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Aruna Miller, Lt. Governor
Josh Kurtz, Secretary
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Honorable Howard Lutnick, Secretary
U.S. Department of Commerce
1401 Constitution Avenue, NW, Rm 5516
Washington, D.C. 20230

Mr. Eugenio Piñeiro Soler
Assistant Administrator for NOAA Fisheries
National Marine Fisheries Service
1315 East-West Highway Silver Spring, MD 20910

Dear Secretary Lutnick and Mr. Piñeiro Soler

The Maryland Department of Natural Resources (MDNR) expresses grave concern regarding the delayed publication of Framework 19 for the Summer Flounder, Scup, and Black Sea Bass Fishery Management Plan (FMP) and Framework 7 for the Bluefish FMP. Although these frameworks were initially submitted on May 1, 2025, and updated on August 1, 2025, the anticipated approval for the 2026 season has not yet occurred. This administrative delay has severely disrupted the establishment of 2026 management measures, leading to a marked discrepancy between state and federal regulations. Such inconsistencies are expected to create significant confusion among recreational anglers and cause disproportionate social and economic harm to Mid-Atlantic states like Maryland, where catch is primarily concentrated in federal waters. If recreational fishers and charter boat operators are compelled to operate under non-preferred coastwide federal measures, the resulting consequences will be substantial.

The Recreational Measures Setting Process Framework, composed of Frameworks 7 and 19, modifies the procedure for establishing recreational regulations beginning in 2026 for bluefish, black sea bass, scup, and summer flounder, replacing previous management structures that concluded in 2025. This framework represents a component of an extensive, collaborative initiative by the Atlantic States Marine Fisheries Commission and the Mid-Atlantic Fishery Management Council to refine the recreational oversight of these jointly managed species. The primary objectives of this process are to ensure recreational measures prevent overfishing while remaining aligned with current stock status. Furthermore, the framework is designed to integrate angler preferences, provide year-to-year predictability and stability, and appropriately address uncertainties within recreational data.

Information regarding the launch of NOAA's National Saltwater Recreational Fisheries Policy reached me on April 13, 2026. According to the policy, its purpose is to "guide NOAA Fisheries' mission to support and enable enduring, sustainable, and high-quality saltwater recreational fisheries for the American public" while remaining "committed to addressing new and emerging priorities and protecting the vibrant tourism and recreation industries that depend on healthy coastal ecosystems for the benefit of the nation". To effectively advance this policy prior to the 2027 National Saltwater Recreational Fisheries Summit, a vital initial action would be the publication and implementation of the Recreational Measures Setting Process Framework, which is already recognized as an interim commitment for supporting recreational fisheries.

The absence of an approved Recreational Measures Setting Process Framework effectively nullifies years of collaborative effort by the Council and Commission to modernize recreational management, forcing a reversion to outdated processes. This administrative delay further prevents the suspension of coastwide federal measures for summer flounder and black sea bass in favor of conservationally equivalent state-level regulations. Consequently, federal waters have reverted to non-preferred coastwide measures: black sea bass is restricted to a 15-inch minimum size, a 5-fish limit, and a May 15 - September 8 season, while summer flounder faces an 18.5-inch minimum, a 3-fish limit, and a May 8 - September 30 season.

The impact on Maryland is particularly severe, as approximately 90% of the state's black sea bass landings originate in federal waters. While Maryland's state measures, which include a 12.5-inch minimum size, a 15-fish limit, and a May 1 - December 31 season, are set for publication this week, anglers and charter operators in federal waters remain bound by significantly more restrictive rules. This discrepancy results in a 2.5-inch increase in minimum size, a 10-fish reduction in the daily bag limit, and the loss of over four months of fishing opportunity for those operating in federal waters or in state waters while holding federal permits.

MDNR encourages NOAA to publish the Recreational Measures Setting Process Framework proposed rule as soon as possible to avoid any further complications.

Sincerely,

Josh Kurtz
Secretary