

House Resolution 642

By: Representatives Knight of the 130th, Nimmer of the 178th, Burns of the 159th, Dunahoo of the 30th, and Hogan of the 179th

A RESOLUTION

1 Recommending that NOAA Fisheries rescind the closure of federal waters of offshore
2 Georgia for the period from April 15, 2017, through May 31, 2017, to allow Georgia anglers
3 and saltwater fishing guides a fair and equitable opportunity to enjoy a public resource in
4 keeping with the spirit and intent of the Magnuson-Stevens Fishery Conservation and
5 Management Act; and for other purposes.

6 WHEREAS, NOAA Fisheries has prohibited the harvest of cobia in Atlantic Coast federal
7 waters from Georgia to New York during 2017 according to its *Fishery Bulletin 17-004*,
8 "Atlantic Cobia (Georgia to New York) Recreational Fishing Season is Closed in Federal
9 Waters," issued January 25, 2017; and

10 WHEREAS, the decision to close these federal waters was made absent consultation with the
11 Georgia Department of Natural Resources or the State of Georgia's representation on the
12 South Atlantic Fishery Management Council; and

13 WHEREAS, the Atlantic cobia stock is not overfished nor is it undergoing overfishing; and

14 WHEREAS, the stated purpose of this closure of federal waters is to prevent a predicted
15 exceedance of the Atlantic cobia annual catch limit for recreational anglers during 2017; and

16 WHEREAS, the predicted exceedance is based on the fact that the Atlantic cobia annual
17 catch limit was exceeded during both 2015 and 2016, largely due to the harvest of Atlantic
18 cobia in the state waters of North Carolina and Virginia; and

19 WHEREAS, Georgia anglers catch the vast majority of Atlantic cobia they harvest from
20 federal waters; and

21 WHEREAS, averaged over the past ten years, Georgia has accounted for 15 percent of the
22 estimated Atlantic cobia harvest by number, 13 percent by weight, and 5 percent of the

23 fishing trips reported to have caught cobia, with the majority of the harvest coming from
24 federal waters; and

25 WHEREAS, the federal fishery management plan for Atlantic cobia is not intended to
26 allocate the cobia resource in favor of one state over another; and

27 WHEREAS, the closure of federal waters will de facto allocate all of the Atlantic cobia
28 annual catch limit to North Carolina and Virginia, in direct conflict with National Standard
29 4 of the Magnuson-Stevens Act; and

30 WHEREAS, the closure of federal waters will also have negative economic impacts on
31 Georgia saltwater fishing guides who rely on cobia fishing as a significant portion of their
32 income during late spring, in direct conflict with National Standard 8 of the
33 Magnuson-Stevens Act; and

34 WHEREAS, the closure of federal waters will likely increase regulatory discard mortality
35 for Atlantic cobia, in conflict with National Standard 9 of the Magnuson-Stevens Act; and

36 WHEREAS, the Georgia General Assembly has recognized that fishing is a valued part of
37 our heritage and economy by protecting the right to fish through state law (O.C.G.A. 27-1-1);
38 and

39 WHEREAS, the closure of federal waters is violating the rights of Georgia anglers and
40 saltwater fishing guides.

41 NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES that
42 the members of this body recommend that NOAA Fisheries rescind the closure of federal
43 waters of offshore Georgia for the period from April 15, 2017, through May 31, 2017, to
44 allow Georgia anglers and saltwater fishing guides a fair and equitable opportunity to enjoy
45 a public resource in keeping with the spirit and intent of the Magnuson-Stevens Act.

46 BE IT FURTHER RESOLVED that the Clerk of the House of Representatives is authorized
47 and directed to make appropriate copies available for distribution to the public and the press.