



CALIFORNIA WETFISH PRODUCERS ASSOCIATION

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April 1, 2020

Mr. Barry Thom, Regional Administrator
NMFS West Coast Region
Attn: Joshua Lindsay
501 West Ocean Boulevard, Suite 4200
Long Beach, CA 90802

REQUEST FOR EXEMPTED FISHERY PERMIT (EFP) TO ALLOW DIRECTED FISHING OF PACIFIC SARDINE IN 2020 NEARSHORE RESEARCH PROGRAM

Dear Barry and Josh,

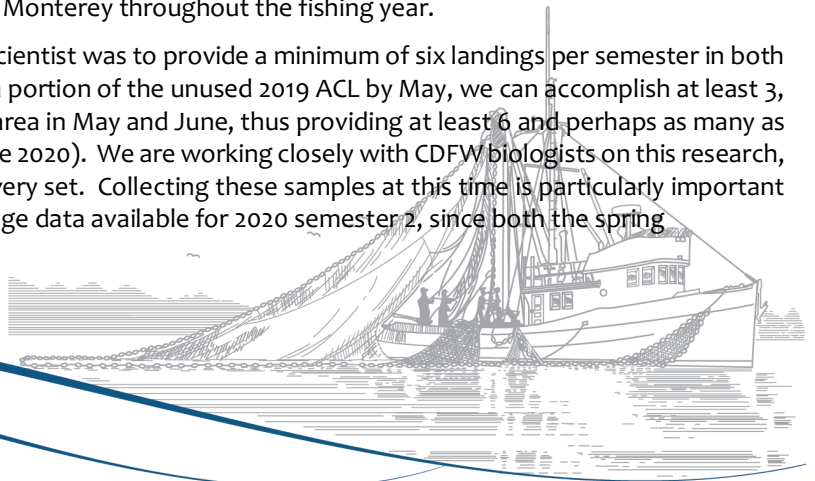
On behalf of CWPA and California's wetfish industry, we are submitting a second EFP (in addition to the EFP submitted through the Council process for the purpose of conducting point sets to develop a variance estimator for the aerial survey).

This request stems from the outcome of the recent sardine STAR Panel review, where we learned that the model used to estimate sardine abundance has not included age data predicting age 1+ biomass since the closure of the directed sardine fishery in 2015. Although the SSC recommended that the stock assessment team (STAT) include biological / age data from incidental catches and the live bait fishery, assessment scientists chose not to comply. Consequently, the model continues to predict a decline in the 'northern' sardine stock, contradicting both the abundance data in the AT surveys (Tables 6 and 8 of the stock assessment document), numerous observations of increasing abundance reported by fishermen and other independent evidence of abundance (i.e. the Juvenile Rockfish Survey and CalCOFI Rep., Vol. 60, 2019). The Juvenile Rockfish Survey currently is not approved for use in the sardine stock assessment.

We are requesting an allocation of a small amount of the unused 2019 'northern' sardine Annual Catch Limit (ACL) for use before July 1, plus a portion of the 2020-21 ACL for use after July 1, and throughout the 2020-21 fishing season. The objective of this request is to accomplish essential research to improve the sardine stock assessment.

It is necessary to establish a small directed fishery. To date, the STAT has only considered biological / age data collected from fishery landings directly targeting sardine, but the fishery has been closed since 2015. This EFP research project was designed in communication with the SWFSC lead sardine stock assessment scientist and the California Department of Fish and Wildlife (CDFW), to develop a systematic framework for directed (but carefully controlled) sardine fishing that will provide landings for the purpose of sampling in both Southern CA and Monterey throughout the fishing year.

The framework suggested by the stock assessment scientist was to provide a minimum of six landings per semester in both Monterey and Southern California. If we can access a portion of the unused 2019 ACL by May, we can accomplish at least 3, and perhaps 4, landings for sampling per month per area in May and June, thus providing at least 6 and perhaps as many as 8 samples per area in semester 2 - 2020 (January – June 2020). We are working closely with CDFW biologists on this research, and they confirmed their ability to sample and age every set. Collecting these samples at this time is particularly important as these samples will constitute the only biological / age data available for 2020 semester 2, since both the spring



Representing California's Historic Fishery

NOAA Acoustic Trawl survey and CDFW aerial survey have been cancelled. We request 640 mt (approximately 160 mt per month per area) from the unused portion of the 2019 ACL for this work. Preliminary landings information (as of 2/14/20) indicate that more than 2,500 mt of the 2019 ACL may otherwise remain unused when the season closes on June 30.

We are also requesting an amount not to exceed 740 mt from the 2020-21 ACL for use after July 1 and throughout the remainder of the 2020-21 fishing year. This would amount to about one landing per month per area as a baseline throughout the season. All landings will be sampled by CDFW to produce biological data, including age, for use in the stock assessment model. The STAR Panel also recommended increased sampling of CPS identified in aerial surveys, and the STAT suggested augmenting both aerial and acoustic samples. To accomplish this, the framework increases the sampling frequency during the months of April in S.CA. and August in Monterey, in conjunction with the aerial survey and summer AT survey. Further, two landings per month are scheduled for November and December, the peak season for sardine in California. This framework provides for approximately 8 landings in S.CA. and 11 landings in Monterey during the semester 1 - 2020 (July-December 2020) and 9 landings in each area in semester 2 - 2021 (January-June 2021).

In light of recent year landings patterns, we suggest that the 2020-21 ACL at the level approved in 2019 would cover the three EFP requests proposed in 2020, as well as all other uses approved in 2019.

This new EFP is distinct from our EFP renewal request for aerial survey research using point sets to validate observer tonnage estimates and species ID. Point sets are difficult to achieve, as they require wrapping 80-100 percent of the school. This entails close coordination between the fisherman and pilot as the pilot sets the boat, flying his own plane to direct the set. Because the pilot we employ in this work also is the observer in the Department's plane when they are conducting surveys, point sets cannot occur at the same time as the CDFW aerial surveys. However, this new EFP, in addition to providing new age data for the model, would also allow for fishermen to capture samples identified by the pilot while he is observing in the Department's plane, because fishermen won't need to capture the entire school. Thus, the two EFPs have different objectives.

Three objectives provide the justification for this EFP request: [1] the critical need to provide current biological / age data for the model for the update assessment, [2] to increase sampling of CPS schools observed in CDFW aerial and acoustic surveys, as recommended by the STAR panel and STAT, and [3] to provide evidence of recruitment that is obvious to fishermen in the field, and is also appearing in independent scientific surveys that currently are not approved for use in sardine stock assessments (e.g. the Juvenile Rockfish Survey). As noted above, recruitment has not been observed in AT surveys, thus is not recognized in the sardine stock assessment. But recruitment has obviously occurred, and it is essential to provide that data for the next stock assessment.

Thank you very much for your consideration of this request.

Best regards,



Executive Director

[NEW EFP APPLICATION SUBMITTED FOR 2020-21 RESEARCH]

- 4a. Date:** April 1, 2020
- 4b. Applicant:** California Wetfish Producers Association (CWPA)
Diane Pleschner-Steele, Executive Director
PO Box 1951, Buellton, CA 93427
(805) 693-5430

On behalf of CWPA and California's wetfish industry, we would appreciate NMFS consideration of and support for the following EFP request:

This request stems from the outcome of the recent sardine STAR Panel review, where we learned that the model used to estimate sardine abundance has not included new age data predicting age 1+ biomass since the closure of the directed sardine fishery in 2015. Although the SSC recommended that the stock assessment team include biological / age data from recent incidental catches and the live bait fishery (<https://www.pcouncil.org/documents/2019/06/all-committee-agendas-for-june-2019-briefing-book-bookmarked-in-alphabetical-order-for-easy-navigation.pdf/> (p.28)), assessment scientists chose not to comply. Consequently, the model continues to predict a decline in the 'northern' sardine stock, contradicting both the abundance data in the AT surveys (Tables 6 and 8 of the stock assessment document), numerous observations of increasing abundance reported by fishermen and other independent evidence of abundance (i.e. the Juvenile Rockfish Survey and CalCOFI Rep., Vol. 60, 2019). The Juvenile Rockfish Survey currently is not approved for use in the sardine stock assessment.

- 4c.** The proposed survey plan provides the following explanation of purpose and goals

Overview and Justification

Three objectives provide the justification for this EFP request: [1] the critical need to provide current biological / age data for the model for the update assessment, [2] to increase sampling of CPS schools observed in CDFW aerial surveys and Acoustic Trawl surveys, as recommended by the STAR panel and stock assessment scientists, and [3] to provide evidence of recruitment that is obvious to fishermen in the field, and is also appearing in independent scientific surveys that currently are not approved for use in sardine stock assessments (e.g. the Juvenile Rockfish Survey). . However, despite this evidence, recruitment has not been observed by the AT survey, therefore the sardine stock assessment report stated that recruitment has not occurred.

We are requesting an allocation of a small amount of the northern sardine Annual Catch Limit (ACL), to access a portion of the unused catch allowance from the 2019-20 ACL prior to July 1, 2020, plus a portion of the 2020-21 ACL for use after July 1, to accomplish essential research to better inform the sardine stock assessment: it is necessary to establish a small target fishery because, to date, stock assessment scientists have opted to exclude all recent age data unless collected from directed sardine fishery landings, and the fishery has been closed since 2015. This EFP research project was designed in communication with the SWFSC lead stock assessment scientist and the California Department of Fish and Wildlife (CDFW), to develop a systematic framework for directed (but carefully controlled) sardine fishing that will provide landings and biological data in both Southern CA and Monterey throughout the fishing year.

The framework suggested by the stock assessment scientist and reviewed by CDFW biologists is to provide a minimum of six landings per semester in both Monterey and Southern California.

If this EFP is approved and issued in time to access a portion of the unused 2019 ACL by May, we propose to accomplish at least 3, and perhaps 4, samples per month per area in May and June, thus providing at least 6 and perhaps as many as 8 samples per area in the January – June 2020 semester. Thus, age data for the January-June semester would be available for use in the 2020 update stock assessment.

Collecting these samples at this time is particularly important as these samples will constitute the only biological / age data available for 2020 semester 2, since both the spring NOAA Acoustic Trawl survey and CDFW aerial survey have been cancelled. We request 640 mt (approximately 160 mt per month per area) from the unused portion of the 2019 ACL for this work. We are working closely with CDFW biologists on this research, and they confirmed their ability to sample and age every set. Preliminary landings information (as of 2/14/20) indicate that more than 2,500 mt of the 2019 ACL may otherwise remain unused when the season closes on June 30.

We are also requesting an amount not to exceed 740 mt from the 2020-21 ACL for use after July 1 and throughout the remainder of the 2020-21 fishing year. This would amount to approximately one landing per month per area as a baseline. All landings will be sampled by CDFW to develop biological data, including age, for the stock assessment model.

The STAR Panel also recommended increased sampling of CPS identified in aerial surveys, and the STAT suggested augmenting both aerial and acoustic samples. To accomplish this, the framework increases the sampling frequency during the months of April in S.CA. and August in Monterey, in conjunction with the aerial survey and summer AT survey. Further, two landings per month are proposed for November and December, the peak season for sardine in California. This framework provides for approximately 8 landings in S.CA. and 11 landings in Monterey during the first semester (July-December 2020) and 9 landings in each area in the second semester (January-June 2021). To ensure enough fish for at least one sample per month per area for the entire year and increased sampling during survey months, the new EFP will apply trip limits when targeting samples. Please see Table 1, provided as a guideline to spread catches over the two areas by semester and year. All landings will be reported to NMFS daily when fishing effort occurs to ensure that the total does not exceed the EFP tonnage limit.

Fishing days will be standardized to occur around the same time each month (e.g. the second week, weather permitting), to facilitate scheduling CDFW biologists to sample landings. Each landing will be sampled and aged by CDFW biologists. All activity will be closely coordinated with both CDFW and NMFS.

Three vessels from S.CA. and three from the Monterey area have volunteered to work with us on this project (on rotation except during survey months). All are experienced in fishing for data, and all recognize the critical importance of improving the science underpinning the sardine stock assessment. We are also requesting one "John Doe" EFP permit per area to provide flexibility if other fishermen would like to volunteer to participate in this research.

All sardines captured will be processed and sold by participating processors, and fishermen will be paid for their catches at the usual rates. Aside from the sale of fish captured in this project, fishermen and processors are not compensated for the extra fuel and labor costs they will incur in landing, or cooperating with CDFW in weighing and sorting each school and documenting species composition.

4d. Rationale for issuing the EFP:

This EFP research is critically important to address the following needs to improve the sardine stock assessment:

- provide current biological / age data for the model for the update assessment,
- increase sampling of CPS schools observed in CDFW aerial surveys as recommended by the STAR panel (<https://www.pcouncil.org/documents/2020/03/agenda-item-d-3-attachment-2-star-panel-report-electronic-only.pdf/>), and augment sampling of acoustic surveys, as suggested by the stock assessment scientist
- provide evidence of recruitment that is obvious to fishermen in the field, and is also appearing in independent scientific surveys that currently are not approved for use in sardine stock assessments (e.g. the Juvenile Rockfish Survey).

This EFP is needed to address the following serious problems:

- the stock assessment's acknowledgement that age data have not been updated since 2015,
- the stock assessment team's requirement, to date, to use age data only from directed purse seine fishing (and disregard age data from incidental catch in other fisheries, research point sets and live bait)
- the stock assessment report declaration of no evidence of recruitment, despite multiple lines of evidence of recruitment, including surveys not approved for use in the assessment model (e.g. the Juvenile Rockfish Survey).

This EFP will allow fishermen to retain the schools they are directed to catch without question, including pure sardines or mixed schools exceeding the allowed 20 percent incidental catch rate. This EFP will facilitate fulfilling the goals and objectives of this research and will avoid wasting a valuable resource. Absent an EFP, fishermen would be limited in targeting observed schools, or risk a violation if the captured schools contained sardine above incidental catch limits.

We suggest that, to facilitate and simplify accounting, the Council follow the protocol established for other EFPs and designate the sardines requested in this EFP as a research set aside. Any amount unused would simply roll back into the ACL at the conclusion of the research period.

We are requesting an amount not to exceed 640 mt from the balance of unused sardine from the 2019-20 ACL to be used before July 1, 2020, and 740 mt from the 2020-21 ACL to be used after July 1, 2020 to accomplish this work. In light of recent year landings patterns, we suggest that the 2020-21 ACL at the level approved in 2019 would sufficiently cover the three EFP requests proposed in 2020, as well as all other uses approved in 2019.

4e. Significance of this EFP: This research is essential to update age data in the model and improve the sardine stock assessment. This EFP will also increase sample sizes in the aerial survey and augment sampling in the acoustic survey. In addition, the collaboration between industry, the scientific community, and federal and state agencies mandated to assess and manage fisheries is a win-win for all, facilitating increased understanding of the uncertainties in quantifying highly variable CPS resources, utilizing fishermen's knowledge of the ocean.

4f. Continuation of this EFP: The longevity of this EFP is contingent on a number of factors, chief among them the ongoing need for current and accurate age data and sampling for aerial surveys. Continuation also depends on sufficient funding to continue, and the status of the sardine fishery in the future.

4g. Participating vessels:

CWPA has identified 6 vessels that meet the criteria for this research project: 3 in Northern CA and 3 in S.CA – usually only one vessel per month will be assigned to target sardines, except during survey months, when more samples are needed:

VESSEL NAME	SKIPPER	OWNER	USCG /REG	CPS PERMIT
Southern CA				
*Triton	Pete Ciaramitaro	Triton Fishing Inc.	CF7218UH	14
*Provider	Jamie Ashley	Provider LLC	D572344	1
Eileen	Nick Jurlin	South Sound Fisheries Inc.	D252749	38
Monterey				
*King Philip	Anthony Russo	Sea Wave Corp	D1061827	9
*Trionfo	Aniello Guglielmo	Neil Guglielmo	D625449	45
Sea Wave	Andy Russo	Sea Wave Corp.	D951443	10

(*Note: 4 vessels also are listed on our 2020 EFP application renewal to conduct point sets.)

In addition, we request one "John Doe" EFP permit per area, to provide flexibility if other fishermen would like to volunteer to participate in this research. The name(s) and contact information for these permits would be provided to NMFS prior to the vessel's participation in the project.

Participating processors:

Four wetfish processors have been identified – 2 in S.C.A. and 2 in Monterey/Moss Landing

Southern Coast Trading Company, 2148 West 16th Street, Long Beach CA 90813

(offloads FV Provider, FV Triton; Contact: Lillo or Dominic Augello)

Tri-Marine Fish Co., 220 Cannery Street, San Pedro, CA 90731

(offloads FV Eileen, Contact: Vince Torre)

Monterey Fish Company, 960 South Sanborn Road, Salinas, CA 93901

(offloads FV King Philip and FV Sea Wave; Contact Anthony Tringali or Jenn Towsley)

Southern Cal Seafood, Pillar Point Harbor, Half Moon Bay; Contact Pete Guglielmo

4h. Description of species harvested:

Under this project, purse seine vessels will be directed to capture at least one school of sardines per month per area (weather depending), except during survey months, additional sets per area will be attempted. During fall peak season, this project may attempt to land two schools per area per month. An EFP is necessary because the directed sardine fishery is closed, and will remain closed in 2020-21. No measurable impacts to non-target species are anticipated.

4i. Justification for EFP request:

We are requesting 640 mt from the balance of unused fish from the 2019-20 ACL to be used before July 1, 2020, and 740 mt from the 2020-21 ACL to be used after July 1, 2020 to accomplish this work.

As noted above, in light of recent year landings patterns, we suggest that the 2020-21 ACL at the level approved in 2019 would sufficiently cover the three EFP requests proposed in 2020, as well as all other uses approved in 2019.

Without an EFP, such captures would be in violation. The issuance of an EFP also allows the sale of the fish to help offset additional costs incurred by participating fishermen and processors.

4j. Accounting for EFP fish:

Fishermen will maintain a log (similar to the log in the EFP / NCS point set project) to identify the explicit location and time of the set. If more than one set was made on a given day, fishermen will keep each set in a separate hatch.

Upon landing, biologists will take a subset of each set at the dock for later processing to obtain biological characteristics and age of individual fish. Processors will maintain bucket sample records of the weight of sardine and other species groups, to validate species composition.

CWPA will notify NMFS and CDFW Enforcement approximately 12 hours before vessel(s) go out to inform them of vessel name(s) and location(s) to be targeted for sampling, and processors(s) who will be receiving research fish that day. The survey plan anticipates sending no more than one vessel per month in each area, except during aerial and AT survey months.

CWPA will also maintain a record of the volume / total weight of load of sardines captured and will monitor progress toward attaining the EFP limit. These weights and species composition per set will also be included in a final report.

4k. Data Collection Methods: According to the survey plan:**Biological sampling**

The catch taken from each school will be subsampled by CDFW biologists dockside upon landing of the daily catch. CDFW biologists will obtain a 5-gallon subsample of fish at quarterly intervals of pumping each set, using a quantitative bucket sampling method. Up to 50 fish per species (if set consists of mixed fish) per set will be collected by a CDFW biologist/sampler upon landing of the daily catch. The four collected fish subsamples will be stored in plastic bags and preserved on ice. At the CDFW laboratories these samples will be measured for biological characteristics (length, weight, sex, maturity, and age).. Modifications to allow cooperative sampling with processors may occur if the need arises due to extenuating circumstances such as CDFW staffing restrictions (e.g. COVID 19 government orders).

Scientific data collection and analysis will be supervised by CDFW and CWPA scientists, who will collaborate on procedures to ensure and evaluate data quality during the survey, and data analysis methodology through completion of the project.

4l. Vessel selection:

Criteria were established to qualify vessels for participation in this research project. From those requirements CWPA identified six vessels meeting the criteria for vessel size, equipment and skippers' experience, whose skippers, importantly, committed to participate voluntarily in this research, notwithstanding any other fishing opportunities during the project period. Four of the six identified vessels also are participating in our 2020 EFP to capture point sets. The other two vessels have been involved in our earlier EFP research, so all vessels are experienced in fishing for data.

4m. Time and Place of Research Fishing:

This project will take place in nearshore waters of the central coast (Monterey – Half Moon Bay) and the Southern California Bight. The framework suggested by the lead stock assessment scientist and reviewed by CDFW is to target a minimum of 6 schools of sardines per semester, per area, with additional sampling attempted during survey months, as noted above. This project will also coordinate with spring and summer CDFW aerial surveys and the 2020 NOAA summer survey. Fishing gear used is purse seine net of suitable mesh size and length for capturing CPS schools. During survey months, vessels will attempt to capture schools identified by the CDFW observer to provide samples to corroborate aerial survey observations, and may also augment sampling in the nearshore acoustic survey.

Thank you very much for your consideration.

Best regards,



Diane Pleschner-Steele
Executive Director

Table 1 Framework for allocating sample sets (provided as a guideline, weather dependent)

SOUTHERN CA			NORTHERN CA		
(Minimum 6 samples per semester per area)					
	<u>Samples</u>	<u>Trip Limit</u>		<u>Samples</u>	<u>Trip Limit</u>
May	4	160	May	4	160
Jun	<u>4</u>	160	Jun	<u>4</u>	160
Semester 2	<u>8</u>	320		<u>8</u>	320
(UNUSED FROM 2019-20)		640			
Jul	<u>1</u>	20	Jul	<u>1</u>	20
Aug	<u>1</u>	20	Aug (Aerial)	<u>4</u>	80
Sep	<u>1</u>	20	Sep	<u>1</u>	20
Oct	<u>1</u>	20	Oct	<u>1</u>	20
Nov	<u>2</u>	40	Nov	<u>2</u>	40
Dec	<u>2</u>	40	Dec	<u>2</u>	40
Semester 1	<u>8</u>	160		<u>11</u>	220
Jan	<u>1</u>	20	Jan	<u>1</u>	20
Feb	<u>1</u>	20	Feb	<u>1</u>	20
Mar	<u>1</u>	20	Mar	<u>1</u>	20
Apr (Aerial)	<u>4</u>	80	Apr	<u>4</u>	80
May	<u>1</u>	20	May	<u>1</u>	20
Jun	<u>1</u>	20	Jun	<u>1</u>	20
Semester 2	9	180		9	180
2020-21	17	340		20	400
TOTAL 2020-21		740			

Appendix 1. Fisherman's log form

CPS Nearshore Cooperative Survey Fisherman's Log Form

Date: _____ Captain: _____

Vessel: _____ Processor: _____

Hydroacoustic Gear

Type	Make	Model	Frequency
Sounder			
Sonar			

Net Dimensions

Net Length {fm}	Net Depth {fm}	Mesh Size {in}

School and Ocean Data

Point Set Number	Point Set Start Time	Latitude	Longitude	Top Depth of School {fm}	Bottom Depth of School {fm}	Ocean Depth {fm}	SST {F}	Weather Condition	Picture of Sonar {Y/N}

Weather Codes: 1= calm, clear; 2= light wind, good visibility; 3= moderate wind, fair visibility; 4= poor fishing conditions

Captains Estimate and Delivery Information

Point Set No.	Species Observed	% of School Captured	Total Est. School Tonnage {mt}	Fish Hold {FP, FS, MP, MS, AP, AS}	*Delivered Weight {st}	*Fish Ticket Number

Comments and sonar interpretations:
