

United States Senate

WASHINGTON, DC 20510

November 7, 2012

Samuel D. Rauch
Acting Assistant Administrator
NOAA Fisheries
1315 East West Highway
Silver Spring, MD 20910
Dear Administrator Rauch,

As Members of the Oregon and Washington Congressional delegations, we ask that as you review the Administrative response to the Pacific Dawn case you consider the Pacific Fishery Management Council's (PFMC) unanimous decision recommending the status quo allocation alternative.

As you know, the West Coast Whiting and groundfish fisheries have been overcapitalized for decades. We commend the PFMC for undertaking the challenge of solving this problem. The PFMC and the Whiting industry worked long and hard, over eight years, to come up with a solution based on sound science. Throughout the PFMC process, proceedings and votes were transparent, thorough and included extensive opportunity for public input. The final product was the West Coast Groundfish individual fishing quota (IFQ) program.

As you know, in a lawsuit challenging allocation of Whiting shares in the West Coast Groundfish Catch Share Program, Judge Henderson found that the Council failed to adequately explain how it considered current harvests when arriving at its allocation decisions. Based on that finding, the judge then remanded the regulations back to the Council for reconsideration. PMFC brought the issue up in September when over twenty-five stakeholders testified with the vast majority speaking in favor of upholding the program as originally enacted. PMFC voted to uphold status quo, unanimously.

The Whiting and groundfish fishermen and processors, and the stocks they depend on, are already benefitting from the West Coast Groundfish Catch Share Program. As highlighted in your own report, bycatch of overfished species has decreased dramatically, while overall revenues have increased.

We urge you to support the Council and our whiting industry by maintaining status quo and presenting any disruptive and detrimental reallocations which would create uncertainty for our fishing and processing industries.

Please do not hesitate to contact our offices if you have further questions on this matter.

Sincerely,



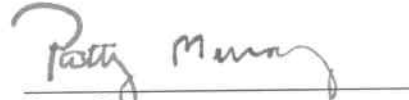
Ron Wyden
United States Senator



Maria Cantwell
United States Senator



Jeff Merkley
United States Senator



Patty Murray
United States Senator