



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

August 10, 2021

The Honorable Ron DeSantis
Governor of Florida
Tallahassee, FL 32399

Dear Governor DeSantis:

Thank you for your May 2019 letter requesting a determination of a commercial fishery failure due to a fishery resource disaster. Your request states that unfavorable ocean conditions, caused by red tide, beyond the control of fishery managers resulted in reduced biomass and access to unspecified fisheries in Florida from 2015 to 2019.

The National Oceanic and Atmospheric Administration's National Marine Fisheries Service (NMFS) evaluated information from the Florida Fish and Wildlife Conservation Commission to assess whether a commercial fishery failure occurred due to a fishery resource disaster. NMFS Policy Guidance requires a 35% minimum revenue loss for the fishery as a whole to support such a determination. After consulting with NMFS, I have found that the request for a commercial fishery failure due to a fishery resource disaster for the unspecified fisheries did not meet the requirements under sections 312(a) or 315 of the Magnuson-Stevens Fishery Conservation and Management Act or section 308(d) of the Interjurisdictional Fisheries Act.

Working with the State of Florida, NMFS concluded that the prolonged red tide event most negatively affected landings of and access to mullet, red grouper, and stone crab in Lee, Collier, and Charlotte Counties in 2018 and 2019. NMFS reviewed the data provided by the State of Florida to determine if this loss of access to the fishery resource components in Lee, Collier, and Charlotte Counties was substantial enough to result in a commercial fishery failure for the 2018 or 2019 mullet, red grouper, or stone crab fisheries as a whole.

NMFS determined that revenue loss for mullet and red grouper in those counties was low (below 35%). While revenue loss for stone crab in those counties was slightly higher, these counties represent a small proportion of the stone crab fishery-wide landings. Thus, the percent revenue losses in these counties are not substantial enough to justify a determination of commercial fishery failure, serious disruption, or harm for mullet, red grouper, or stone crab fisheries as a whole according to the 35% revenue loss minimum called for in the NMFS Policy Guidance.

Should you have further questions, please contact Stephanie Mash Sykes, Director of Intergovernmental Affairs, at (202) 341-3089 or ssykes@doc.gov.

Sincerely,

A handwritten signature in blue ink that reads "Gina Raimondo".

Gina M. Raimondo