

**Congress of the United States**  
**Washington, DC 20515**

April 1, 2010

The Honorable Gary Locke  
Secretary  
U.S. Department of Commerce  
1401 Constitution Avenue, NW  
Washington, DC 20230

Dear Secretary Locke:

We are writing to urge your immediate attention on a number of critical problems - and proposed solutions - confronting the Northeast's commercial fishing industry.

As you know, New England's fishermen are struggling to survive in what is one of the worst economic climates for their industry. Of immediate grave concern is the challenging transition to a catch shares fisheries management system. Unless the federal government takes additional steps to help fishermen adjust through this transition, many will be forced out of work. The well-intentioned but outdated and bureaucratic system of fisheries management has created tremendous burdens on fishermen. We need to make every possible effort to nurture, encourage, and facilitate survival of the industry through this difficult period.

Here, we outline four problems which are needlessly endangering fishing businesses and coastal communities. We also identify clear solutions that can be quickly implemented to save jobs without negatively impacting our fisheries resources. We urge your immediate attention on these recommendations as a sound, productive, and good faith effort to help fishermen survive this most difficult interim period.

First, we ask that NOAA Fisheries Service (NMFS) fast-track the incorporation of the most recent skate assessment results and adjust catch limits appropriately to reflect this most recent data. Many of our fishermen depend on the targeted skate fishery as a key part of their annual business plans and income. At this time, NMFS is preparing to implement changes to the existing skate management plan based on outdated information. In short, while these changes were being developed, it was believed that a reduction in the fishing effort was required to protect skate stocks. To achieve this, the plan prescribes a reduction of the daily trip limit from 10,000 lbs to 1,900 lbs. The most recent stock assessments, however, indicate that this reduction is unnecessary and that the skate resource is able to support current harvest levels. Unfortunately, there is no mechanism to incorporate this new information into the management plan. As a result, fishermen will suffer additional cuts that serve no real conservation purpose. The incorporation of this most recent data and reflective catch limits can avoid these cuts.

Next, we urge NMFS to immediately evaluate the current pollock stock assessments and incorporate any potential quota increases into the FY 2010 allocations. Atlantic pollock is one of 19 stocks in the Northeast Multispecies Fishery that is transitioning to catch shares in 2010. Pollock is widely viewed as a 'choke species', meaning a stock which has a very low annual quota and which will likely limit the ability of fishermen to target healthier stocks, like haddock. Currently, NMFS is planning to re-evaluate the pollock assessment since new scientific information may suggest that the pollock population can support higher harvest levels than those currently proposed for 2010. However, because of the existing bureaucratic process, these updated harvest levels are scheduled to be published in June - one month after the start of the fishing year. It is conceivable that fishermen may be facing an unnecessarily low pollock quota only one month into the catch share program. It is important that we use this new information for establishing harvest levels for the coming season.

We also recommend that NMFS assemble a team of scientists to review the stock assessments for Cape Cod yellowtail flounder and compare them to the results of the survey conducted by the University of Massachusetts Dartmouth, School for Marine Science and Technology. It is our understanding that there may be a discrepancy between the two stock assessments which would need to be reconciled. In addition, where Cape Cod yellowtail is a 'choke species', we ask that NMFS review the biomass targets and mortality goals and consider any possible unutilized flexibility within Magnuson-Stevens Act to increase but stay under the overfishing level for this stock.

Finally, we request that NMFS immediately assemble a team of scientific advisors to review the most recent ecosystem data on spiny dogfish stocks and determine an appropriate biomass target - one that recognizes the historical biomass of this species in the ecosystem as well as its direct and indirect impacts on other managed species. The consensus among fishermen and regional and federal fisheries managers is that spiny dogfish biomass is at or near record highs. However, the existing fishery management plan does not contain an approved biomass target; and the proxy target exceeds historical biomass levels in the Northwest Atlantic. Managing spiny dogfish to this proxy biomass target has resulted in nearly a four-fold increase in total biomass as estimated by the Northeast Fisheries Science Center trawl surveys - from 153,000 MT in 1968 to 558,000 MT in 2009.

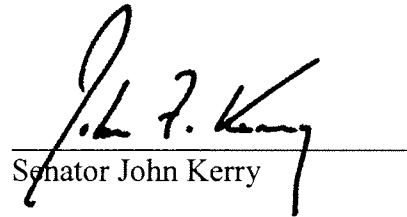
Moreover, the ecological and socioeconomic impacts of this increasing biomass have not been adequately quantified through the established protocols of the regional and federal management bodies. Spiny dogfish are opportunistic apex predators that prey on a wide-range of ecologically and commercially important species. As a result of the increasing biomass, scientists have determined that the Georges Bank ecosystem has shifted from a gadid (cod, haddock, pollock) and flounder-dominated system to one dominated by dogfish, skates and other small elasmobranches. Additionally, these ecosystem changes have had substantial negative impacts on commercial groundfish stocks in New England and on fishery-dependent coastal communities. This action will address the problem by engaging independent scientists in determining a biomass target that will ensure the long-term viability of both the spiny dogfish population and the entire ecosystem.

We are cognizant of NMFS' commitment to successfully implementing catch shares programs and to providing necessary support during this transition. We urge the Department of Commerce and NOAA to enact these recommendations to aid in fulfilling these commitments, and in turn preserve one of our nation's oldest industries.


We appreciate your continued efforts to improve the management of our oceans' resources while protecting the jobs and communities which depend on them.

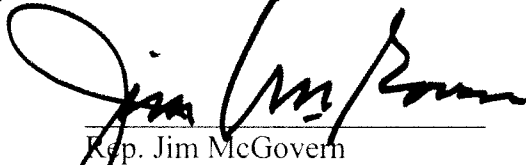
Sincerely,

  
Rep. Bill Delahunt

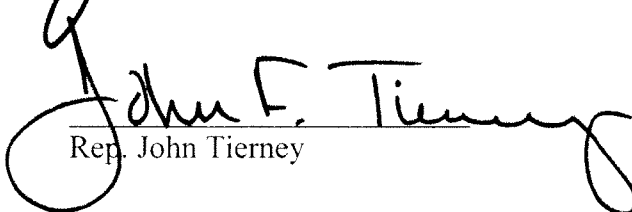
  
Senator John Kerry

  
Rep. Madeleine Bordallo

  
Rep. Barney Frank

  
Rep. Jim McGovern

  
Rep. Chellie Pingree

  
Rep. John Tierney

Cc: Dr. Jane Lubchenco, NOAA Administrator