



For a thriving New England

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February 21, 2012

The Honorable John Bryson
Secretary
U.S. Department of Commerce
14th and Constitution Avenue NW
Washington, DC 20230

RE: Gulf of Maine Cod Federal Fisheries Disaster Relief & Interim Emergency Action

Dear Secretary Bryson:

We are writing to you now to support the earlier requests by Governor Deval Patrick for federal fisheries disaster relief pursuant to section 312(a) of the Magnuson-Stevens Fishery Conservation and Management Act (MSA). The new scientific assessments for Gulf of Maine cod (GOM cod) stocks document that the economic situation in the region is significantly more dire than previously thought. Immediate and aggressive action is needed to avoid any risk of creating a long-lasting biological crisis with GOM cod with widespread, crippling economic implications.

As a result of the recent science assessment, GOM cod catch levels will have to be drastically cut back on May 1, 2012. Even at low catch levels, there still will be a significant risk that the spawning stock levels could decline below the lowest level ever observed. In the words of one of the New England Council's scientists who has extensively studied the complete commercial collapse of the northern cod stocks in the early 1990s off Newfoundland, "the similarities [between the two situations] are a bit frightening." Dr. J.-J. Maguire (email to SSC members and others 1/25/12). Following that collapse, Newfoundland's cod stock has been largely closed to fishing for decades.

The recent GOM cod reassessment was a unique and highly unusual set of events that was beyond anyone's control. The scientists exercised their best professional judgment in performing the original assessment in 2008, the managers strictly followed the scientific harvest level advice, and the fishermen appear to have stayed within their prescribed quota limits. And yet, the future of GOM cod is now at an unforeseen but significant risk. These circumstances meet all the criteria in the National Marine Fisheries Service's disaster relief policy guidance: there is a fishery resource disaster as defined by the MSA; it was caused by events beyond human control; and there will be significant economic impacts stemming from this disaster.

Economic analysis indicates that single-year gross revenue losses for the commercial fleet from current revenue levels could range from \$1,354,000 to \$14,620,000, depending on the catch level that is set. Conservation Law Foundation (CLF) recommends a one year 4,000mt catch level for the fishing year which starts May 1, 2012. While that level of catch is 2,700 metric tons less than



the lowest level proposed by the New England Fishery Management Council, it still presents a significant 10% probability of further spawning stock declines.

The estimated gross revenue losses at that catch level are \$4,677,000. Importantly, an estimated sixty-six percent of those losses will fall on the smaller, inshore fleet (see attachment), a group that is already operating close to or below the economic break-even point and won't have alternative fishing options in many cases. We ask that you set up a disaster relief fund available to all active groundfish companies that would provide some relief for any demonstrated losses of net revenues that they experience until GOM cod stocks can be rebuilt.

Without relief from the crushing economic circumstances many coastal boat owners are facing, managers are being tempted to take risks in setting the short-term quotas too high, potentially imperiling the fishery for decades. A further commercial collapse of GOM cod stocks would cripple many of New England's fishing communities that are wholly dependent on cod. The indirect losses in the maritime support industries multiply those potential direct costs many times. Economic disaster assistance can greatly reduce the pressure on managers to allow short-term overharvesting as the region transitions to a sustainable fishery. Moreover, in addition to direct disaster relief, we encourage you to implement the suggestions of the Commerce Department Economic Development Administration's recent evaluation of certain New England ports and provide necessary aid and technical assistance for the economic transition of these communities.

CLF supports the New England Council's emergency action request and the general approach that the National Marine Fisheries Service (NMFS) has proposed in taking interim emergency action to respond to this unexpected and troubling new development. As mentioned above, however, we feel strongly that the quota should be set no higher than 4,000mt. And we have called for the imposition of a series of management measures that would direct the majority of the limited cod quota to the boats that are most dependent on cod. In support of this, we have provided NMFS with a position paper on this issue, which we are also attaching to this letter. Thank you for your careful consideration of the management and economic assistance measures we propose. We look forward to your response and your agency's further efforts to work towards solutions that help all of New England's coastal communities weather this tough economic crisis and to thrive in the future.

Sincerely,

A handwritten signature in blue ink that reads "Peter Shelley".

Peter Shelley
Vice President

Attachment