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June 4, 2022

The Honorable Janet Coit
Assistant Administrator for National Marine Fisheries Service
National Oceanic and Atmospheric Administration
1315 East-West Highway
Silver Spring, MD 20910

Dear Assistant Administrator Coit,

I am writing to express my strong concerns regarding National Oceanic and Atmospheric Administration's (NOAA) proposed closure of the federal waters to recreational scup fisheries that I, and many constituents in my Congressional District, believe will have serious and negative consequences for recreational fisherman, for-hire fishing fleets, and coastal communities in New Jersey.

As you are aware, on April 18, 2022, NOAA issued a proposed rule to close federal waters to recreational scup fishing.¹ I am specifically requesting that you halt implementation of this proposed rule.

The proposed closure to recreational fishing in federal waters for scup, will likely have negative economic consequences for families and businesses along New Jersey's 130 mile shoreline, in addition to drastically altering local recreational activities critical to maintaining local cultural pursuits continuously strained by natural disasters and economic headwinds. While many in the area have recovered from Superstorm Sandy, the recovery has been inconsistent and the storm left lasting personal and economic impacts that must be taken into account, particularly in regard to recreational and commercial fishing.

If a closure of recreational scup fishing in federal waters is implemented, I request that you provide a scientific justification for such a rule and how it comports with past statements by NOAA that support the expansion of commercial utilization of this species. Additionally, I request information on any measures NOAA is taking to limit commercial fishing access to scup fisheries in federal waters, and if the commercial catch will decrease as a result.

¹ <https://www.federalregister.gov/documents/2022/04/18/2022-08056/fisheries-of-the-northeastern-united-states-recreational-management-measures-for-the-summer-flounder>

Recreational anglers and for-hire fishing fleets in the district, including but not limited to vessels sailing from Point Pleasant, Belmar, and Brielle, will be negatively impacted by a full closure of scup fisheries in federal waters. Additionally, decreases in tourism – a critical industry to the New Jersey economy – driven by the COVID-19 pandemic have further added to the economic strain on local business owners. The impact of this final rule will be felt not only in recreational fishing communities, but by the local businesses that rely upon the industry, the governments that depend on the revenue generated by these activities, and other affiliated industries that are a staple along the Jersey Shore.

Furthermore, economic pressures from a variety of sources have drastically increased the cost of fresh and locally caught fish. As stated by the United States Department of Agriculture, fish provide key nutrients supporting brain development, promoting bone health, and decreasing the risk of colon and rectal cancers. The *Dietary Guidelines for Americans* recommend eating fish as part of a healthy diet. Due to increasing market prices, this critical nutritional source has become unaffordable for many middle- and low-income Americans. For many in our local communities, the only means to source fresh fish for a healthy eating plan is to catch it themselves. Closing federal waters to one of our most popular local sources of fresh fish for recreational anglers would further reduce the opportunity for individuals to include fresh fish in a healthy eating plan.

As NOAA has repeatedly stated, scup is an underutilized species with sufficient biomass to be utilized by commercial fisheries as a substitute for overfished species. Also, NOAA states the Mid-Atlantic/ New England stock is not overfished and not subject to overfishing according to the 2021 stock assessment.² NOAA further states that “with greatly improved reproduction and survival rates and low fishing rates since 1998, Mid-Atlantic spawning stock biomass has steadily increased since the mid-1990’s.”³ As fishing rates of scup have not reached the peak levels seen in the early 1980’s, I and others in my Congressional District question the scientific justification for reducing recreational fishing access to scup fisheries in federal waters.

Fishing is a critical cultural and economic activity on the Jersey Shore – being mindful stewards of our environment and fisheries is a responsibility we take very seriously. I understand and share your commitment to limiting overfishing and ensuring that stocks remain stable to allow both current and future generations to participate in commercial and recreational fishing activities. A balanced approach based on the most up-to-date and accurate science can help achieve these goals. I appreciate your time and attention to this issue, and I look forward to your response.

Sincerely,



CHRISTOPHER H. SMITH
Member of Congress

² <https://www.fisheries.noaa.gov/species/scup>

³ <https://www.fisheries.noaa.gov/species/scup>