



UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
NATIONAL MARINE FISHERIES SERVICE
Southeast Regional Office
263 13th Avenue South
St. Petersburg, Florida 33701-5505
<https://www.fisheries.noaa.gov/region/southeast>

F/SER25:FH

Mr. Robert W. Scarborough
Delaware Coastal Programs
Dept. of Natural Resources & Environmental Control
100 W. Water St, Suite 7B
Dover, Delaware 19901

Dear Mr. Scarborough:

This is to advise you of a proposed federal action and a conclusion of NOAA's National Marine Fisheries Service (NMFS) on the consistency of such action with the provisions of your state's Coastal Zone Management program (CZMP) in accordance with the Coastal Zone Management Act (CZMA). Pursuant to the action requested by the Atlantic States Marine Fisheries Commission, NMFS would promulgate a rule pursuant to NMFS authority under the Atlantic Coastal Fisheries Cooperative Management Act. The rule would increase the commercial quota for Atlantic migratory group cobia in response to the latest stock assessment, which indicates the stock is neither overfished nor undergoing overfishing. The proposed rule would also modify the process for a commercial closure of Atlantic cobia in federal waters and would specify that size, bag and trip limits, and recreational fishing seasons in federal waters adhere to the vessel's intended state of landing. The proposed action is expected to increase regulatory stability and flexibility while ensuring the long-term sustainability of the Atlantic migratory group cobia stock.

Additional background information on the action can be found in Addendum I to Amendment 1 of the Interstate Fishery Management Plan for Atlantic Migratory Group Cobia:
http://www.asafc.org/uploads/file/6009e765AtlanticCobia_AddendumI_Oct2020.pdf.

This letter is submitted pursuant to provisions of 15 CFR Section 930 *et seq.* and Section 307 of the CZMA of 1972, as amended. We have reviewed the proposed action with regard to the provisions of your state's CZMP and determined this action is consistent to the maximum extent practicable with the enforceable policies of that program. We are requesting you advise us of your agreement or disagreement with our determination in accordance with the provisions of 15 CFR Section 930.39. In the event there is no response from your agency within 60 days of receipt of this letter, we will presume your agency's concurrence with our determination of consistency in accordance with 15 CFR Section 930.41.

We appreciate your consideration, and if you have any questions, please call Frank Helies at (727) 824-5305 or email him at frank.helies@noaa.gov.

Sincerely,

John C. McGovern, Ph.D.
Assistant Regional Administrator

cc: Laura Mensch

