

**Congress of the United States**  
**Washington, DC 20515**

July 5, 2017

The Honorable Wilbur Ross  
Secretary of Commerce  
Herbert C. Hoover Building  
United States Department of Commerce  
1401 Constitution Ave., N.W.  
Washington, D.C. 20230

Dear Secretary Ross:

We write to convey our support for New Jersey's efforts to sustainably manage its summer flounder fishery, and to share our concerns about the economic impact on New Jersey's coastal communities if a fishery moratorium is enacted.

While the Atlantic States Marine Fisheries Commission (ASMFC) found the State of New Jersey out of compliance of Addendum XXVIII of the Summer Flounder, Scup, and Black Sea Bass Fishery Management Plan (FMP), it is New Jersey's fishermen who would suffer the consequences if the fishery is shut down.

New Jersey has attempted to implement measures that aim to meet the objectives through conservation equivalency of the FMP, while avoiding harmful cuts to summer flounder quotas. These measures include: an 18-inch size limit, 104-day season, and 3-fish bag limit for coastal waters; 16-inch size limit, 104-day season, and 2-fish bag limit for Island Beach State Park; and 17-inch size limit, 104-day season, and 3-fish bag limit for the Delaware Bay. The New Jersey Department of Environmental Protection (NJDEP) believes that its data shows that these measures will reduce total fish mortality beyond the ASMFC measures in Addendum XXVIII to the FMP.

The Atlantic Coastal Fisheries Cooperative Management Act requires that you make a finding as to whether New Jersey has failed to carry out its responsibility and, if so, whether the measures that New Jersey failed to implement and enforce are necessary for the conservation of the summer flounder fishery. Knowing that you have 30 days to accept or reject the ASMFC's finding of non-compliance and to decide whether or not to issue a moratorium on New Jersey's summer flounder season, we respectfully request that you consider the matters addressed in this letter and the profound impact your decision will have on our State.

There is no doubt that a moratorium would have harsh and immediate economic consequences for small businesses and the families that own and operate them along New Jersey's 130 mile shoreline. Many of these small to mid-sized operations are still struggling to fully recover from Superstorm Sandy. The impact of a moratorium will not only be felt in the fisheries and fishing communities, but by other local businesses and industries—such as

tourism—which rely upon fishing. Recreational and commercial fishing employs 65,000 people and generates some \$2.5 billion in annual economic benefits to the State of New Jersey.

Please know that we, along with the NJDEP and New Jersey's fishing community, are all committed to eliminating overfishing and ensuring that fish stocks remain stable. We know that reasoned and balanced strategies are central to allowing current and future generations to participate in recreational and commercial fishing activities along our coast for decades to come.

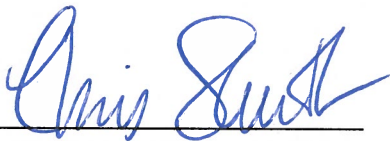
After the ASMFC sent its determination to your office, the top officials at NJDEP continued to pursue an open dialogue with key staff in several agencies and offices across the federal government. We have been advised that on June 20, 2017, officials participated in a conference call with members of the Department of Commerce, NOAA National Marine Fisheries Service, Greater Atlantic Regional Fisheries Office, and US Fish & Wildlife Service regarding the ASMFC decision. We would encourage continued dialogue between NJDEP and relevant federal agencies to find a suitable solution that meets the conservation needs of the summer flounder fishery, while also ensuring that New Jersey can continue to support its robust and thriving recreational and commercial fishing industries.

We continue to have concerns about the methodology used to determine flounder stock, and believe that a new baseline assessment is needed to ensure that accurate data is used to manage the fishery. In the interim, New Jersey has proposed innovative measures, which aim to preserve the stock by reducing discard mortality.

We respectfully request that you give full consideration to the innovative management plan proposed by the State of New Jersey, and insofar as it is consistent with U.S. law and regulations, we urge you to work administratively with the State of New Jersey to approve, implement, and enforce New Jersey's 2017 Summer Flounder regulations.

We appreciate your time and attention to this issue and look forward to your response.

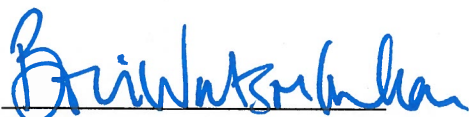
Sincerely,



CHRISTOPHER H. SMITH  
Member of Congress



FRANK LOBIONDO  
Member of Congress



BONNIE WATSON-COLEMAN  
Member of Congress



TOM MACARTHUR  
Member of Congress



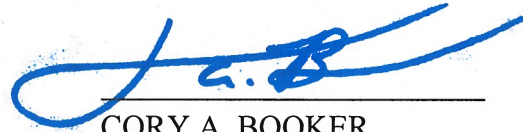
RODNEY FRELINGHUYSEN  
Member of Congress



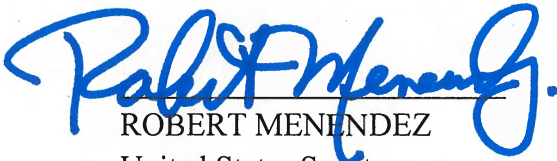
BILL PASCRELL, JR.  
Member of Congress



FRANK PALLONE, JR.  
Member of Congress



CORY A. BOOKER  
United States Senator



ROBERT MENENDEZ  
United States Senator



DONALD M. PAYNE, JR.  
Member of Congress



DONALD NORCROSS  
Member of Congress



LEONARD LANCE  
Member of Congress



JOSH GOTTHEIMER  
Member of Congress

cc: The Honorable Ryan Zinke, Secretary, U.S. Department of the Interior  
Mr. Earl Comstock, Director, Office of Policy and Strategic Planning, U.S. Department of Commerce  
Mr. Chris Oliver, Assistant Administrator, NOAA Fisheries  
Mr. Todd Abrajano, White House Liaison to the U.S. Department of Commerce