



UNITED STATES DEPARTMENT OF COMMERCE  
Secretary of Commerce  
Washington, D.C. 20230

December 12, 2023

The Honorable Wes Moore  
Governor of Maryland  
State House  
Annapolis, MD 21401

Dear Governor Moore:

Thank you for your letter requesting a determination of a fishery resource disaster for the 2022 Commercial multi-species Fishery in Chesapeake Bay, Maryland.

The National Oceanic and Atmospheric Administration's Fisheries Service (NOAA Fisheries) evaluated information submitted by the Maryland Department of Natural Resources to assess whether a fishery resource disaster occurred. Upon review, I have found that the request for a fishery resource disaster for the 2022 Commercial multi-species Fishery in Chesapeake Bay, Maryland, does not meet the requirements under the recently enacted Fishery Resource Disasters Improvement Act, which amended Section 312(a) the Magnuson-Stevens Act (MSA).

In order to have a positive determination, there must be a fishery resource disaster from an allowable cause. The fishery did not experience *a sudden, unexpected, large decrease in fish stock biomass that resulted in a significant loss of access to the fishery resource*<sup>1</sup> as the declines in the fishery have been occurring over the last decade. In addition, blue catfish began affecting the fishery more than 5 years ago, which is outside the timeframe of an allowable cause.<sup>2</sup> Further, the fishery experienced a 24 percent commercial revenue loss as compared to their previous five-year average, which does not meet the 35 percent revenue loss threshold required by MSA Section 312(a) for a fishery to be eligible for a fishery resource disaster determination.

---

<sup>1</sup> Fishery resource disaster means a disaster that is determined by the Secretary as follows:

due to an unexpected, large decrease in fish stock biomass or other change that results in significant loss of access to the fishery resource, which may include loss of fishing vessels and gear, for a substantial period of time, and results in significant revenue loss or negative subsistence impact due to an allowable cause; but does not include – reasonably predictable, foreseeable, and recurrent fishery cyclical variations in species distribution or stock abundance; or reductions in fishing opportunities resulting from conservation and management measures taken pursuant to the MSA.

<sup>2</sup> The term 'allowable cause' means a natural cause, discrete anthropogenic cause, or undetermined cause, including a cause that occurred not more than 5 years prior to the date of a request for a fishery resource disaster determination that affected such applicable fishery.

While Maryland's 2022 Commercial Multi-Species Fishery does not meet the specific requirements for a fishery resource disaster determination, NOAA Fisheries recognizes there are many dynamic shifts occurring in the Chesapeake Bay marine ecosystem, including invasive species impacts, and these shifts present significant challenges to Maryland's fishing communities. NMFS would welcome the opportunity to discuss these emerging challenges and opportunities further with you. Should you have any questions, please contact Susie Feliz, Assistant Secretary for Legislative and Intergovernmental Affairs, at (202) 482-3663.

Sincerely,



Gina M. Raimondo