



UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
NATIONAL MARINE FISHERIES SERVICE
1315 East-West Highway
Silver Spring, Maryland 20910

April 27, 2023

The Honorable Eleni Kounalakis
Acting Governor of California
1021 O Street, Suite 8730
Sacramento, CA 95814

Dear Lt. Governor Kounalakis:

Thank you for your letter requesting a federal fishery disaster determination pursuant to the Magnuson-Stevens Fishery Conservation and Management Act for the State of California 2023 Sacramento River Fall Chinook and Klamath River Fall Chinook ocean and inland salmon fisheries. I am responding on behalf of the Secretary of Commerce to acknowledge receipt of your request and to inform you that the Fishery Resource Disasters Improvement Act, which was passed in the Consolidated Appropriations Act of 2023, has amended the Magnuson-Stevens Act, and the Secretary is required to respond with her determination within 120 days after receipt of all the necessary data to conduct the analysis.

We understand that on April 6, 2023 the Pacific Fishery Management Council voted to close California's 2023 Sacramento River Fall Chinook and Klamath River Fall Chinook ocean and inland salmon fisheries. The Council recommendation is an important but not yet final step in the regulatory process; the fishery will not be closed until the Secretary issues the final regulations for 2023 management measures. These regulations will take effect on May 16, 2023. Thus, to the extent your request is premised on the closure, the closure has not yet happened.

In anticipation of a potential closure, and based on our initial review of your request, we will need the following information after the regulations take into effect to assess whether a fishery resource disaster has occurred under the Magnuson-Stevens Act. The California Department of Fish and Wildlife Marine has up to 1 year and 1 day from the date of closure to submit all necessary information. Please provide the following information to our West Coast Region Senior Policy Advisor, Frank Lockhart, at frank.lockhart@noaa.gov:

- Twelve months of finalized revenue data for the affected fisheries.
- Annual revenues of the affected fishery for the most recent 5 years when no fishery resource disaster occurred.
- Any additional information you want to provide about the cause of the fishery resource disaster (e.g., published research, stock assessments, state reports).

We look forward to working with you on this request. If you have any questions, please contact Makeda Okolo, Director of NOAA's Office of Legislative and Intergovernmental Affairs, at makeda.okolo@noaa.gov.

Sincerely,

Janet Coit
Assistant Administrator
for Fisheries

