



UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
NATIONAL MARINE FISHERIES SERVICE
Northwest Region
7600 Sand Point Way N.E., Bldg. 1
Seattle, WA 98115

April 10, 2007

RECEIVED

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PFMC

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

Dear Mr. Hansen:

NOAA's National Marine Fisheries Service (NMFS), on behalf of the Secretary of Commerce, notifies the Pacific Fishery Management Council (Council) by this letter that the Klamath River Fall Run Chinook stock is overfished. NMFS has made this determination under section 304(e)(2) of the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act) combined with our National Standard 1 guidelines at section 600.310(e)(3)(ii) of the Code of Federal regulations. This determination is the result of the stock not meeting its conservation objective for three consecutive years. This determination has also triggered an overfishing concern under the Salmon Fishery Management Plan (FMP).

For Klamath River Fall Run Chinook the conservation objective is a yearly escapement rate of 33-34% of potential natural spawners, but no fewer than 35,000 natural spawning adults in any one year. The estimates of natural spawning adults observed since 2004 were 24,100, 26,800 and 30,400 thus triggering the overfished determination and overfishing concern. This notification to the Council will also be announced in the Federal Register for interested members of the public.

The Council is required under section 304(e)(3)(A) of the Magnuson-Stevens Act to prepare a fishery management plan (FMP), FMP amendment, or proposed regulations within one year of this notification to rebuild the overfished Klamath River Fall Run Chinook stock. NMFS understands that the Council's Salmon Technical Team will conduct an overfishing review in the coming year pursuant to the provisions in the Magnuson-Stevens Act and Salmon FMP and will provide to the Council and NMFS the results of the review. If no action within the Council's authority can be identified to have a reasonably expected benefit, the Council will identify actions required by other entities to recover the stock. Section 304(e)(4) of the Magnuson-Stevens Act and section 600.310(e)(4) of the National Standard 1 guidelines contain advice about the requirements for constructing rebuilding plans for overfished stocks.



We look forward to completion of the review and working with the Council to address issues identified in the review.

Sincerely,

A handwritten signature in black ink, appearing to read "D. Robert Lohn". The signature is fluid and cursive, with a long horizontal stroke at the end.

D. Robert Lohn
Regional Administrator