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New York NY 10013

March 7, 2015

Dr, Michelle Duval, Council Chair  
Dr. Roy Crabtree , Regional Administrator – NOAA Fisheries Service  
c/o South Atlantic Fishery Management Council  
4055 Faber Place Drive, Suite 201  
North Charleston SC 29405

Re: Dolphinfinh

Dear Drs. Duval and Crabtree,

I am writing to apprise you of an important problem. The American Bluefin Tuna Association (ABTA) represents temperate and tropical tunas fisherman throughout the entire U.S. East Coast so we are looking at the problems of the dolphinfinh fishery in the same way as does the Council: as one management unit. However, in the discourse involving recent problems in the dolphinfinh fishery we have noticed a bias that could disadvantage Northeast commercial fishermen as compared with South Atlantic and Mid-Atlantic fishermen.

As mentioned in an earlier letter to the Council, ABTA has stated its desire to facilitate, where possible, the growth of the Northeast commercial dolphinfinh fishery. A stronger market for dolphinfinh in the Northeast will help fishermen address swings in abundance of tropical tunas due to excessive harvesting further upstream in the central South Atlantic and Gulf of Guinea. We are committed to working together with the Highly Migratory Species Management Division of NOAA and the International Commission for the Conservation of Atlantic Tunas (ICCAT) to address long-standing systemic and endemic issues in international fishery management of tropical tunas.

However, we should like to point out that when discussing the growth of the Northeast dolphinfinh fishery, we do not anticipate future potential increases in Northeast landings by commercial hook and line will significantly increase effort on this stock, as hook and line harvesting is by definition extremely limited.

### **Problem**

My observation based upon documentation and Council meetings over the last six months is that the Council is primarily focused on the South Atlantic fishery and secondarily concerned with the Mid-Atlantic fishery. However, it appears that the considerations of Northeast fishermen are the lowest priority. I believe that the Council should address this issue to ensure that all participants are treated fairly and equitably.

The proposal for a control date of June 30, 2015 contains a bias that will negatively affect Northeast fishermen. I have spoken about this in an earlier communication to the Council and to NOAA. Further, the proposal to implement trip limits contains a similar bias. The Council has heard NOAA scientists explain that, in extrapolating from prior season landings data, they are able to project that, in using 2015 as a proxy for a future season in which trip limits are in place, the expectation would be that trip limits would have been activated in the month of August. The majority of landings in the South and Mid-Atlantic occur in the second quarter but Northeast landings take place in the third quarter.

The proposed trip limit would likely not directly affect hook and line fishermen but it would affect longline landings. Although ABTA does not represent pelagic longline vessels, in building the Northeast dolphinfish fishery, longline landings cannot be ignored because they become an important component that serves to maintain a steady stream of landings to Northeast markets. This serves to enhance the marketing of hook and line catch because longline landings will significantly assist in ensuring reliable, steady landings in general, making it easier for our fish dealers to develop the market for dolphinfish. Further, the issue of wasteful dead discarding, a direct consequence of trip limits, cannot be ignored.

In a letter we wrote to the Council in August 2015, we recommended that the Council consider changing the beginning of the fiscal year from January 1 to another date such as May 1 or June 1. NOAA has experience in modifying the fiscal year in other fisheries. This is a no-cost alternative that will directly address the bias to which I am referring. However, this suggestion did not yield any discussion.

The foregoing are examples of some issues and alternatives that serve to illustrate the problem to which we refer in this letter.

Unfortunately, it appears that the Council is having difficulty maintaining a balanced, equitable approach to all participants in the fishery. We would appreciate your efforts in addressing this issue in accordance with the tenets of National Standard Four.

Thank you for your time and consideration.

Cordially,

David Schalit  
Vice President  
American Bluefin Tuna Association

cc: Rich Ruais, Executive Director – ABTA  
Ralph Pratt, President - ABTA