



UNITED STATES DEPARTMENT OF COMMERCE
The Under Secretary of Commerce
for Oceans and Atmosphere
Washington, D.C. 20230

JAN -9 2012

The Honorable John Kerry
United States Senate
Washington, DC 20510

Dear Senator Kerry:

Thank you for your letter regarding the recent Gulf of Maine cod assessment. We certainly share your concern with the emerging assessment results and are committed to aggressively evaluating the science, developing management responses, and taking action to help fishermen and fishing communities.

NOAA is taking an unprecedented approach to evaluate the Gulf of Maine cod stocks and help the fishermen whose livelihoods depend on it. We are working closely with the New England Fishery Management Council (Council) to undertake as much advance planning as possible, and have met with fishermen throughout the region to inform them of the current situation and get their views on how to address it. In short, we are doing everything possible to manage this situation effectively and look forward to continuing to work closely with you and the fishing community as we proceed. We have also developed a new webpage with the agency's latest Gulf of Maine cod news which can be found at www.nero.noaa.gov/nero/hotnews/gomcod/. This is one of several tools we will use to ensure we keep all interested parties informed and engaged.

I want to emphasize that at this point no decision has been made about management approaches for the 2012 fishing year, which will begin in May. While we are working closely with the Council to assess possible solutions, we cannot move forward until the peer review of our 2011 stock assessment is complete. We expect this report in late January. We will continue to work with the Council to develop possible management alternatives, contingent upon final assessment results. I understand that fishermen need information as soon as possible to plan for their business year and while we cannot move forward with a management decision yet, we are making every effort to include the fishing community in all of our discussions so they understand what options we are examining with the Council.

I understand why you have asked for a new assessment, but for reasons that I describe in more detail below, a new assessment cannot be completed in time for the Council and NOAA to make management decisions for the 2012 fishing season. Furthermore, new data, including 2011 landings and age distributions, spring 2012 groundfish surveys, and March 2012 assessment updates for the remaining 19 groundfish stocks, will inform NOAA of how we should proceed on further assessment efforts later in the year. Simply repeating the current assessment, in the absence of this additional information, is not likely to answer the critical questions we all have about why this fish stock has declined so rapidly, assuming the results are supported by peer review. Instead, we are focusing on interim management actions while simultaneously deepening our scientific understanding of what is happening with Gulf of Maine cod, which is an approach that will yield the most useful results. We are fully willing to undertake a new stock assessment as soon as we have the new data that will allow us to focus this assessment in a way that is likely to yield value.

THE ADMINISTRATOR



I want to stress that delaying all new management actions pending completion of a new assessment later in the year would be very risky for the cod stock as well as the fishermen who depend on it. Some interim action will be warranted this spring, and you have my commitment that NOAA will do everything possible to minimize short term impacts to the fishery while also minimizing the risk to the long term sustainability of the stock, which would lead to severe and long-term economic consequences for the fishery and the region.

As we discuss management options, it is important to recognize the critical role that the Council process plays in addressing this situation. Directly following receipt of the preliminary 2011 assessment, we knew the results warranted early consultation with the Council and the fishing community. NOAA immediately took the unusual step of convening a working group with the Council to gather information and explore potential management implications. Further, the working group immediately scheduled a meeting with representatives from the fishing industry, leading scientists, regional Congressional staff, and others from the community in Portsmouth, New Hampshire on December 9, 2011. That meeting was very productive and generated ideas we are currently exploring.

We continue to meet with representatives from the Council and the fishing community on a regular basis to prepare for the Council meeting at the end of January. That Council meeting, and meetings of the Council's Scientific and Statistical Committee (both of which will occur after the peer review of the 2011 assessment is available), will provide an important opportunity to further evaluate assessment results and immediate management options. We understand that these emerging data present an unusual set of circumstances, which may require emergency management measures. We are committed to working with the Council and local leaders to fully understand these data and to explore and implement appropriate management responses.

You also asked in your letter about a more comprehensive review of the assessment process. Over the past 3 years, we have worked with the Council on a revised approach for producing more frequent stock assessments. As you have noted in the past, it is important that we not only conduct full "benchmark" assessments on a regular basis, but also provide managers the information to adjust annual or biennial catch limits in response to changing stock conditions. We are transitioning to this improved approach now. Under the revised approach, we will conduct stock assessments at a frequency of every 1 to 3 years, for an average of about 30 stock assessments per year. This pace is considered the optimal frequency based on biology of the stocks in the region.

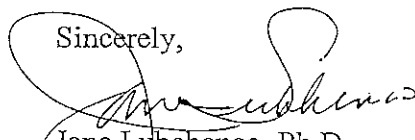
Finally, you asked about the prospect of a fishery disaster declaration. As decisions are made on critical management actions for the 2012 fishing year, we are committed to evaluating rapidly whether additional economic assistance, including a fishery disaster declaration, is warranted. If it is warranted, we will take immediate action. We will continue to work with you, monitor this situation closely, and leave all options for economic assistance on the table.

I want to reiterate that Secretary Bryson, Assistant Administrator for Fisheries Eric Schwaab and I fully understand the potential severity of the situation and we are committed to working with your office and all of our partners to ensure the sustainability of both the resource and our fishing

communities. I am happy to arrange a more in-depth briefing for you or your staff on this at any time. Thank you for your leadership on this topic.

If you have further questions, please contact John Gray, Director of NOAA's Office of Legislative and Intergovernmental Affairs, at (202) 482-4981.

Sincerely,

A handwritten signature in cursive script, appearing to read "Jane Lubchenco". The signature is written in black ink and is positioned above the printed name.

Jane Lubchenco, Ph.D.
Under Secretary of Commerce
for Oceans and Atmosphere