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Congress of the United States
House of Representatives
Washington, DC 20515-5501

September 28th, 2009

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The Honorable Gary Locke
Secretary
U.S. Department of Commerce
1401 Constitution Ave., NW
Washington, DC 20230

Dear Secretary Locke:

The Southeast Fisheries Science Center (SEFSC) of NOAA's National Marine Fisheries Service has recently published a socio-economic analysis entitled *Can an Island be a Fishing Community: An Examination of St. Croix and its Fisheries* (https://grunt.sefsc.noaa.gov/P_QryLDS/download/TM582_tm_593.pdf?id=LDS). The final statement of that report aptly concluded, "Even though there are limits to what can be said about the fisheries as a whole, there is little question that these fisheries are deeply interwoven into the social, economic and cultural fabric of St. Croix. From slavery until today, from the menu at a renowned restaurant to the table of a local community member, fresh fish and seafood remains a desired commodity on St. Croix. The socio-economic indicators and linkages described in this report demonstrate substantial engagement and dependency on the marine resources, and provide a strong argument for designating the island as a whole as a fishing community."

A similar study has been carried out for the fishing community of St. Thomas/St. John and initial information indicates that similar results and recommendations can be expected for that study when the SEFSC completes analysis of those data and preparation of that report. We recommend that priority be attached to completion of the St. Thomas/St. John report.

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The St. Croix report has been through extensive NOAA review prior to its release by NOAA's Office of Legislative Affairs and, thus, represents a recommendation for designation by the agency. In view of the expected results for the St. Thomas/St. John study, it would be reasonable to expect that NOAA would support designation of all three Virgin Islands as Fishing Communities under the Magnuson-Stevens Fishery Conservation and Management Act Reauthorization (MSFCMA).

Such designation would require that the Caribbean Fishery Management Council (CFMC) consider community as well as resource impacts as required under National Standard 8 of the MSFCMA (Sections 104-297, 109-479) which require that "Conservation and management measures shall, consistent with the conservation requirements of this Act (including the prevention of overfishing and rebuilding of overfished stocks), take into account the importance of fishery resources to fishing communities by utilizing economic and social data that meet the requirements of paragraph (2), in order to (A) provide for the sustained participation of such communities, and (B) to the extent practicable, minimize adverse economic impacts on such communities."

Additionally, designation would open the door for Virgin Islands participation in Limited Access Fishing Programs (Section 303A), should local fishermen's organization decide to participate.

I have carefully and personally followed implementation of the MSFCMA since its reauthorization and am convinced that designation of the Virgin Islands as fishing communities is imperative in order to ensure that current efforts to implement Allowable Catch Limit (ACL) requirements fully consider the impacts upon the local fishing industry. It has been my observation that current proposals by NMFS and the CFMC fail to recognize specific differences between our fisheries and mainland fisheries. As a result, NMFS appears to be pursuing a "one size fits all" approach to setting ACLs in the Virgin Islands that artificially creates and inflates "uncertainty" estimates and could easily lead to unnecessary and devastating reduction from current catch levels being introduced arbitrarily by scientists who have little or no understanding of actual facts on the ground.

Thus, I strongly believe that designation of the Virgin Islands as fishing communities is not only justified but imperative to guarantee that CFMC efforts reflect full consideration of socio-economic impacts of their proposed actions. Designation, in this sense, could trigger a more positive and productive relationship between the Virgin Islands fishing communities and Federal agencies charged with fisheries regulation.

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Additionally, such measures could easily serve as a stimulus for improved communication and data inputs and lead to greater understanding by both sides of the issues facing both. It is my firm belief that Virgin Islands fishermen and Federal regulators, despite their disagreement, are seeking the same end, a sustainable and productive environment for the benefit of the Virgin Islands community.

I appreciate your consideration of this matter. Please advise regarding any further actions which need be taken by this office.

Sincerely,



Donna M. Christensen
Member of Congress

Cc: Jane Lubchenco Ph.D., Under Secretary of Commerce for Oceans and Atmosphere
James W. Balsiger, Ph.D., Acting Assistant Administrator for Fisheries
Miguel Rolon, Executive Director, Caribbean Fisheries Management Council