “Commercial (non-FMP)” fisheries would have to be removed to make this provision effective at securing affirmation by the Council and NMFS prior to fishery development.

Use of authorities outside the Council process or NMFS purview may have some merit, but need to be considered carefully. We have heard that all three West Coast states as well as British Columbia and Alaska have prohibitions on the type of reduction/meal fisheries that forage fish fishery prohibitions are targeted at addressing, but we have not been able to verify the respective applicable laws or exact jurisdictions to confirm that is the case—particularly out into Federal waters or for species that might fall under Council FMPs. We also note that there does not appear to be an analysis of yet that responds to the Council’s guidance to, “Develop a list of species that are not currently included in any FMP, that are not under State management, are not listed under the ESA, or are species that could be the target of future fishery exploitation.” Such

an analysis would help inform whether there are species that would need to be managed using outside authorities or processes.

Use of National Marine Sanctuary authority appears patchy in its effectiveness and is anathema to one of the original purposes of establishing a broader ecosystem plan, namely to prevent confusion or inconsistencies between Sanctuary authority and NMFS fisheries management authority expressly authorized under the Magnuson Stevens Act.

Finally, while we are not submitting a statement under Agenda Item H.1 on development of the Ecosystem Plan, we are generally supportive of providing a description of the standards that the Council would use in assessing the likelihood that a proposed new fishery could compromise the Council's West Coast conservation and management measures in that Ecosystem Plan. As such, the GMT continues to support using the Ecosystem Plan as a strategic, non-regulatory vehicle for improving fisheries management across FMPs unless specific ecosystem policy goals are identified.

PFMC
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