

Letter: Herring bycatch issue backwards in your article; real issue is why fleet cannot avoid haddock

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To: John Sackton, Editor, SEAFOOD.COM NEWS

From: Tom Rudolph, Cape Cod Commercial Hook Fishermen's Association

A SEAFOOD.COM NEWS November 22 piece entitled [Herring industry dealt](#) blow when NE council refuses emergency action to lift haddock by-catch" contained several important errors and mischaracterizations, and also fails to report the concerns of groundfishermen regarding haddock bycatch by midwater trawlers targeting Atlantic herring.

First, you reported that the haddock bycatch cap for 2010 has been reached, preventing further access to herring quota. It has not. In fact, at this time only 80% of the annual haddock bycatch allowance has been detected, leaving herring vessels free to fish without restriction until and unless this substantial remaining haddock allowance is both caught and detected. This is a significant fact in terms of whether or not there is any emergency.

Second, you report that the Council declined to initiate action to actually address haddock bycatch concerns, instead opting to 'study' the issue. In fact, the Council prioritized a Framework Action, to be completed in 2011, to address the issue. To its credit, the Council signaled that this management action will consider measures to reduce haddock bycatch in the herring fishery, rather than simply deciding to raise the cap and thus increase bycatch.

Finally, you report that the regulations are unclear as to why herring vessels cannot simply lease haddock quota and that such an approach would be a 'logical' way to exceed the cap. As for the former, the regulations are actually crystal clear on this issue. Herring vessels cannot lease haddock quota because the NEFMC and NMFS do not allow small-mesh or pair trawling for groundfish. Both have been tried in New England and had disastrous results for groundfish stocks and the fishermen who depended on them. And as for the latter, groundfishermen, especially those with limited localized opportunities to harvest haddock, certainly don't think it is logical to let pair trawlers lease haddock, in effect forcing groundfishermen to compete against the most destructive and efficient gear in the ocean.

In fact, localized impacts of herring trawlers on haddock are one of two often-overlooked issues when current and future haddock removals by pair trawlers are described as 'biologically insignificant.'

Increased haddock catch by herring vessels will spell disaster for groundfishermen trying to operate in times and places where the herring fleet decides to take such haddock in the intense and destructive pulses that characterize their fishery. Localized impacts aside, we also know the midwater fleet catches juvenile haddock, and in the context of declining haddock catch limits for everyone, impacts to future haddock year classes must be considered.

The other overlooked issue is that groundfish bycatch by midwater trawlers is not simply a biological issue. It is a policy issue, and in keeping with the most basic premise of midwater trawl gear, the premise upon which it was brought to New England, a policy has been set that the gear should not catch groundfish. Therefore we have regulations, regulations agreed to by the herring industry, that haddock removals should be back-stopped by a cap that will only be triggered when all other bycatch reduction methods have failed.

In fact, the question managers should ask right now is not 'does the herring fleet need more haddock?' Instead, they should ask 'why have those other methods failed?' Amendment 1 to the Herring FMP contains a description of an ambitious, voluntary haddock bycatch reduction plan touted by the herring industry, based on hotspot avoidance and gear modifications. What happened to this plan and why can't the herring industry avoid haddock in the ways they claimed they could?

When the cap was created, herring trawlers claimed that the problem was baby-boom juvenile haddock coming off the bottom, in an unprecedented and temporary behavior that made them vulnerable to midwater nets. The baby-boom is over-why is haddock bycatch still a problem?

Newly emerging information about the extent to which midwater nets are on or near the seafloor, along with ongoing revelations about the extent of haddock bycatch inside the groundfish closed areas, tells us that bad practices are the problem. Herring trawlers need to catch less haddock, not be allowed or even encouraged to catch more. Common sense and National Standard 9 both make this clear. They should be stopped from fishing in haddock hotspots like the closed areas and they should agree to a prohibition on interaction with the bottom. Above all, they should not be granted more haddock, without public process, based on a flawed assumption that there is an emergency, and thus the Council deserves credit for the actions it took last week.