



**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 - 7 2011**

The Honorable Rick Scott  
Governor of Florida  
Tallahassee, FL 32399

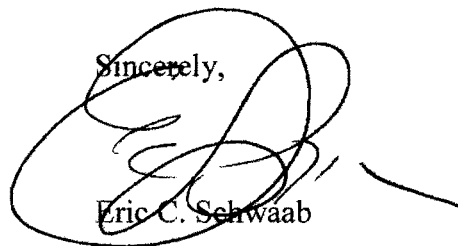
Dear Governor Scott:

On February 29, 2008, former Governor Crist requested a determination of a commercial fishery failure due to a fisheries resource disaster in the Florida shark fishery under the Magnuson-Stevens Fishery Conservation and Management Act.

Governor Crist requested the declaration for a fishery resource disaster during 2007–2008 based on shark quota overharvests during 2005–2006 that resulted in reduced quotas and shorter fishing seasons for the 2007–2008 fishing year. NOAA's National Marine Fisheries Service reduced the harvest limits in response to a 2006 shark stock assessment that found some shark species overfished or experiencing overfishing. Regulatory restrictions on fishing to meet fishery conservation requirements, including those to address overfishing, are not an allowable cause for a fishery resource disaster, and therefore the Secretary of Commerce determined there is no commercial fishery failure due to a fishery resource disaster under section 312(a) of the Magnuson-Stevens Act.

If you have further questions, please contact John Gray, Director of NOAA's Office of Legislative Affairs, at (202) 482-4981.

Sincerely,



Eric C. Schwaab

