

East Coast Tuna Association

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Dr. Bill Hogarth, Assistant Administrator
for Fisheries, NMFS
1315 East West Highway
Silver Spring, MD 20910

Dear Bill:

This letter is on behalf of all four of the major bluefin tuna associations representing General category fishermen: East Coast Tuna Association, General Category Tuna Association, North Shore Community Tuna Association and the Winter Bluefin Association. Collectively, our associations are the voice for coast-wide General category tuna fishermen. This letter presents our views on the availability and disposition of the remaining General category quota through January 31, 2006.

As you are aware, the traditional General category fishery in New England has declined dramatically concurrent with a transition of the herring fishery from purse seine gear to overly efficient large midwater trawl vessels. Excessive catches of herring, particularly in the late 1990's (prior to implementation of the Herring FMP) and continuing to this day have decimated the Jeffrey's Ledge discrete inshore spawning stock and greatly reduced available forage to attract and hold giant bluefin tuna. This decline in the bluefin fishery's performance appears to have hit a new bottom with only 137.8 mt landed as of November 1, 2005 with 908 mt available. Fishermen in New England do not expect any improvement in this giant fishery until regulatory action is taken to create a midwater trawl free buffer zone in the Gulf of Maine.

Given this new reality, General category fishermen must adapt, at least temporarily, by altering their fishing pattern to areas with an adequate forage base supporting assemblages of large mediums and giant bluefins. Over the past few seasons the importance of tuna fishing grounds off Mid-Atlantic and South Atlantic states has increased considerably. Fortunately, NMFS has the regulatory flexibility and legal mandate, both domestically and in accordance with ICCAT agreements, to accommodate this new reality without precluding the opportunity for a return to the traditional General category fishing pattern should conditions allow.

Our associations are in agreement that up to 500 mt of uncaught 2005 General category quota should be made available for the December-January winter bluefin fishery occurring mostly on North Carolina fishing grounds. Should the winter fishery be fortunate enough to catch this volume of quota, a rollover of approximately 200 mt of General quota for the 2006 fishery commencing June 1 would still be likely.

As you are aware, the Magnuson-Stevens Act requires that NMFS provide all U.S. fishing groups a “reasonable opportunity” to catch the U.S. share of ICCAT quota. The General category fishery is a coast-wide permitted fishery with only the ICCAT agreement against any directed fishing on the spawning grounds in the Gulf of Mexico providing any justification for a restriction in that area for all targeted U.S. bluefin tuna fisheries. The remaining 16 provisions of the ICCAT Rebuilding Program for Western Atlantic Bluefin do not provide any further guidance or justification for restrictions on where General category fishermen fish and catch the quota.

We are aware that on November 29, 2004 several environmental organizations wrote to you protesting any increased catches of bluefin from South Atlantic fishing grounds. Their letter was full of speculative fear mongering about the impact of catching legitimate U.S. ICCAT quota on more southerly U.S. fishing grounds and full of citations of irrelevant mandates such as the Biodiversity Convention with implied threats of legal action on their part. The letter repeats 30-year old exceptionally tired rhetoric about “driving western bluefin tuna to the point of extinction”.

The simple truth of the matter is that there is not a single living human being who can accurately and reliably predict any impact on Atlantic bluefin tuna from modest increases in catches off North Carolina consistent with U.S. quota obligations. As more data becomes available from electronic tags or chemical signatures in otoliths, the emerging reality is an incredibly complex Atlantic Ocean/Mediterranean Sea wide set of mixing patterns likely producing different proportions of natal origin fish on each and every minor and major fishing grounds and that potentially changes on a daily or weekly basis. There is no evidence to reject a working hypothesis that the winter bluefin fishery in 05-06 will be based on 64% or higher Mediterranean origin fish (i.e. Rooker, et al SCRS/2005/083 finding of 64% Mediterranean origin subsidy to west) which have spawned 5 times before reaching 310 lbs. Consequently, such a North Carolina fishery would have no significant impact on western origin fish.

The hard ICCAT and U.S. TAC for western bluefin tuna protects the resource in accordance with a 20-year rebuilding plan. ICCAT and ICCAT’s Standing Committee on Research and Statistics have been rightly silent for 30 years on where the U.S. decides to catch its quota beyond a legitimate concern over spawning protection. The latest western stock assessment and projections concluded that the rebuilding plan was on schedule even with a modest increase in the TAC in 2002. Further, U.S. minimum sizes substantially above that practiced by most other western and eastern fishing nations fishing on Atlantic bluefin tuna provide additional protection for the resource when the fish are being fished under U.S. regulations. Catches under the General category quota off Virginia, North and South Carolina will be in compliance with General category size and bag limits for fish over 73”.

The only relevant mandates when considering how much quota should be caught in

the winter fishery are, as we have stated, the ICCAT rebuilding plan, the Magnuson-Stevens Act “reasonable opportunity” mandate and the domestic HMS regulatory program which anticipates and authorizes quota sub-period rollovers and in season transfers.

We agreed to right this letter because it is critically important that General category fishermen have certainty regarding the volume of quota available for a winter fishery this year and to make sure NMFS provides all General category fishermen with a reasonable opportunity to catch this quota. Finally, we also agree that given the volume of quota available for a winter fishery there no longer is any need for the 3 restricted weekly fishing days currently scheduled to begin on November 17. An action must be completed soon to prevent restricted fishing days impacting on November fishing and beyond.

Sincerely,

Rich Ruais
ECTA

Peter Weiss
GCTA

John White
NSCTA

Pete Manuel
WBA

P.S. Bill, we have attached an article appearing this past August in the Prince Edward Island newspaper “Journal-Pioneer” where Canadian ICCAT Commissioner Walter Bruce agrees with the notion that “A big slice of the excess (U.S.) quota should be transferred to Canadian fishers.” Frankly, we expected this news but would obviously rather keep the U.S. quota for U.S. fishermen. The best defense is to catch the quota now. You have probably already heard this, but the Canadians, the Japanese in the west and central Atlantic and the farms in the Mediterranean have had another excellent fishing year in 2005. The New England “local phenomenon” continues.