

April 4, 2013

The Honorable Deval Patrick
Governor, Commonwealth of Massachusetts
State House Room 360
Boston, Massachusetts 02133

Dear Governor Patrick,

We are writing to you to request your urgent intervention to avoid the Commonwealth's fishing industry crisis set to occur on May 1, 2013, the start of the new fishing year. On May 1, 2013, NOAA (National Oceanographic and Atmospheric Administration) proposes reducing the allocation of groundfish to Massachusetts fishermen by 77 percent; thus rendering the commercial fishing industry as a non-viable industry.

According to the University of Massachusetts and the Massachusetts Division of Marine Fisheries, Massachusetts would lose \$2 billion dollars and lose 80,000 jobs that are created by the industry.

A compelling case exists for an interim action and it involves the following factors:

1. The provisions of §304 (e) (6) of the Magnuson-Stevens Act specifically authorize interim actions for the purpose of allowing Regional Councils to develop new and protective rebuilding plans. The section provides that such interim measures, "may be implemented even though they are not sufficient by themselves to stop overfishing of a fishery." Additionally, §305 (c)(3)(B) while limiting the time period for a specific interim action does not include any prohibition on implementing a second such action after the first one expires.
2. The interim measure being sought would still reduce catch and mortality rates but would not devastate the industry.

We know that you share in our sentiments and therefore, appreciate and thank you for your request for the emergency disaster declaration of the Massachusetts fishery, which should have brought relief to our fishermen. Unfortunately, due to Congress's inability to move legislation, our fishermen have been left without recourse.

Moreover, given the inconsistencies in NOAA's data which has shown stocks being rebuilt and in collapse within fishing years and given our inability to have meaningful communication with the Director of NOAA and the Secretary of Commerce, because of the timing of this request and the vacancies due to the commencement of President Barack Obama's second term, we are appealing to you to contact the President directly with this request:

"To direct the Acting Secretary of Commerce to approve and implement the request for interim measures submitted by the New England Fishery Management Council to NOAA fisheries on December 28, 2012, as this is necessary to prevent the collapse of the Massachusetts groundfish fishery and dependent communities such as Gloucester, New Bedford, the Massachusetts South Shore and Cape Cod."

Presidents such as President Bill Clinton have used this executive authority before on behalf of the New England states to use the flexibility found in the Magnuson Stevens Fishery Conservation Act to find balance between rebuilding fish stocks and preserving fishing communities when the agency failed to do so.

We look forward to working with you on this important action to preserve our communities and fishery.

Thank you,

Ann-Margaret Ferrante
State Representative

Joseph F. Wagner
State Representative

Anne M Gobi
State Representative

Linda Dorcena Forry
State Representative

Thank you,

Bruce Tarr
State Senator

Gail Candaras
State Senator

Marc R. Pacheco
State Senator

Eileen Donoghue
State Senator

Patricia Haddad
State Representative

Stanley Rosenberg
State Senator

Kathi-Anne Reinstein
State Representative

Karen Spilka
State Senator

Corey Atkins
State Representative

William M. Straus
State Representative

Garrett J. Bradley
State Representative

Thomas M. Gee
State Senator

Jay F. Barrows
State Representative

Mark C. Montigny
State Senator

Matthew A. Beaton
State Representative

Michael O. Moore
State Senator

Carlo Basile
State Representative

Kathleen O'Connor Ives
State Senator

Paul Brodeur
State Representative

Mike Rush
State Senator

Antonio F.D. Cabral
State Representative

James Cantwell
State Representative

Gailanne Cariddi
State Representative

Tackey Chan
State Representative

Nick Collins
State Representative

Thomas P. Conroy
State Representative

Michael A. Costello
State Representative

Claire D. Cronin
State Representative

James J. Dwyer
State Representative

Carolyn C. Dykema
State Representative

Lori A. Ehrlich
State Representative

Tricia Farley-Bouvier
State Representative

Kimberly Ferguson
State Representative

Bradford Hill
State Representative

Denise Garlick
State Representative

Kate Hogan
State Representative

Steven S. Howitt
State Representative

John D. Keenan
State Representative

Kay Khan
State Representative

Peter V. Kocot
State Representative

Robert M. Koczera
State Representative

Jason Lewis
State Representative

David Paul Linksy
State Representative

Elizabeth A. Malia
State Representative

Paul W. Mark
State Representative

Christopher M. Markey
State Representative

Paul McMurty
State Representative

Aaron Michlewitz
State Representative

Leonard Mirra
State Representative

Rhonda L. Nyman
State Representative

Shaunna L. O'Connell
State Representative

Jerald A. Parisella
State Representative

Sarah K. Peake
State Representative

Alice Hanlon Piesch
State Representative

George N. Peterson
State Representative

William "Smitty" Pignatelli
State Representative

Elizabeth A. Poirer
State Representative

Paul A. Schmid III
State Representative

David T. Viera
State Representative

Martin J. Walsh
State Representative

Daniel B. Winslow
State Representative