

June 14, 2005

The Honorable Carlos M. Gutierrez
Secretary
U.S. Department of Commerce
14th & Constitution Ave. NW
Washington, DC 20230


Dear Mr. Secretary:

Harmful algal blooms, or "red tides" occur occasionally in the Gulf of Maine, as a result of a dramatic increase in the presence of toxic, naturally occurring microscopic plankton. Under certain environmental conditions, these organisms undergo a population explosion, and the toxins they contain are accumulated in filter-feeding shellfish at high enough levels to present a significant danger to human health in the form of paralytic shellfish poisoning (PSP).

This year in the Gulf of Maine, a number of factors have come together and resulted in the worst red tide that we have seen in over 30 years. It is more toxic, more widespread, and has the potential to last longer than any red tide in recent experience. This red tide has impacted our shellfish industry in a way that may not be survivable for many individuals without federal assistance. For this reason, I am writing to request that you declare a commercial fishery failure, as provided for under Section 312 (a) of the Magnuson-Stevens Fishery Conservation and Management Act, to provide financial relief for the affected individuals, businesses and communities.

There are over 1300 commercial shellfish license holders in Maine who depend upon access to clams, mussels, oysters, and quahogs for their livelihood. In addition, there are currently 106 certified shellfish dealers. Together, these individuals generate approximately \$75 million of economic activity in the state annually. This is a very significant contribution to Maine's coastal economy, and it is critical that the industry be sustained through this disaster.

Staff at the Maine Department of Marine Resources would be happy to work with NOAA Fisheries to document the impacts that have occurred to date, and demonstrate that this red tide warrants a determination of a commercial federal fisheries failure. If you have any questions, please contact Commissioner George Lapointe at (207) 624-6553.

Thank you for your prompt attention to this matter.

Sincerely,



John Elias Baldacci
Governor