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United States Senate

WASHINGTON, DC 20510-1903

March 31, 2011

Dr. Jane Lubchenco
Administrator
National Oceanic and Atmospheric Administration
1401 Constitution Avenue NW
Washington, DC 20230

Dear Dr. Lubchenco:

The United States has been a global leader in sustainable fisheries management, especially for highly migratory, internationally-managed species, and it is critical that we implement policies that do not disproportionately undermine our fishermen.

As you know last year, I raised serious concerns about the Administration's decision to support a listing of bluefin tuna under the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) because it would undermine our fishermen who have adhered to strict catch limits for decades. I am now contacting you again because our fishermen are being confronted with the possibility that NOAA will propose to list Atlantic bluefin tuna under the Endangered Species Act (ESA). A decision to list bluefin under ESA would serve to punish U.S. fishermen, would reduce the U.S.'s leverage at the International Commission for the Conservation of Atlantic Tunas (ICCAT), and may also have a negative impact on the conservation status of this highly mobile resource.

New England's bluefin tuna fishery is of cultural and economic importance to the region, with 2008 landings valued at \$5.2 million. As you know, there is currently a proposal to reduce the allowable catch for our tuna fishermen to the lowest quota levels in history. While I thank NMFS for responding to my request to extend the comment period and to expand the geographical scope of public meetings regarding bluefin tuna regulations for next fishing year, these proposed rules are already causing anxiety among New England tuna fishermen. The combined effect of potential lost fishing opportunities due to changing regulations and the pending ESA petition is causing terrible uncertainty within the tuna industry. U.S. tuna fishermen, as you recognized at last March's Oceans, Atmosphere, Fisheries, and Coast Guard Subcommittee hearing, have been patiently playing by the rules set by ICCAT and by NOAA.

Based on the most recent ICCAT stock assessments using the traditional recruitment scenario, there is evidence that the western stock of Atlantic bluefin is on track to meet management objectives. In fact, I wrote to you, along with colleagues in Congress, in November 2010 to encourage the U.S. delegation to push for an *increase* in U.S. quota at the last ICCAT meeting. Were the U.S. to list bluefin tuna under the ESA, we would effectively be forgoing opportunities to fight for quota and for fishing opportunities for

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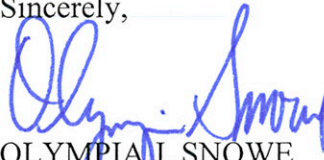
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American fishermen at ICCAT in the future. Further, ICCAT management is improving, and the U.S. has contributed greatly to efforts to reduce bycatch and crack down on illegal, unregulated, and unreported (IUU) fishing activities across the Atlantic. Other ICCAT initiatives, like the Atlantic-wide Research Programme on Bluefin Tuna, will contribute to reducing key uncertainties about the status of bluefin. Continuing to engage with ICCAT is the best way for the U.S. to improve the conservation status of bluefin, not by taking a unilateral decision that will hamstring our ability to encourage other nations to adopt conservation measures.

Finally, because Atlantic bluefin tuna are managed internationally, it is unclear that domestic protections conferred by the ESA will actually contribute to conservation of the resource. For instance, if the U.S. fails to land its ICCAT-allocated quota of bluefin, it becomes increasingly likely that our quota will be transferred to other nations. Recalling that the U.S. has far and away the strictest environmental standards in the world for this species, it makes little sense to transfer our effort to another country, thereby harming the domestic economy and simultaneously incentivizing the less conservation-minded behavior of other nations.

The most recent stock assessment which was presented at ICCAT last November is clear: bluefin tuna populations, particularly in the western Atlantic, are improving, not declining, so an ESA listing cannot possibly be warranted. Furthermore, since bluefin is an internationally managed species, the U.S. cannot act alone. ICCAT is the proper management structure to rebuild this species throughout the Atlantic. An ESA listing at this time will not help bluefin tuna, and it will surely hurt U.S. fishermen. I look forward to your prompt response.

Sincerely,



OLYMPIA J. SNOWE
United States Senator