

Congress of the United States

Washington, DC 20515

August 3, 2012

Mr. Robert E. Beal
Acting Executive Director (Acting)
Atlantic States Marine Fisheries Commission
1050 North Highland Street
Suite 200A-N
Arlington, VA 22201

Mr. Samuel D. Rauch, III
Assistant Administrator for Fisheries (Acting)
National Marine Fisheries Service
1315 East West Highway - Building SSMC3
Silver Spring, MD 20910

Dear Director Beal & Administrator Rauch:

On April 9, 2012, many of us sent you a letter regarding the then-pending stock assessment for Atlantic menhaden. The letter made three requests: (1) that the stock assessment be held in a face-to-face, publicly accessible format; (2) that the stock assessment team be allowed to consider new and relevant information, including the results of a University of New England aerial survey of the northern range of the menhaden stock; and (3) that the stock assessment address flaws in the statistical assessment model a respected international scientific team identified when they peer reviewed the last menhaden assessment in 2009.

Of most concern, additional and relevant information appears to have been excluded from consideration foregoing the thorough and reasoned scientific inquiry this weighty issue demands. Our constituents include bait fishermen, reduction harvesters and plant employees, recreational fishermen, lobstermen, and crab harvesters. They all depend on the menhaden fishery, and they all deserve a full, fair and comprehensive assessment better before the Commission undertakes any major new regulatory initiative.

As to our recommendations from April, our request for a publicly accessible assessment process was honored. We thank you for ensuring some transparency and opportunity for public input into this important process. However, while Dr. James Sulikowski was allowed to present his aerial survey results, the stock assessment team was not permitted to consider this information as part of the assessment itself. Nor was the stock assessment team able to refine the assessment model to address the concerns identified in the 2009 peer review. As a result, the Commission's Menhaden Technical Team found the assessment generally unfit for use in management. It also called for new, thorough "benchmark" assessment at the earliest possible time.

Furthermore, Commission scientists were unable to consider, either adequately or in some cases at all, scientific information that does not support calls for major cuts to this important fishery. For example, a renowned international fisheries scientist, Dr. Douglas Butterworth, presented to the assessment team detailed analyses that employed Dr. Sulikowski's aerial survey results,

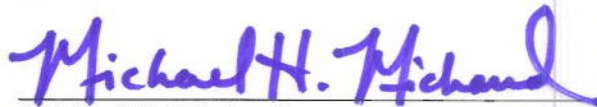
along with other aerial observation data that menhaden spotter pilots regularly collect to help guide fishing effort. Drs. Butterworth's and Sulikowski's presentation indicates the overall menhaden stock is at least twice as large as the current assessment results indicate. Yet, the Commission's ground rules prevented this important information from being taken into account at all. Nor, moreover, do regular state fishery surveys demonstrate the menhaden stock is in any immediate peril; in fact, certain important surveys show an increasing population.

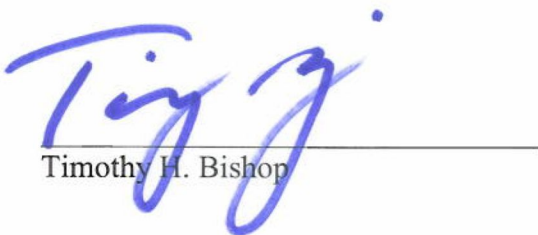
We recognize the Commission wants to implement a more comprehensive menhaden management regime. That being said, using the best scientific information and methods available, and heeding peer reviewers' specific recommendations on how to avoid making the same mistakes over again, represent core elements of any reasonable scientific and regulatory process. Thousands of our constituents along the East coast rely on the menhaden fishery—and on the Commission to devote the time and resources to informed decisions. It is our hope that the Commission would do the necessary scientific data collection and analyses before making major new decisions to regulate the fishery.

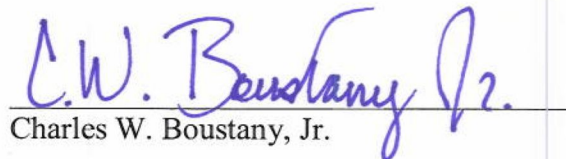
Thank you very much for your attention to this very important matter.


Sincerely,


Robert J. Wittman


Michael H. Michaud

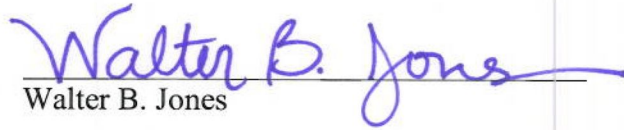

Timothy H. Bishop

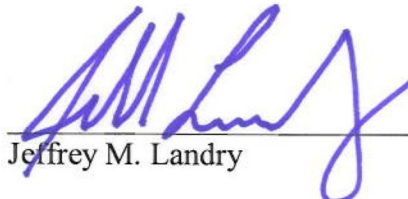

Charles W. Boustany, Jr.

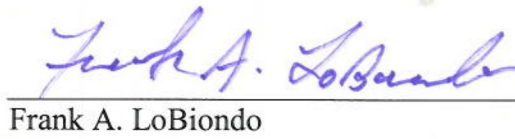

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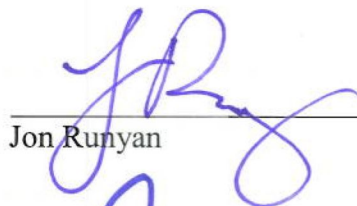

Jeffrey M. Landry


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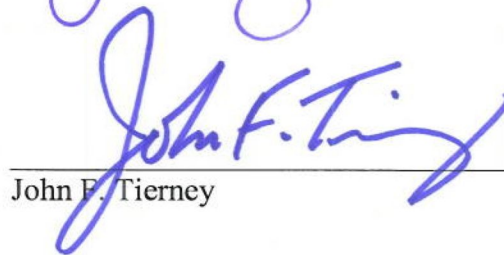

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