



**UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration**

NATIONAL MARINE FISHERIES SERVICE

1315 East-West Highway
Silver Spring, Maryland 20910

THE DIRECTOR

APR 18 2012

The Honorable Robert F. McDonnell
Governor of Virginia
Richmond, VA 23219

Dear Governor McDonnell:

On September 1, 2010, you requested determination of a commercial fishery failure due to a fishery resource disaster under the Magnuson-Stevens Fishery Conservation and Management Act for Virginia's oyster industry caused by effects from the BP Deepwater Horizon oil spill.

We have been working with the Virginia Marine Resources Commission to assess whether a commercial fishery failure occurred. On April 5, 2012, Jack Travelstead, acting Commissioner, informed us via phone that impacts stemming from the Gulf of Mexico disaster were not as drastic on the Virginia oyster industry as initially envisioned, and that there will be no additional information forthcoming regarding this request. If new information for your oyster industry changes this conclusion, you may again request a fishery resource disaster.

Our Northeast Region will continue to work with you and the Virginia Marine Resources Commission to ensure healthy and sustainable fisheries in the Mid-Atlantic region. If you have further questions, please contact John Gray, Director of NOAA's Office of Legislative and Intergovernmental Affairs, at (202) 482-4981.

Sincerely,

Samuel D. Rauch III
Acting Assistant Administrator
for Fisheries



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THE ASSISTANT ADMINISTRATOR
FOR FISHERIES

