

Revised Bay State fishery limits softened

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Fishing boats moored off the Chatham Fish Pier yesterday may see a little more action with the announcement of relaxed catch restrictions. Chatham fisherman Peter Taylor lauded regulators for building "a bridge instead of a wall."

Cape Cod Times/Merrily Lunsford

By **Doug Fraser**
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Bowing to pressure from fishermen and Congress, and citing the grim economic environment, the National Marine Fisheries Service yesterday announced interim fishing regulations substantially less onerous than ones the agency had originally proposed in January.

"We listened to fishermen, conservationists, scientists, our leaders in the states and Congress, and decided to significantly modify our proposed rule," said Jane Lubchenco, the director of the National Oceanic and Atmospheric Administration, in a telephone conference call with reporters. She said yesterday's changed rule was "a significant compromise" to sustain fishermen, while still getting conservation benefits.

Yesterday, Lubchenco said the compromise measure was possible largely because fishery managers are working on a radically different type of plan that could end the chronic overfishing that has plagued New England's fish stocks.

"Today's announcement is very much about the future, a future with a prosperous fishing industry and a healthy ocean," Lubchenco said.

The current fishery management plan rewards those who go out to catch the most fish they can, as fast as regulations allow. That race has resulted in unsustainable amounts landed each year, despite increasingly harsh regulations.

The new management plan, known as Amendment 16, is currently under development by the New England Fishery Management Council. It promotes sector management, in which groups of fishermen form cooperatives that manage a percentage of the overall quota themselves.


Advocates believe the system will give fishermen an incentive to make rules increasing the stock of fish because the larger the fish stock, the greater the amount of fish in each individual fisherman's share. Seventeen cooperatives, representing more than half the groundfish fleet, have already formed for consideration under Amendment 16.

Fishermen and others were encouraged yesterday that NMFS was willing to bend a little with yesterday's interim regulations to potentially get a better long-term result.

"This really shows some sense of leadership from the top," said

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TYPES OF FISHING VESSELS

New fishing regulations are expected to decrease revenue from groundfish (cod, haddock and flounder) by 9 percent, or \$17.4 million, across New England. Massachusetts fishermen could lose 15.6 percent, or \$9.5 million, of their groundfish revenues. Here's how regulations and declines in fishing stocks already have affected different types of New England vessels.

- Fish draggers, also known as bottom trawlers, tow nets along the bottom that open up like a big bag to trap fish. Groundfish revenues for bottom trawl gear dropped from \$80.4 million in 2001 to \$42.7 million in 2007.
- Bottom long liners, also known as tub trawlers, deploy long lines of baited hooks that are anchored to the bottom, then retrieved later the same day.

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Chatham fisherman Peter Taylor. "They know where we want to go and how to get there, and they want to be a bridge instead of a wall."

Value-added compromise

Massachusetts fishermen could have seen an estimated 33 percent drop totaling \$20.4 million in revenues under the proposed regulations. The compromise rule will cut revenue losses in Massachusetts to 15.6 percent, or \$9.5 million.

NOAA is the parent organization for the federal fisheries service, which proposed the original rule back in January as a temporary one-year set of regulations to continue the rebuilding of New England's groundfish species of cod, haddock, flounder and other bottom-dwelling species, until the New England council completes work on Amendment 16.

NMFS was forced to come up with interim regulations when the fishery management council was unable to devise new rules in time for the upcoming fishing year, which begins May 1.

NMFS interim regulations originally included an 18 percent reduction in the number of fishing days. They also greatly expanded an area covering most of the ocean from Cape Cod north to midcoast Maine in which fishermen were to be assessed two days for every one they fished.

They closed the ocean from the Cape south to New York to all groundfish gear except hooks to protect fragile flounder stocks.

Most of the Massachusetts congressional delegation opposed those rules as unnecessarily harsh and urged NMFS to consider another alternative. For much of the winter, NMFS defended its position by pointing out that the measures were necessary to comply with congressional mandates to protect 15 of the 19 groundfish stocks that were either already depleted and/or were being caught at an unsustainable rate.

The new rules reduce the size of the two-for-one area in the Gulf of Maine and, rather than essentially close an area south of Cape Cod, convert it into a two-for-one area for all vessels except those using hooks.

NMFS also tripled the size of an area 40 miles east of Cape Cod where specially permitted hook fishermen may go to catch haddock, which are abundant, and extended that season from three to nine months. That could mean \$13 million in haddock revenues alone, said Taylor.

Please, don't sue

Cape Cod Commercial Hook Fishermen executive director Susan Nickerson said her group lobbied NMFS to go with a less punitive interim rule to lessen controversy and keep everyone's focus on new regulations that promise a significant change in the way New England manages its fishery.

It's a management style that Cape fishermen pioneered, with two groups already out fishing, a Cape hook fishermen sector and a gill net sector.

"(Sector) fishermen have been able to realize increased profits and access to areas other fishermen can't get into," Nickerson said.

Still, litigation has dogged fisheries regulations, especially when conservation groups sense that fish stocks are being sacrificed to mitigate economic harm to fishermen.

Lubchenco said she sent letters out to environmentalists and fishing associations asking them not to sue.

"Our focus is on Amendment 16. I don't see ourselves putting a lot of scrutiny into what happens in the next year," said Peter Shelley, vice president of the Conservation Law Foundation.

Groundfish revenues for long line gear dropped from \$3.2 million in 2001 to \$448,629 in 2007.

- Gill net vessels use nets that stand up straight in the water and form a wall of netting invisible to fish. Fishermen also anchor these nets on the bottom to catch some species like monkfish. Groundfish revenues for gill nets were relatively stable, with nearly \$12 million in 2001 and the same for 2007.

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