



CITY OF NEW BEDFORD

SCOTT W. LANG, MAYOR

April 5, 2010

Groundfish/Scallop Committee
New England Fishery Management Council
50 Water Street
Newburyport, MA 01950

Re: Joint Groundfish Scallop Committee of the New England Fishery Management Council, Proposed Amendment

Dear Distinguished Members of the Groundfish/Scallop Committee:

As the Mayor of the number one fishing port in the nation I write to you today to express New Bedford's stance regarding the amendment alternatives now under consideration by the Joint Groundfish/Scallop Committee of the New England Fishery Management Council. New Bedford's commercial fishing industry creates a one billion dollar economic impact in our region and employs over 4,000 people. New Bedford is a full service port with over 200 businesses that support commercial fishing. The jobs as well as the tax base the businesses provide to the City are tied to the vitality of the fishing industry. It is the highest responsibility of this Committee to rationalize the implementation of any fishery management amendment and frame a plan that takes into account fairness, flexible and contemporary modification of stock assessments, and ensure that there is adequate infrastructure for that management structure. I ask that you take every effort to ensure any promulgated amendment strikes a fair and reasonable balance between conservation and the economic sustainability of fishing communities.

I believe that the social and economic consequences that fishery management impose on our fishermen and their families, and on local economies are not fully understood by the Agency and are not weighed fairly in the decision making process. In the development of the amendment it is of utmost importance that the Committee obtain a comprehensive assessment of the socio-economic impacts as required under Rule 8 of the Sustainable Fisheries Act (SFA).

In addition, I have serious reservation in the Council attempting to tie any management system to the catchshare / sector management program scheduled to move forward on May 1, 2010. It is premature to propose a developed planned alternative for a catchshare /sector system between ground fishermen and scallop fishermen for the exchange of yellowtail flounder. Under separate cover (copy attached), I have urged that NOAA

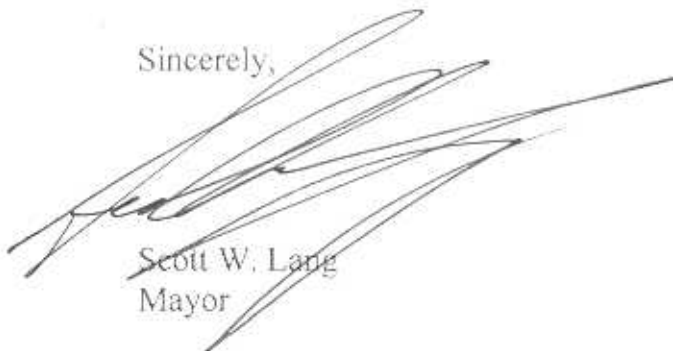
delay the implementation of the catchshare / sector management system until the program is fully developed and has a high margin for success based on workable allocations and credible science. The effect of the catchshare/ sector system is not known at this time. It should not become the foundation of the Council's management strategies until it is shown to be an effective conservation system, and that it does not decimate the economies of the fishing ports.

The focus of this Committee should include industry self governance and the ability of fishermen to make exchange or the purchase yellowtail flounder bycatch in harmony with market forces. While the government needs to monitor these transactions for statistical purposes, it does not need to be directly involved in the transactions themselves. I would like to add that this issue could expeditiously be resolved by changing the rebuilding requirement for yellowtail from 7 to 10 years. 16 US Code Section 1854 of the Magnuson Act requires the rebuilding of stocks at a minimum of 10 years, at this time, and you are well aware there is a strong argument that the Act should be amended to allow flexibility for rebuilding beyond 10 years. Contrary to current law, the NEFMC has voted to rebuild the yellowtail stocks in 7 years. A multi-million dollar industry should not be penalized to the point of catastrophic loss resulting from the arbitrary selection of a 7-year rebuild model. Consistent with federal law that exists at this time, the 10 year rebuild plan should be the measure adopted by the NEFMC for yellowtail.

Finally, I also ask that you consider eliminating the year round closures on Georges Bank and institute seasonal spawning closures. With the implementation of sectors for the majority of the groundfish fleet year-round closures as a control may be unnecessary. This promises to yield tremendous economic gains for industry while also achieving conservation goals.

Thank you in advance for your careful consideration of these important issues.

Sincerely,

A handwritten signature in black ink, appearing to read "Scott W. Lang", is written over the typed name and title.

Scott W. Lang
Mayor