



UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
NATIONAL MARINE FISHERIES SERVICE
Southwest Region
501 West Ocean Boulevard, Suite 4200
Long Beach, California 90802-4213

2009/01111: DDL

MAR 24 2010

Mr. David Ortmann, Chairman
Pacific Fishery Management Council
7700 NE Ambassador Place, Suite 200
Portland, Oregon 97220-1384

Dear Mr. Ortmann,

The Pacific Coast Salmon Fishery Management Plan (Salmon FMP) requires that the Pacific Fishery Management Council (Council) manage their fisheries consistent with consultation standards developed by the National Oceanic and Atmospheric Administration's National Marine Fisheries Service (NOAA Fisheries) regarding actions necessary to protect species listed under the Endangered Species Act (ESA). On March 2, 2010, NOAA Fisheries provided a letter to the Council that summarized current ESA consultation standards and provided guidance for designing the 2010 ocean salmon fishing season within these standards in order to comply with protections for ESA-listed salmonid species. Contained in that letter was specific guidance related to Sacramento River winter Chinook that included adherence to the protective measures contained in the 2004 biological opinion associated with seasonal restrictions and minimum size limits. In addition, NOAA Fisheries provided two recommended actions that it believes will sufficiently constrain fishery impacts on Sacramento River winter Chinook in the 2010 fishing year in response to concerns over the significant decrease in spawning abundance observed since 2006:

- (1) for the recreational fishery south of Point Arena, increase the minimum size limit to 24 inches for the entire year; or
- (2) for the recreational fishery south of Point Arena, close the fishery for at least two consecutive months (any consecutive 61 day period) at some point from May 1 through August 31. This closure should apply to all areas south of Point Arena simultaneously.

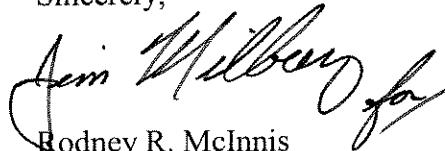
During the March Council meeting, several management options pertaining to this guidance were presented to NOAA Fisheries. In the interest of providing more flexibility to the Council in designing the 2010 salmon fishing season, and in response to requests from the Council's Salmon Advisory Subpanel, further consideration has been given to two additional options.



- (3) Use the following combination of options 1 and 2 above:
Close the **San Francisco** management area for 2 consecutive months (as described in #2) and implement the minimum size limit (described in #1, as revised) in the **Monterey** management area.
- (4) for the recreational fishery south of Point Arena, increase the minimum size limit to 24 inches at the beginning of the season through August 31, and continue a minimum size limit of no less than 20 inches throughout September, October, and November.

After considering the potential impact of these additional options, NOAA Fisheries has determined that each of these will provide equal or greater protection for Sacramento River winter Chinook as the original recommendations provided in the March 2 guidance letter. The combination of the original recommendations as an additional option is based on the available information that suggests either of the original recommendations will be effective in each area. After further analysis of the size of age-3 Sacramento River winter Chinook during the later portions of the season and the low level of fishery impacts on Sacramento River winter Chinook that is expected at that time of the year, the additional benefit of extending the 20 inch size limit past August is believed to be minimal. Therefore, the Council may choose to consider any of these four guidance options in developing recommendations for the 2010 salmon fishery season that are anticipated to be consistent with the consultation standards of the upcoming Sacramento River winter Chinook biological opinion, which will be completed by the end of April 2010. As was stated in the March 2 guidance letter, NOAA Fisheries anticipates that the new biological opinion will require consideration of the status of Sacramento River winter Chinook during the preseason management process, and fishing impacts may need to be reduced when this ESU is in decline.

Sincerely,



Rodney R. McInnis
Regional Administrator

cc: Copy to file 151422SWR2009PR00139