

Congress of the United States
Washington, DC 20515

October 12, 2010

Eric Schwaab, NOAA Assistant Administrator
For Fisheries
National Marine Fisheries Service
1315 East-West Highway
Silver Spring, MD 20910

Dear Mr. Schwaab:

We are writing to strongly urge that you work directly with Northeast Regional Administrator Pat Kurkul and New England Fishery Management Council Chairman John Pappalardo to take immediate and decisive action in the northeastern Skate-Wing fishery to restore the 5,000 pound daily trip limit, so the remaining allocation for the 2010 fishing year can be fully realized. This action is necessary to save fishing and processing jobs, maintain market share, and retain crucial airplane space in the shipping of skate wings.

Amendment 3 to the Northeast skate fishery management plan had a built-in trip limit reduction to 500 pounds when 80% of the available landings of skate wings were caught. However, delays in the implementation of Amendment 3, which were due in part to a Plan Development Team error that excluded survey catch data of the species called "little skate" that resulted in a SSC revision of its previous recommendation on acceptable biological catch for the entire northeast skate complex. While this revision resulted in an increase in total allowable landings, the final rule for Amendment 3 was not published until July 16th, two and a half months after the start of the fishing year. During this period there continued to be a daily trip limit of 20,000 lbs. that absorbed a large portion of the 2010 total available landings (TAL). By the time Amendment 3 was implemented with a 5,000 lb. trip limit, it took less than two months before the TAL reached 80%, and trip limits were reduced to 500 lbs. on September 5th.

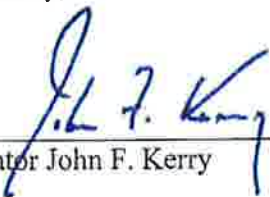
This action, which did not take into account the economic effects of this implementation delay, has basically shut down the Skate-Wing fishery, caused hundreds of workers to lose their jobs, and numerous fishing vessels to remain tied to the docks because it is not economically viable to fish skate with a 500 pound trip limit. This type of reduction also has a detrimental effect on ancillary businesses that support and rely on fishing such as ice, trucking, and packaging companies.

The low trip limited has effectively shut down the fishery and halted export of this product. Skate Wings are transported to Europe by commercial airlines via a system where processors are allocated airline cargo space based on past usage. The amount exported skate has greatly diminished, and if not rectified, the industry will lose its ability


to export skate in a cost-effective manner. Also, European buyers are increasing imports of skate caught and processed in South America. The inability of our domestic processors to ship skate for any length of time will affect market share that may never be recovered. This result would be similar to what happened to the dogfish fishery that still has not recovered demand for its product abroad.

In closing, it is our understanding that the New England Fishery Management Council has allowed this request to be considered for emergency action at their November meeting. However, this crucial delay to address this problem could stretch into several months before corrective action to increase the daily trip limit is fully implemented. By that time, the adverse economic impacts described in this letter would be needlessly realized. We are also concerned that an increase in trip limits at some later date would lead to unsafe trips being taken in the winter months during severe weather conditions. Therefore, we again ask that NMFS and the Council take immediate action to increase the daily trip limit back to 5,000 lbs so this fishery can realize 100% of its allocated landings.

Sincerely,



Senator John F. Kerry



Senator Scott Brown



Congressman Barney Frank



Congressman John Tierney

CC: Pat Kurkul, Northeast Regional Administrator

John Pappalardo, Chairman NEFMC