

**PACIFIC FISHERY MANAGEMENT COUNCIL**

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December 16, 2004

Mr. Rod McInnis, Regional Administrator  
National Marine Fisheries Service, Southwest Region  
501 W Ocean Blvd, Ste 4200  
Long Beach, CA 90802-4213

Dr. William Fox, Director  
National Marine Fisheries Service  
Southwest Fisheries Science Center  
8604 La Jolla Shores Dr  
La Jolla, CA 92037

Re: The Process for Developing Restrictions on the Directed Harvest of Krill Within the Pacific  
Coast Exclusive Economic Zone

Dear Mr. McInnis and Dr. Fox:

This letter documents Pacific Fishery Management Council (Council) action related to the potential regulation of the directed harvest of krill (and possibly other forage species) within the Pacific Coast U.S. Exclusive Economic Zone (EEZ).

At its November 2004 meeting, the Council, based in part on recommendations from the Southwest Regional Office (SWR) of National Marine Fisheries Service (NMFS), acted to incorporate krill as a management unit species in the Coastal Pelagic Species (CPS) Fishery Management Plan (FMP). A principal reason the Council selected this course of action was strong assurance from the SWR and NMFS-Southwest Fisheries Science Center (SWFSC) that they were willing to consider taking the lead responsibility in preparing environmental assessment (EA) documents necessary for amendment of the CPS FMP.

By this letter, the Council is requesting confirmation from SWR and SWFSC of their intention to take the lead on this issue and to proceed with development of the EA, including draft management alternatives. For Council meeting planning purposes, we ask that you also provide a tentative schedule for Council consideration and action related to this matter.

## Council Action

At the November 2004 meeting, the Council formally adopted "Option 2" (see enclosed *Options for Controlling Fishing for Krill – Agenda Item H.4.b, NMFS Report, November 2004*) as the intended course of action for potentially restricting the directed harvest of krill within federal waters of the Pacific Coast EEZ. As part of this action, the Council also requested inclusion of a specific management alternative that would prohibit the directed harvest of krill within Pacific Coast National Marine Sanctuaries.

## Background

At the June 2004 meeting, the Council initiated consideration of prohibiting the development of directed fisheries for krill (and, potentially, other forage fish species). The Council took this action in response to a request from the National Marine Sanctuaries Program seeking prohibition of krill harvesting within Monterey Bay, Gulf of the Farallones, and Cordell Bank National Marine Sanctuaries. The sanctuaries highlighted the importance of krill as a prey item, a fundamental food source for much of the marine life along the West Coast.

In recognition of the importance of krill and other forage species, and to seek accord with existing state law, the Council initiated consideration of prohibiting directed fisheries for krill (and, potentially, other forage fish species). Council staff was directed to work with SWR and NOAA-General Counsel to develop information about procedural mechanisms for prohibiting fishing for krill and other forage species within the Pacific Coast EEZ.

At the September 2004 meeting, NMFS presented several options for developing and implementing measures to regulate directed fisheries for krill in Council-managed waters. NMFS stated their preference would be to incorporate krill into the CPS FMP. The Council requested the options paper developed by NMFS be provided to Council advisory bodies for review and comment.

After the September 2004 Council meeting, the SWR and SWFSC consulted with the Council's Executive Director and indicated they would consider taking the lead responsibility in preparing EA documents necessary for amendment of the CPS FMP. This was in recognition of the NMFS preference for inclusion of krill within the CPS FMP and because Council staff and the Council's CPS Management Team are fully subscribed in development of a long-term Pacific sardine allocation framework.

As noted previously, at the November 2004 meeting, the Council initiated development of a formal prohibition on directed fisheries for krill in Council-managed waters.

To reiterate, the Council is requesting confirmation from the SWR and SWFSC about development of the EA, including draft management alternatives, and a potential schedule for Council action. Thank you for your attention to these matters.

Mr. Rod McInnis  
Dr. William Fox  
December 16, 2004  
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If you have any questions about our request or need additional information, please don't hesitate to contact me.

Sincerely,

A handwritten signature in black ink, appearing to read "D. O. McIsaac", with a long horizontal flourish extending to the right.

D. O. McIsaac, Ph.D.  
Executive Director

DAW:kla

Enclosure

c: Mr. Robert Lohn  
Dr. Steve Freese  
Mr. Svein Fougner  
Mr. Mark Helvey  
Dr. Gary Sakagawa  
Ms. Susan Smith

