



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

AUG 12

The Honorable Barney Frank
U.S. House of Representatives
Washington, D.C. 20515

Dear Representative Frank:

Thank you for your cosigned letter regarding implementation of Amendment 16 to the Northeast Multispecies Fishery Management Plan (FMP), and the recommendations of the New Bedford Fisheries Summit.

Although the New England Fishery Management Council voted in June to delay implementation of Amendment 16 until the Council could consider the results of new stock assessments being finalized this August, the rebuilding plans in the FMP require that fishing mortality be reduced for several groundfish stocks as of May 1, 2009, to end overfishing. NOAA's National Marine Fisheries Service (NMFS) is also awaiting the final stock assessment results, but we may need to consider implementing additional management measures for the groundfish fishery on May 1, 2009, to reduce fishing mortality in accordance with the requirements of the FMP and the Magnuson-Stevens Fishery Conservation and Management Act.

The delay in implementation of Amendment 16 does not obviate the need to end overfishing. The requirement to end overfishing on these stocks is not directly tied to the new annual catch limit (ACL) requirements, so there is no need to await further guidance on ACLs. A delay in the necessary reductions in fishing mortality until 2010 could actually increase the magnitude of the reductions and the severity of fishing restrictions, which could cause more negative impacts on the groundfish fishery.

We expect the stock assessment results to confirm that some of the groundfish stocks are healthy, and we are committed to working with the Council and the industry to continue to find ways to maximize harvests of these stocks. Draft Amendment 16 includes additional management tools, including authority to establish fishing sectors, that would enable the fishery to make important progress toward maximizing yield and reducing discards, as well as measures that would mitigate economic harm to fishermen and communities, while still ending overfishing. NMFS has conducted an intensive observer program for groundfish, which indicates relatively low discard rates for regulated groundfish species overall, but may be variable by species. A number of studies conducted by various researchers have shown the value of closed areas as a management tool, and these evaluations continue.

NMFS remains committed to the goal of rebuilding the fish stocks that are the foundation of the Northeast multispecies fishery. If you have further questions, please contact Karl Anderson, Director of NOAA's Office of Legislative Affairs, at (202) 482-4981.

Sincerely,

Conrad C. Lautenbacher, Jr.
Vice Admiral, U.S. Navy (Ret.)
Under Secretary of Commerce for
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