



January 16, 2006

Dr. Bill Hogarth
Assistant Administrator for Fisheries
National Marine Fisheries Service
1315 East West Highway, Room 14555
Silver Spring, MD 20910
(sent via fax and mail)

Dear Bill:

We appreciate the previous NMFS action to lift the RFDs for the past two weekends. Unfortunately the combination of gale force winds, limited fishing effort (primarily out of the Morehead City area), and a widely spread bluefin tuna population (sightings and catches from near the VA border to the SC border) has led to less than 10 metric tons being caught in the last 2 weeks. With about 2 weeks remaining in our scheduled fishery, there is still about 470 metric tons of quota to be caught. At this rate our fishery will close on January 31 with 460 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.

The average live weight of all bluefin tuna landed continues to remain high. In the last two weeks some of our fish dressed over 400 lb, with most dressing over 300 lb. These data continue to 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 continue to catch true "Giant" class bluefin tuna with only a few "shorts" mixed in and those are released alive. Our market prices continue to be good, with most fish selling for more than \$10 per pound at the dock.

As stated in our last letter, there is clearly no possible threat to the 545 metric ton bluefin tuna quota. Consequently, there is no need for RFDs in January or any other phase of this season. We continue to believe that 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 even a small portion of our bluefin tuna quota, the full amount of which is provided for in the Magnuson-Stevens Act.

Further, we once again request that NMFS immediately extend the Winter Bluefin Fishery to the end of February to achieve two positive results – new scientific data collection and reasonable opportunity to catch our quota. A February fishery would not get into the bluefin spawning time period and it could be accomplished via experimental fishery permits to all rod and reel General Category and Charter/Headboat permit holders. With giant bluefin tuna now being sighted, lost, and occasionally caught by recreational anglers in previously unfished areas near the South Carolina and Virginia borders, with Barbara Block’s Tag-A-Giant (TAG) fleet having only had time to catch and/or receive a handful of bluefin tuna from the Morehead City area, and with very limited scientific data on winter bluefin tuna outside of the Hatteras/Morehead City areas and December/January timeframe, an experimental February fishery would offer new, previously unavailable data collection opportunities that are important in helping define the population structure, migratory patterns, and feeding patterns of the widely traveled yet elusive bluefin tuna.

Fishermen are scheduled to fish today out of Southport, NC and surrounding areas near Cape Fear, and if catches are good, a portion of the fleet currently located in the Morehead City area would likely move down to that new, experimental area after this next front and gale force wind period passes. Even with a February fishery with fishermen spanning much of the NC coast between Cape Fear and Cape Hatteras, it’s unlikely that this entire Winter fishery will result in more than 150 metric tons of bluefin caught, thereby posing no threat to the overall 545 ton quota. The large remaining quota offers an unprecedented opportunity to expand our winter data set and experience with bluefin tuna without any possible threat to the quota.

Please note that we did not receive a response from NMFS to our January 3, 2006 letter or phone calls regarding our request for consideration of an experimental February season and 3 fish per day catch rate. I will call you again 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