



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

NOV 3 0 2006

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

Dear Mr. Hansen:

By this letter, I am partially approving Amendment 16-4 to the Pacific Coast Groundfish Fishery Management Plan (FMP). As you know, Amendment 16-4 revises the FMP to implement new rebuilding plans for seven species: bocaccio, canary rockfish, cowcod, darkblotched rockfish, Pacific ocean perch (POP), widow rockfish, and yelloweye rockfish. As you also know, the rebuilding plans for these species were developed in response to court orders in Natural Resources Defense Council v. NMFS, 421 F.3d 872 (9th Cir. 2005) to develop plans that rebuilt these overfished species as quickly as possible, taking into account the status and biology of the stocks and the needs of fishing communities.

I am approving all of Amendment 16-4 except for one Council recommendation to add a sentence to the introductory text of Chapter 4.0 of the FMP. The Council had recommended adding to the FMP a sentence that read "The Council may establish a research reserve for any stock, that is within the ABC but above and separate from the OY for that stock." This recommendation conflicts with NMFS's National Standard Guidelines at 50 CFR 600.(f)(4)(iii), which state that "All fishing mortality must be counted against OY, including that resulting from bycatch, scientific research, and any other fishing activities." Therefore, I am disapproving the addition of that sentence to the FMP.

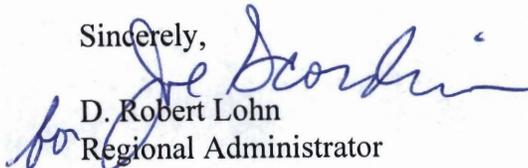
NMFS published a proposed rule to implement Amendment 16-4 and the 2007-2008 groundfish harvest specifications and management measures on September 29, 2006 (71 FR 57764), and we expect to have the final rule effective by January 1, 2007. That final rule implements the Council's recommendations from its June 2006 meeting on harvest levels and management measures for all groundfish species, as modified by Council recommendations from its September and November 2006 meetings. I have approved all of the Council's recommendations on harvest levels and management measures for 2007-2008 except for the recommendation to revise the size and shape of the Western Cowcod Conservation Area.

Amendment 16-4 and the 2007-2008 groundfish harvest specifications and management measures were developed over several Council meetings and required the intense attention of the Council, its advisory bodies, and its staff. I am extraordinarily grateful for all of the time and



attention the Council family has given to this significant management package. The deliberations by the Council and its advisory bodies, the work of members of the public at Council meetings and in their home ports, and the leadership your staff took in developing the environmental impact statement for this action demonstrate an impressive commitment to the principles of the Magnuson-Stevens Fishery Conservation and Management Act. Thank you for your time and care.

Sincerely,

A handwritten signature in blue ink, appearing to read "D. Robert Lohn". The signature is written in a cursive style with a large initial "D".

D. Robert Lohn
Regional Administrator