

THE COMMONWEALTH OF MASSACHUSETTS
EXECUTIVE DEPARTMENT

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February 21, 2007

Hon. Carlos M. Gutierrez
U.S. Department of Commerce
1401 Constitution Ave., NW
Washington, DC 20230

Secretary Gutierrez:

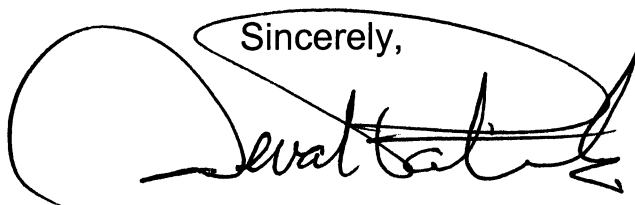
I hereby seek a declaration of a fisheries resource disaster affecting the Massachusetts commercial fishing industry, based on sections 312 and 315 of the Magnuson-Stevens Fishery Conservation and Management Act as amended by the Reauthorization Act of 2006. Please take this initial request under advisement while I work with local representatives, experts, and stakeholders over the next few weeks to document the nature and extent of the economic disaster affecting the Massachusetts fishing fleet and related industries. By April 9, 2007, I will submit documentation to substantiate this request for a disaster declaration based on the economic losses suffered by the Commonwealth's coastal and fishing communities due to regulatory restrictions.

Since 1994, Amendments 5, 7, and 13 to the Northeast Multispecies Fishery Management Plan have significantly reduced the area and the number of days Massachusetts vessels are allowed to fish. Most recently, the fishery management plan's Framework Adjustment 42, which became effective November 22, 2006, reduced the fishing days available to the inshore groundfishing fleet by an additional 50 percent. This latest reduction, which disproportionately impacts Massachusetts vessels as compared to fleets elsewhere in the region, threatens the survival of this important segment of our commercial fishing industry.

Section 215 of the Magnuson-Stevens Fishery Conservation and Management Reauthorization Act of 2006 (P.L. 109-479) mandates a review of the potential impacts of Framework 42 within 30 days of the January 12, 2007 implementation of the Act. I anxiously await the results of that review. It will also be critical to examine the *actual* economic impact of Framework 42 based on data gathered through the end of the current fishing year on April 30, 2007.

But the concern I hear from the ports of Gloucester and New Bedford, and from the elected representatives of these communities, is that by the time these data are collected and analyzed it may be too late. For that reason, I urge you to: (1) declare a fisheries resource disaster based on the evidence we compile from current landings data and other sources, and (2) make available the disaster relief that will allow this historic and vital Massachusetts industry to survive this period of severe regulatory restriction.

Although the crisis here is immediate, the challenge of reviving both fish stocks and a vital industry is long-term in nature. I look forward to working with our Congressional delegation and with you and the National Marine Fisheries Service in developing a regulatory regime that is fair and equitable to all. Conserving natural resources and preserving our fishing communities are, I believe, of universal concern.

Sincerely,


cc: William Hogarth, National Marine Fisheries Service
Pat Kurkul, NOAA Fisheries – NERO
Senator Edward Kennedy
Senator John Kerry
Representative Barney Frank
Representative John Tierney
Representative William Delahunt
Ian Bowles, EOEA
Tom French, DFG
Paul Diodati, DMF