



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

MAY 25 2007

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Mr. Donald Hansen, Chair
Pacific Fishery Management Council
7700 NE Ambassador Place
Portland, OR 97220

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MAY 29 2007

PFMC

Dear Mr. Hansen:

By this letter, I am approving Amendment 12 to the Coastal Pelagic Species (CPS) Fishery Management Plan (FMP). The National Marine Fisheries Service (NMFS) published a Notice of Availability regarding the adoption of Amendment 12 to CPS FMP on February 26, 2007 (72 FR 8335). NMFS expects to publish a proposed rule to implement Amendment 12 in the near future.

As you know, Amendment 12 to the CPS FMP would amend the FMP to provide protection for all species of krill off the West Coast (i.e., California, Oregon and Washington). Amendment 12 would add all species of krill as a management unit species under the CPS FMP and would place krill under a newly established "prohibited harvest species" category. This new category would differ from the existing "prohibited species" definition in the FMP because "prohibited harvest species" may not be taken by any fishery or gear type in the U.S. EEZ. Optimum yield (OY) for krill would be set at zero and the harvest of krill would be prohibited. In contrast, "prohibited species" may not be taken and retained incidentally by CPS fishery participants, but are legally harvested under provisions in other Council FMPs and Federal regulations. Under Amendment 12, no exempted fishing permits (EFPs) would be issued under the EFP procedures of the CPS FMP to allow individuals to harvest krill as an exception to the prohibition of harvest. These actions would fully achieve the objectives of the amendment to the extent practicable, recognizing that environmental conditions and the responses of krill and other resources to changes in environmental conditions are beyond the control of the Council.


NMFS has considered the potential for development of a krill fishery and the potentially drastic effects a fishery could have on krill resources and on the fish and other species, such as birds and mammals, that are dependent on, or that are sensitive to, the abundance and availability of krill. NMFS agrees with the Council that it is critical to take preventive action at this time to ensure that a krill fishery will not develop that could potentially disrupt krill stocks, and in turn impact the living marine resources that directly or indirectly depend on them. Amendment 12 is a strong attempt to incorporate ecosystem conservation principles into fishery management



programs by protecting, to the extent practicable, krill resources, which are an integral part of that ecosystem.

NMFS appreciates the Council's ongoing efforts in taking a precautionary approach to fisheries management in the California Current ecosystem.

Sincerely,


For Rodney R. McInnis
Regional Administrator