February 2, 2007

The Honorable Deval Patrick, Governor
Office of the Governor
State House
Boston, MA 02108

Dear Governor Patrick:

We are writing to seek your assistance on behalf of the Commonwealth’s commercial fishing industry due to the severe economic hardships currently being experienced by our fishing families and coastal communities. A progression of changes to the federal groundfish management plan has created the need for a declaration of economic disaster, and we are seeking your action in making the request for that declaration.

Beginning in 1994, Amendments 5, 7, and 13 to the Groundfish Fishery Management Plan have over time significantly reduced the area in which Massachusetts vessels have to fish and the number of days in which they have the opportunity to fish. Most recently, Framework 42, which was implemented on November 22, 2006, has effectively reduced the available fishing days of the inshore fleet by 50%.

On Monday, December 12, the Massachusetts Fisheries Recovery Commission released an economic impact report that documents the harm being suffered by our fishing families, ports and the Commonwealth in general.

Among the most illustrative points of the report, by economists Brett Baden and Marcelo Bianconi, is the loss of over $16 million in combined revenue per month in the communities of Gloucester, Plymouth, Rockport and New Bedford since the implementation of Amendment 13 in 2004.

Importantly, history has demonstrated that the federal government will respond to severe stresses on the fishing industry. Since 1997, there have been at least five occasions when Congress appropriated funds for economic assistance to fishing communities due to natural disasters or the impact of regulations.

In this case, the threatened survival of the Commonwealth’s inshore fishing fleet warrants the recognition and potential resources that a disaster declaration would provide.
In turn, a declaration would set the stage for needed financial assistance from a Congressional appropriation.

For Massachusetts to qualify for disaster relief, a commercial fishery failure must be caused by a fishery resource disaster due to natural or undetermined causes, or man-made impacts beyond the ability of fisheries managers to mitigate. Whether or not one or more of these conditions exist is determined by the National Oceanic and Atmospheric Administration pursuant to the Magnuson-Stevens Fishery Conservation and Management Act (MSA).

Considerations in this determination include the size and value of the fishery as well as economic and landings data. Also considered are community impacts, the degree of dependence on alternative fishing opportunities, decline in a fishery resource, and other environmental data.

Determinations of disaster and the need for relief are made on a case-specific basis rather than through a standard set of criteria.

Your action is necessary to initiate this process through a formal request to Secretary of Commerce Carlos M. Gutierrez. This request should then trigger an investigation by NOAA.

Should Congress subsequently appropriate funds for disaster relief, then the MSA requires that these funds be used in ways that are "...appropriate to restore the fishery or prevent a similar failure in the future and to assist a fishing community affected by such failure." In turn, disaster assistance should provide short-term relief while assisting long-term sustainability.

Congress most recently appropriated funds for economic assistance relative to the New England groundfishery in fiscal year 2002. In that case, some $11 million were appropriated, and employed to mitigate the effects of federal closures and restrictions upon both fishing families and communities.

Similar assistance could play an instrumental role in promoting the survival of the Massachusetts groundfishery through the extreme hardships being caused by Framework 42.

We believe that sufficient data and information are available to make a compelling case to the federal government for needed relief in the pivotal time for our fishing families and communities. We pledge our assistance in building and presenting that case.

This request was first formally made to former Governor Mitt Romney, but with the closing of his administration the disaster assistance request was not acted upon.

Thank you for your attention to this request, and please do not hesitate to contact our offices.
Sincerely,

Bruce E. Tarr  
State Senator  
1st Essex and Middlesex

Robert L. Hedlund  
State Senator  
Plymouth and Norfolk

Mark C. Montigny  
State Senator  
2nd Bristol and Plymouth

Anthony J. Verga  
State Representative  
5th Essex

Jeffery Davis Perry  
State Representative  
5th Barnstable

William M. Straus  
State Representative  
10th Bristol

Matthew Patrick  
State Representative  
3rd Barnstable

Frank M. Hynes  
State Representative  
4th Plymouth

Peter V. Kocot  
State Representative  
1st Hampshire

Demetrius Atsalis  
State Representative  
2nd Barnstable

Christine E. Canavan  
State Representative  
10th Plymouth

Douglas W. Peterson  
State Representative  
8th Essex

John Bell  
Mayor of Gloucester

Pamela P. Resor  
State Senator  
Middlesex and Worcester

Cleon H. Turner  
State Representative  
1st Barnstable

Robert M. Koczera  
State Representative  
11th Bristol

George N. Peterson, Jr.  
State Representative  
9th Worcester

William Lantigua  
State Representative  
16th Essex

Bradford Hill  
State Representative  
4th Essex
Susan Williams Gifford  
State Representative  
2nd Plymouth

John D. Keenan  
State Representative  
7th Essex