



UNITED STATES DEPARTMENT OF COMMERCE
The Secretary of Commerce
Washington, D.C. 20230

January 18, 2017

The Honorable Edmund G. Brown, Jr.
Governor of California
Sacramento, CA 95814

Dear Governor Brown:

Thank you for your letter requesting a determination of a commercial fishery failure due to a fishery resource disaster. Your request relates to the impacts to the 2015-16 Dungeness crab and rock crab fisheries in California resulting from a massive and persistent toxic harmful algal bloom of phytoplankton that caused the closure of the Dungeness crab and rock crab fisheries to protect human health.

The National Oceanic and Atmospheric Administration's National Marine Fisheries Service (NMFS) evaluated whether a commercial fishery failure occurred due to a fisheries resource disaster. After reviewing the information provided by the California Department of Fish and Wildlife and the NMFS evaluation, I have found that the request for a determination of a commercial fishery failure due to a fishery resource disaster for the 2015-16 Dungeness crab and rock crab fisheries meets the requirements for such a finding under Section 312(a) of the Magnuson-Stevens Fishery Conservation and Management Act (MSA) and a fishery resource disaster under Section 308(d) of the Interjurisdictional Fisheries Act.

This determination provides a basis for Congress to appropriate disaster relief funding under the MSA, Section 312(a), and then for the NMFS to provide assistance to the State of California and the affected communities. If Congress appropriates disaster relief funding, NMFS West Coast Region looks forward to working with the State of California to develop a spend plan that will create a more resilient fishery that can better withstand similar environmental disasters in the future. Section 312(a)(3) requires that the Federal share of the cost of any activity carried out under the authority of this subsection shall not exceed 75% of the cost of that activity.

If you have any further questions, please contact Jim Schufreider at (202) 482-3663.

Sincerely,

A handwritten signature in black ink that reads "Penny Pritzker".

Penny Pritzker