



**UNITED STATES DEPARTMENT OF COMMERCE**  
**The Secretary of Commerce**  
Washington, D.C. 20230

August 12, 2013

The Honorable Rick Scott  
Governor of Florida  
The Capitol  
Tallahassee, Florida 32399

Dear Governor Scott:

On September 6, 2012, you requested a determination of a commercial fishery failure due to a fishery resource disaster under Section 312(a) of the Magnuson-Stevens Fishery Conservation and Management Act (MSA) for Florida's oyster harvesting areas in the Gulf of Mexico, particularly those in Apalachicola Bay, as a result of drought conditions.

After reviewing the information provided by the State of Florida, I have determined a fishery resource disaster occurred for the oyster stocks along the west coast of Florida, primarily in the Apalachicola Bay area, because of three factors: (1) a drought throughout the southeastern U.S. that has led to below average river flows; (2) reduced downstream river flow from man-made dams along these rivers; and (3) increased salinities in the bays that not only stressed the oyster populations, but allowed a persistent occurrence of oyster predators, such as stone crab and oyster drills. Within the last year, landings have declined nearly 60 percent, with a 44 percent reduction in revenues. This decline in revenues is an unusual occurrence in this fishery and is not part of a cyclical downturn in revenues. The State of Florida projects that with the continued decline in landings, revenue losses are only expected to increase and remain lower than the historical average until the stock begins to rebound. This resulted in a commercial fishery failure due to a fishery resource disaster under Section 312(a) of the MSA and Section 308(b) of the Interjurisdictional Fisheries Act (IFA) for the oyster fishery of the west coast of Florida, especially in the Apalachicola Bay area.

Should Congress appropriate funds in response to this fishery disaster determination, Commerce's National Oceanic and Atmospheric Administration will work closely with your state to develop a spending plan and distribute the funds to help coastal communities and the fishing industry. Please be aware that under MSA 312(a) and IFA 308(b), the Federal share of the cost of any such activities may not exceed 75 percent.

If you have any questions, please contact Jim Stowers, Deputy Assistant Secretary for Legislative and Intergovernmental Affairs, at (202) 482-3663.

Sincerely,

A handwritten signature in black ink, appearing to read "Penny Pritzker".

Penny Pritzker