



## State of New Jersey

DEPARTMENT OF ENVIRONMENTAL PROTECTION

OFFICE OF THE COMMISSIONER

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*Commissioner*

February 28, 2017

The Honorable Wilbur Ross  
Secretary  
United States Department of Commerce  
1401 Constitution Avenue, NW  
Washington, DC 20230

Dear Secretary Ross:

I am writing to request your urgent assistance in preventing the looming destruction of the recreational summer flounder fishing industry in the State of New Jersey. The recreational fishing industry is a key contributor to New Jersey's economy, directly supporting 20,000 jobs and contributing \$1.5 billion annually to the state's economy. It is vital to the economic health and way of life of our coastal communities.

On February 2, 2017, the Atlantic States Marine Fisheries Commission, which manages the summer flounder (or fluke) stock, put our recreational summer flounder industry in serious jeopardy. The Commission, based on poor stock assessment data and inflexible regulatory directives from the National Marine Fisheries Service (NMFS), voted to cut summer flounder quotas by 34% for New Jersey, increase the minimum size of fish that may be kept (from 18 to 19 inches), reduce the number of fish an angler can keep ("bag limit" cut from five to three), with a fishing season of 128 days. This action imposes a de facto moratorium on recreational summer flounder fishing in my state, because due to their natural migratory patterns, only about 15% of fluke off New Jersey's coast are at least 19 inches. This action also is disproportionately damaging to New Jersey compared with other states.

Fortunately, the decisions by the Commission as well as the Mid-Atlantic Marine Fisheries Council are subject to review by the Secretary of Commerce's office, your department's NOAA Fisheries office, the National Marine Fisheries Service. This is required before this regulation is published in the Federal Register and becomes final.

New Jersey recognizes the importance of protecting our marine resources by preventing the overfishing of any species. But the decisions that are made to ensure the health of fisheries must be based on reliable data about the health of the fishery and the use of up-to-date, sound science. In this case, the Commission's decision, based on data from the National Marine Fisheries Service, does not meet that standard. It is based on a questionable, out-of-date stock assessment and a flawed modeling. In fact, the National Academies of Sciences, Engineering, and Medicine recently released a report highlighting 38 needed changes to the recreational data collection process, and emphasized the urgent need to improve the way in which data is collected. NMFS also readily admits that the modeling methodology for fluke stock assessments is antiquated and needs to be replaced. They also recognize that the data collection process needs to be dramatically improved.

In the short-term, New Jersey is requesting that you stop these new regulations from going into effect and that NOAA Fisheries maintain the status quo of the 2016 Recreational Harvest Limit for summer flounder. At the same time, we are requesting an immediate benchmark stock assessment for summer flounder be conducted. This would allow for the Commission and Council to make science-based decisions with the best available data and methodology. For the long-term, New Jersey supports a paradigm shift regarding the management of all of the Atlantic marine fisheries, one based on updated methodology and more accurate data collection.

I respectfully request a meeting with you or your senior staff to brief you on this issue and to discuss how we can move forward to better protect the health of our fisheries and the health of our recreational and commercial fishing industries.

Sincerely,



Bob Martin  
Commissioner

Cc: Justin Clark, Director, Intergovernmental Affairs, White House