

ROBERT J. WITTMAN

1ST DISTRICT, VIRGINIA

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Congress of the United States
House of Representatives
Washington, DC 20515-4601

March 18, 2016

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Eileen Sobeck, Assistant Administrator
National Marine Fisheries Service
1315 East-West Highway
Silver Spring, MD 20910

Dr. Michelle Duval, Chair
South Atlantic Fishery Management Council
4055 Faber Place Drive
Suite 201
North Charleston, SC 29405

Dear Mrs. Sobeck:

On behalf of my constituents and all Virginia fishermen, I write to express my concerns about National Oceanic and Atmospheric Administration (NOAA) Fisheries' recent announcement to close the recreational cobia fishery in the Atlantic zone beginning on June 20, 2016.

As you can imagine, the closure will have devastating financial impacts on fishermen, watermen, and the surrounding communities along the Chesapeake Bay, who rely on the cobia fishery to make a living. In addition to the economic impact on my District, I am also concerned about the scientific information used to close the fishery.

The latest stock assessment data for cobia was conducted in 2012 for the entire South Atlantic cobia fishery, which indicated the stock was not overfished (SEDAR 28, Pg. 19). The Magnuson-Stevens Act and its National Standard 2 require the "best scientific information available"; however, in this case, there is no other stock assessment data on cobia available for the specific zone that is being closed.

This closure comes on the heels of several regulatory changes to how the annual catch limit (ACL) for cobia is calculated in the South Atlantic. It is my understanding that following the 2012 cobia stock assessment, cobia management zones were modified based on the genetic composition of the stock identified in the assessment. The "Atlantic zone" was separated from the Florida stock and now includes cobia from the Georgia-Florida line northward to New York. It is surprising that only a year after these changes were implemented, Virginia alone saw nearly a 400 percent increase in cobia catches over the average from the previous seven years worth of historical catch data. According to the NOAA Fisheries announcement, the closure was triggered by only recreational landings data for 2015, which is not sufficient as the "best scientific information available." Additionally, a 400 percent difference between one season and the previous seven seasons – a significant outlier – warrants a review period to revisit stock assessments and data collection methods.

Given the economic impact of the closures and the variability of the data, I respectfully request that the South Atlantic Fisheries Management Council (SAFMC) conduct a revised stock assessment for only the Atlantic zone population of cobia and recalculate an appropriate ACL using the new zoning model. Both the fishing community and the regulators can agree that cobia are not overfished. I urge SAFMC to revisit its data collection methods used and ask that NOAA Fisheries reconsider its decision to close a viable fishery based on these methods. Thank you for your timely consideration of this request.

With kind regards, I remain.

Sincerely,



Robert J. Wittman
Member of Congress

Cc: Douglas E. Grout, Chair, Atlantic States Marine Fisheries Commission
John M. R. Bull, Commissioner, Virginia Marine Resources Commission