

Congress of the United States
Washington, DC 20515

October 19, 2009

The Honorable Gary Locke, Secretary
Department of Commerce
1401 Constitution Avenue
Washington, DC 20230

Dear Secretary Locke:

Last spring and summer, the shellfish industry in Maine experienced a severe economic crisis as a result of the closure of 97% of the State's shellfish beds and 100% of the offshore beds in federal waters. These closures due to extensive rainfall and a subsequent, severe outbreak of a harmful algal bloom known as red tide have impacted the shellfish industry and coastal economy far more drastically than similar events occurring in 2005 and 2008. In those years, Maine received disaster declarations and Federal financial assistance for red tide-related fisheries failures. On October 5, 2009, Maine's Governor John E. Baldacci formally requested assistance for the Maine shellfish industry under section 312(a) of the Magnuson-Stevens Fishery Conservation and Management Act. We strongly support the Governor's request for assistance to this industry so vital to the State of Maine.

The fisheries failure of this past spring and summer was not a product of overharvesting, overly restrictive regulatory measures, or other management actions. Rather, it was due to the overabundance of the naturally occurring toxin *Alexandrium*, exacerbated by the wettest summer in Maine's recorded history. At its peak, the density of this toxin was nearly 100 times the federally mandated quarantine level, a concentration not seen since the early 1980s. The closure of these shellfish beds, some of which remained in effect until September, was justified in the interest of maintaining public safety, but could not have come at a worse time for Mainers dependent on the shellfish resource. Further, because this failure came as a result of natural oceanic and meteorological occurrences, a disaster declaration and subsequent allocation of relief funding will not cause any expansion of this failure, and may help mitigate the impact of future red tide events.

The shellfish industry is vital to Maine's economy. Approximately 3,000 harvesters and dealers depend directly upon access to healthy shellfish beds to make their living and support their families. Maine's Department of Marine Resources (DMR) estimates total annual economic value of this industry in Maine at \$50 million, with the largest proportion of that value coming from May through August. On July 23, 2009 NOAA awarded \$121,000 to the Woods Hole Oceanographic Institution and the University of Maine to conduct cruises to monitor the extent and magnitude of the red tide outbreak. We sincerely appreciate this investment and recognize this commitment to reducing the impacts of this disaster. Yet, while this emergency funding was justified and hastened reopening of some areas, it did not address the ongoing concerns of the hard-working shellfishermen who rely on this income to carry them through Maine's long, cold winter.

We once again urge you to consider declaring a fisheries disaster for the Maine shellfish industry and immediately make funds available under Section 312(a) of the Magnuson-Stevens Fishery Conservation and Management Act, and any other assistance you can provide. We look forward to your expeditious response to Governor Baldacci's request and thank you on behalf of the people of Maine.

Sincerely,


Olympia Snowe


Susan M. Collins


Chellie Pingree


Michael H. Michaud