



January 3, 2006

Dr. Bill Hogarth
Assistant Administrator for Fisheries
National Marine Fisheries Service
1315 East West Highway, Room 14555
Silver Spring, MD 20910

Dear Bill:

We appreciate the NMFS action late last week to lift the RFDs for this past Saturday and Sunday. Unfortunately the combination of the late action, the holiday weekend, and some unstable frontal activity led to few boats fishing and only a handful of bluefin tuna landings. In summary, the entire month of December saw only two decent days of bluefin tuna landings and less than 50 metric tons landed out of the 545 metric ton quota. With less than a month remaining in our fishery, there is still close to 500 metric tons of quota to be caught. At this rate our fishery will close with 450 tons of uncaught quota, not including the 200 tons NMFS moved from our General Category quota to the Reserve Category at the beginning of the Winter fishery to account for potential over-harvests in other categories.

While we understand your stated desire to “proceed with caution” in early December to prevent exceeding our 545 metric ton quota, there is clearly no possible threat to the 545 metric ton quota. Consequently, there is no need for RFDs in January. In fact, we believe a combination of **no RFDs** and an increase in the daily retention limit to **three fish per day** is immediately necessary to assure US rod and reel tuna fishermen of “reasonable opportunity” to catch our bluefin tuna quota, as provided for in the Magnuson-Stevens Act. Further, we request that NMFS immediately consider extending the Winter Bluefin Fishery to the end of February should it be necessary to assure reasonable opportunity to catch our quota. A February fishery would not get into the bluefin spawning time period, it would offer NMFS and industry researchers valuable experimental data and tagging opportunities, and it could be accomplished via experimental fishery permits to all rod and reel General Category and Charter/Headboat permit holders.

The average live weight of all bluefin tuna landed during December was about 400 pounds, with dressed weight averaging about 320 lb. Some of our fish dressed over 400 lb, and a few dressed

over 500 lb. These data show that our Winter fishery this year does not pose a threat to “small” bluefin as rumored and speculated by certain interest groups. This lack of “small” bluefin mortality, which we presume certain interest groups are referring to as fish between 73 and 81 inches curved fork length, further demonstrates the need to let our fishery develop without restriction until the actual catch data show a clear threat to the quota or size class. We are catching true “Giant” class bluefin tuna thus far.

Our market prices have also been good to very good, with many fish selling for more than \$10 per pound at the dock. One bluefin tuna went for more than \$80,000 at the Japanese market over this Christmas holiday. Had we not had RFDs the prior weekend, it is very likely that some of our fish could have earned a substantial income for some of our families. We asked NMFS to eliminate RFDs for that weekend but we received no response or action for that weekend.

We will continue to keep you updated on the 2005-2006 Winter Bluefin Fishery as it progresses. However, we must close by reiterating that we have been unfairly restricted in our fishery for over a month now. The occasional last-minute removal of RFDs, while helpful to those of us who have committed to fishing for bluefin this Winter, has prevented many fishermen from focusing their efforts and money on fishing for bluefin tuna. They don't want to make all the travel and logistical effort, nor do they want to take all the financial risk of such an effort, without knowing for certain and in advance that they can fish any day of the week that weather permits. We, along with our friends from the other east coast tuna associations, have spent many hours and dollars trying to convince NMFS that we should be allowed to fish without restriction for the General Category quota that NMFS established early in 2005 based on ICCAT recommendations and Magnuson-Stevens law. Other countries allow their bluefin tuna fishermen to catch their allocated quotas without restriction. While we understand, respect, and even share the NMFS concern for not exceeding our 545 ton quota, the real catch data from December show there is no threat to the quota and it's time to open up the fishery to it's least restrictive state – no RFDs and 3 fish per day. Consideration of an experimental February season extension should also begin immediately. Please call me today to discuss your position on this important matter. We would also like to meet with you in person at your earliest convenience to discuss this matter should that be necessary to help resolve this.

Sincerely,

Pete Manuel
Executive Director