

Agenda Item Summary

BACKGROUND

State rules governing fisheries for Coastal Pelagic Species (CPS), including Pacific sardine, Pacific mackerel, jack mackerel, northern anchovy, market squid, and krill are based on federal rules. The Pacific Fishery Management Council (Council) conducts a significant public process when determining harvest limits and regulatory recommendations, which are considered and implemented (occasionally with adjustments) by the National Marine Fisheries Service (NMFS).

For these fisheries, the Oregon Fish and Wildlife Commission (Commission) adopts federal regulations by reference annually as the basis for state waters regulations (inside three miles). The Commission has the latitude to adopt concurrent or more conservative regulations, but not more liberal.

One issue is set forth here for the Commission to consider: adoption of federal harvest specifications and regulations for the Pacific sardine fishery for the July 2019 through June 2020 fishing period. These harvest specifications include incidental landings allowances in other fisheries.

PUBLIC INVOLVEMENT

A significant public process was conducted by the Council in development of the federal harvest regulations for the commercial fisheries for Pacific sardine.

ISSUE 1

FEDERAL HARVEST SPECIFICATIONS AND MANAGEMENT MEASURES FOR COMMERCIAL COASTAL PELAGIC SPECIES FISHERIES

ANALYSIS

Under the Council's CPS Fishery Management Plan (FMP), CPS are classified under three management categories: 1) Pacific sardine and Pacific mackerel are actively managed stocks; 2) jack mackerel, market squid and two subpopulations of northern anchovy are monitored stocks; and 3) all species of krill (euphausiids) are prohibited stocks. Harvest and management measures are specified annually or biennially for each actively managed stock, and on a multi-year basis for monitored stocks. Coastwide (WA/OR/CA), all species except jack mackerel and krill are subject to active directed commercial fisheries. In Oregon, CPS fisheries primarily target and harvest Pacific sardine, although targeting and harvest of market squid, northern anchovy, and Pacific mackerel have occurred, especially in recent years.

For the 2019-2020 coastwide Pacific sardine fishery, the Council recommended at its April 2019 meeting that no harvest be allowed by the primary directed non-tribal commercial fishery (Attachment 4, page 2). This decision continues the closure begun July 1, 2015 for the fishery on the west coast (Figure 1). For comparison, the harvest allocated for the 2014-2015 season non-tribal directed Pacific sardine fishery was set at 17,793 metric tons (mt). Although directed non-tribal harvest was not

allowed during 2015-2019, US harvest limits were set at very low levels to allow for incidental, tribal, and other small harvest activities to continue (as described below).

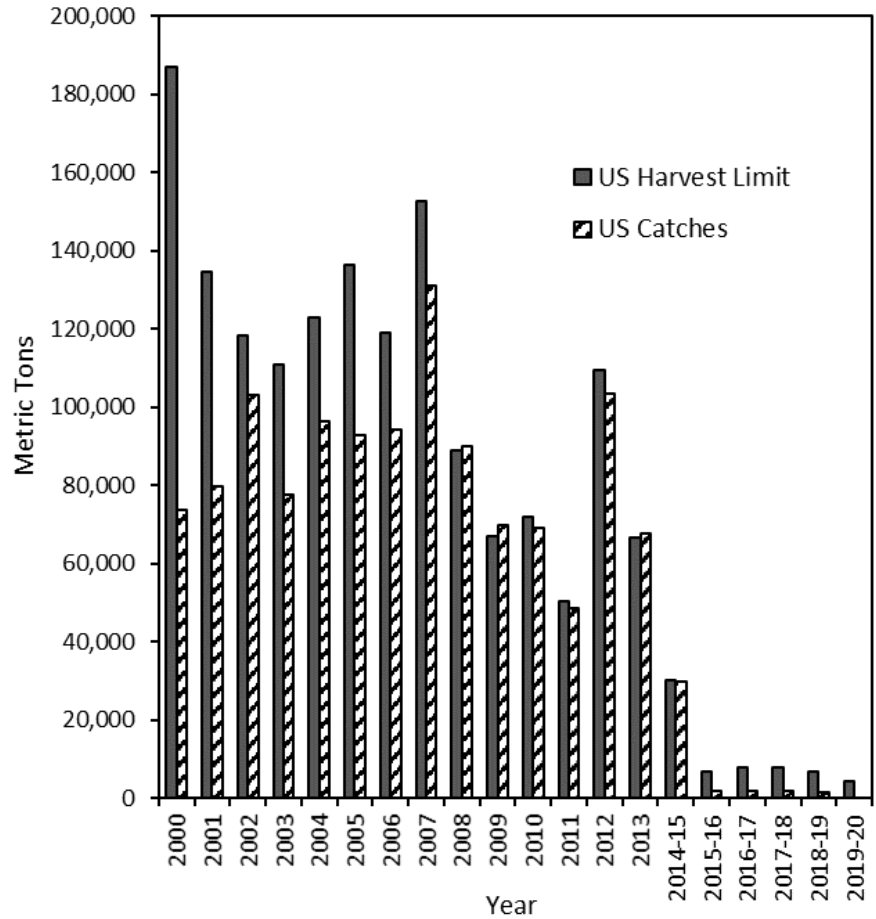


Figure 1. Annual US harvest limits and total catches for Pacific sardine since the implementation of federal management. The value for the 2019-20 fishery was approved by the Pacific Fishery Management Council in April.

The large decline in allowable harvest is due to a similarly large decline in Pacific sardine biomass estimated by a model using fishery and survey data. The population trajectory estimated by the model shows the population declining each year since peaking in 2006, followed by a very small increase in the most recent year (Figure 2).

The fishable population estimate must be above 150,000 mt (CUTOFF) in order to allow directed commercial fishing, other than tribal or small scale fisheries. If the population estimate falls below 50,000 mt (Minimum Stock Size Threshold; MSST) it is defined as overfished by the CPS FMP. In 2019 the fishable population estimate is 27,547 mt, smaller than the 50,000 mt MSST level specified under the CPS FMP (Figure 2). NMFS has stated their intent to officially notify the Council of this change in stock status at either the June or September 2019 Council meeting, after which the Council and NMFS have up to two years to develop and implement a rebuilding plan for the Pacific sardine stock.

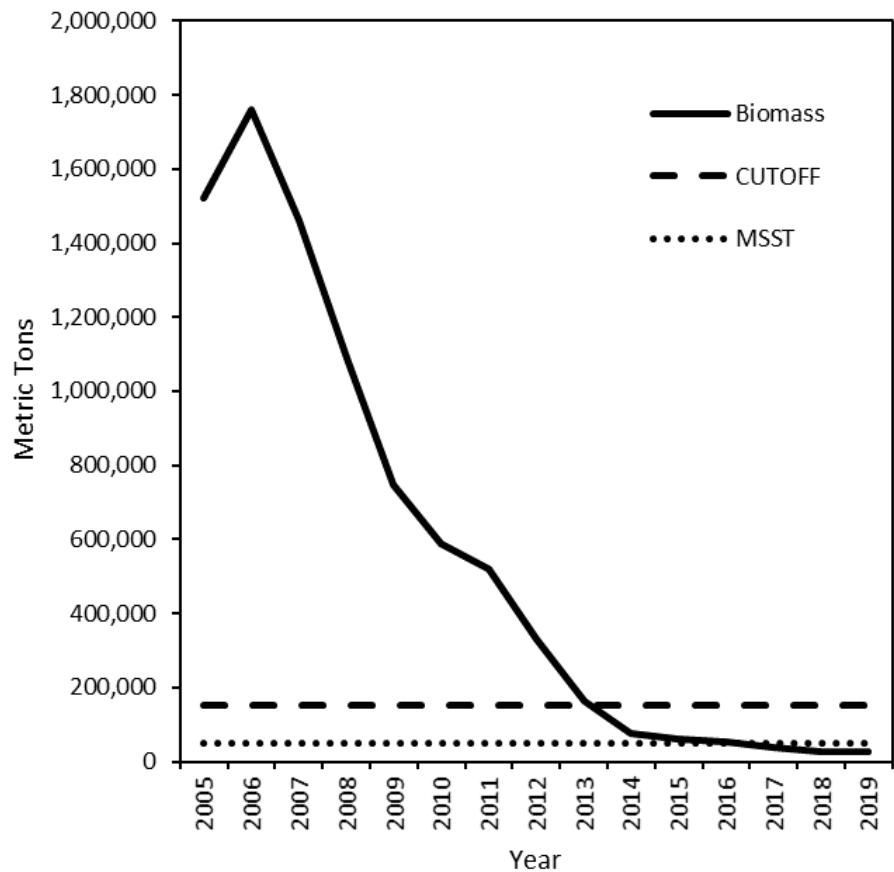


Figure 2. Pacific sardine population trajectory (biomass, ages 1+) estimated by the 2019 assessment in metric tons (mt). The dashed horizontal line represents the level below which non-tribal directed commercial fishing is not allowed (CUTOFF). The dotted horizontal line at the bottom indicates the level at which the stock is defined as overfished (MSST).

Although a commercial directed fishery is not allowed, the Council provided for limited harvests of Pacific sardine in other fisheries. The Council adopted a limit of 4,514 mt for all harvests of Pacific sardine on the west coast, including small scale fisheries (landings of less than 1 mt per day per vessel or person), incidental harvests in other commercial fisheries, a live bait fishery, small recreational fisheries, and research. The Council approved 405 mt for research activities under two exempted fishery permits, which will count against the harvest limit. The Council also adopted an Annual Catch Target (ACT) of 4,000 mt which, if reached, triggers more restrictive management measures as described below. Federal regulations are anticipated to be adopted that implement the Council’s recommendations.

The Council adopted the following management measures to keep harvests within the recommended limit:

- An incidental per landing allowance of 20 percent Pacific sardine (by weight) in the primary directed commercial CPS fishery;
- If the live bait fishery attains 2,500 mt of Pacific sardine landed, a per trip limit of 1 mt of Pacific sardine in the live bait fishery;

- An incidental per trip limit of 2 mt of Pacific sardine in non-CPS fisheries; and
- If the ACT of 4,000 mt tons of Pacific sardine landed is attained, a per trip limit of 1 mt of Pacific sardine for the live bait fishery and the primary directed commercial CPS fishery.

For Oregon fisheries, these management measures are not expected to significantly constrain existing fishing activities beyond the closure of the directed commercial fishery for Pacific sardine. Directed commercial fishing for other CPS off Oregon has primarily targeted market squid or northern anchovy since the directed Pacific sardine fishery closed, and vessels targeting these species have maintained incidental Pacific sardine harvest well below 20 percent per landing limit. There is no commercial live bait fishery in Oregon, and there is currently one bait company operating under the small scale fishery limit of 1 mt per day, which is not changed.

OPTIONS

1. Adopt concurrent rules for Coastal Pelagic Species fisheries as shown in Attachment 3.
2. Adopt more conservative measures.

**STAFF
RECOMMENDATION**

Option 1

DRAFT MOTION	I move to adopt the staff recommended rules for Coastal Pelagic Species fisheries as proposed in Attachment 3, and authorize the staff to incorporate the appropriate citations to the federal regulation, when available.
EFFECTIVE DATE	Upon filing