



**UNITED STATES DEPARTMENT OF COMMERCE**  
**National Oceanic and Atmospheric Administration**  
NATIONAL MARINE FISHERIES SERVICE  
1315 East-West Highway  
Silver Spring, Maryland 20910  
THE DIRECTOR

AUG - 4 2008

The Honorable John H. Lynch  
Governor of New Hampshire  
Concord, New Hampshire 03301

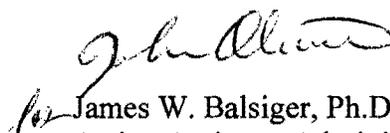
Dear Governor Lynch:

This letter is a follow-up to the initial response of Secretary Gutierrez on October 25, 2007, to your letter requesting a determination of a commercial fishery failure due to a fishery resource disaster affecting the New Hampshire commercial fishing industry, based on sections 312 and 315 of the reauthorized Magnuson-Stevens Fishery Conservation and Management Act.

NOAA's National Marine Fisheries Service (NMFS) has carefully analyzed the data regarding the New England groundfish fishery and the provisions regarding a commercial fishery failure due to a fishery resource disaster under sections 312(a) and 315. Although we understand the economic difficulties of the groundfish-dependent communities in New Hampshire, the situation does not meet the requirements for a determination of a commercial fishery failure. Our latest research shows encouraging increases in most of the groundfish stocks. Even though fishing revenues show some declines, the commercial fishery itself, although diminished, has not failed.

NMFS will continue to work closely with the fishing communities in each of the New England coastal states to rebuild groundfish stocks and strengthen the entire fishing industry. If you have further questions, please contact Brook Davis, Deputy Director of NOAA's Office of Legislative Affairs, at (202) 482-4981.

Sincerely,

  
James W. Balsiger, Ph.D.  
Acting Assistant Administrator  
for Fisheries

