

Virginia Saltwater Sportfishing Association, Inc (VSSA)

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Mike Avery
President

Karla Gore, Southeast Regional Office,
NMFS, 263 13th Avenue South,
St. Petersburg, FL 33701

Curtis Tomlin
Vice President

Dear Karla Gore,

March 12, 2017

Kevin Smith
Treasurer

Brent Bosher
Secretary

The Virginia Saltwater Sportfishing Association (VSSA) is a growing organization of recreational fisherman in the Commonwealth of Virginia. Our mission includes representing the interests of Virginia's recreational saltwater anglers, ensuring the long-term sustainability of Virginia's fisheries, while protecting Virginia's marine, boat, and tackle industry jobs.

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VSSA, along with hundreds of cobia anglers in NC and VA **request that the NMFS remove this proposed Accountability Measure (AM) for the following reasons:**

- The notion of overfishing or exceeding the Annual Catch Limit (ACL) is artificially driven by the unfair, poorly executed zone split by SAFMC granting east Florida more than their fair share of the ACL leaving GA-NY with a small fraction of what should have been allocated. The numbers clearly reflect the true Atlantic coast is not being overfished by any significant amount when looking at the numbers of the true Atlantic Coast from Key West to NY.
- Amendment 4 was fully coordinated by the SAFMC and for **NMFS to insert themselves AFTER the SAFMC process violates the Magnuson-Stevens Fishery Conservation and Management Act (MSA)** bypassing the rule making process established by law. If NMFS wants to develop rules directly, then a change in the law would be required to disestablish the regional councils in charge of fishery management regulation development.
- The proposed draft AM of using 1 year of data is deeply flawed given the low number of cobia intercepts resulting in highly inaccurate, fluxuating numbers provided by the MRIP process. Using a 3 year average will more fairly represent numbers given the data is so flawed.

We respectfully request NMFS remove this draft rule or at a minimum, return Amendment 4 back to the SAFMC to fully vet any draft rule to the agency established by law to develop regulations. If you have any questions, please contact us by e-mail, ifishva@gmail.com.

Sincerely,

Mike Avery

Mike Avery, President