



THE AMERICAN BLUEFIN TUNA ASSOCIATION

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December 21, 2010

Ms. Sarah McLaughlin
NMFS HMS
1315 East West Highway
Silver Spring, MD 20910

RE: 0648-AX85 Comments on Bluefin Rule Changes

Dear Sarah:

Here are the formal comments of the American Bluefin Tuna Association (ABTA) on the NMFS Proposed Rule adjusting BFT retention limits. I attended the public hearing in Gloucester and presented these comments orally on December 14 on behalf of ABTA as did several other members of the ABTA. Several members will also be providing their personal views as well.

The ABTA supports the increase in the General Category trip limit to 5 large medium or giants or any combination thereof. We noted that this increased limit might encourage vessels capable of fishing further offshore the opportunity to do so should market conditions and weather permit. The increase in bag limit should allow additional flexibility and lead to additional catches and a more reasonable opportunity to catch the General category share of the US quota. The increased bag limit could also help the coastal water fleet on those good weather days allowing maximum fishing effort. The conservative declining 2010 quota protects the rebuilding plan/stock and any increased catches will not have a negative biological impact on the plan given full utilization of the US quota is incorporated into the stock assessment and projections.

The ABTA likewise also supports the increase in retention of large mediums in the Harpoon category to four per vessel. This action should also allow greater category quota achievement without any adverse stock impact particularly given the strength of the cohorts entering this size category the next several years based on the performance of the Angling category the past several years.

The ABTA is disappointed that NMFS declined, at this time, to lower the minimum size to 65" as requested by the ABTA for the General and Harpoon categories. This lowering of the minimum size could have been achieved in a resource neutral fashion with a modest transfer/sacrifice (possibly temporary, possibly permanent) of giant quota to the medium category. Lowering of the minimum size to 65" would still have left the US with by far the largest minimum size of any country fishing the Atlantic Ocean and Mediterranean Sea for bluefin.

ABTA is also disappointed that NMFS declined to adopt our proposal to allow vessels in the General Charter Head boat Category the opportunity to participate in both the Angling category and General category on the same trip or fishing day. We repeat that the conservative US quotas protect the resource and maximum opportunities to catch these quotas is the mandate of the Magnuson Act and Atlantic Tunas Convention Act.

In addition, at the public hearing one ABTA member pointed out the current inactivity for several years now of at least two of the purse seine vessels. The commenter suggested the potential availability of their quota (even if only on a temporary basis) to reduce pelagic long line discards



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by allowing increased landings of incidental blue fin catches by long lines utilizing the unused seine boat quota.

Although not on the agenda for comment, several individuals commented against the possibility that the US might support a listing of bluefin tuna under the Convention on Trade in Endangered Species of

Flora and Fauna (CITES) which would ban all international trade in bluefin tuna. Further, I noted the formal request for a 90 day extension to the comment period to a time beyond the conclusion of the March CITES meeting. ABTA objects strongly to any extension of the comment period for this proposed rulemaking underway for almost two years now and the subject of at least four NMFS HMS Advisory Panel meetings.

The outcome of the Monaco proposal to list bluefin under CITES, with or without US support, has no bearing on this domestic rulemaking to allow a reasonable opportunity for US fishermen to catch our share of the ICCAT quota. We anticipate no change to the western Atlantic quota until such time as a new stock assessment and a new ICCAT agreement suggest either an increase or decrease in quota to stay on track with the recovery plan. CITES has no biological competence to determine appropriate harvest levels or rebuilding schedules for bluefin tuna or any other marine fish.

Thanks for the opportunity to submit the comments of ABTA on this important and time critical proposed rule changes for the 2010 season and beyond. We look forward to expedient finalization so fishermen can make their fishing season plans accordingly.

Rich Ruais, Executive Director
American Bluefin Tuna Association