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Industry fishes for new rules

Much-maligned limits on days at sea, which critics say did little good for fish or fishermen, are likely to be replaced next year.

By JOHN RICHARDSON, Staff Writer

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Doug Jones/Staff Photographer

Tim Butland weighs a hake trucked down last week from Port Clyde to the Portland Fish Exchange. With declining fish populations, Maine fishermen have dealt with various regulations to limit their catches, but a new approach may provide real relief next year.

The new commercial fishing season that began May 1 amounts to more – or less – of the same. After 15 years of reductions in how often fishermen are allowed to work, the latest rules leave a typical boat with just 39 fishing days during the next 12 months.

This season, however, may be the last of its kind. New England's 400-year-old commercial fishery is on the verge of reinventing itself in hopes that a new way of doing business can save the industry while rebuilding populations of cod, haddock, flounder and other groundfish.

The management philosophy that has relied on keeping fishing boats away from the fish is likely to be replaced by a more direct approach. If approved as expected when fishery managers gather next month in Portland, groups of fishermen – called sectors – will each be given an annual share of the region's overall catch quota, which they can fish for whenever they want.

It's a huge shift, especially for a fiercely independent industry. And there are intense mixed feelings about the future.

"Fishermen are fishermen because they are independent people," said Bert Jongerden, manager of the Portland Fish Exchange. "It's a big step and if it falls flat on its face, it's going to be tough."

Most everyone involved in the business now agrees the current days-at-sea system, which began in 1994, has fallen short. The effective limit for many Maine boats was almost reduced to 20 fishing days this year before the 39-day compromise was announced. Yet some fish populations still are not on track to be rebuilt by 2014, the deadline set in federal law.

The current system also encourages waste – forcing fishermen to discard catches of unintended species, for example – as well as risky decisions

about when to keep fishing instead of steaming home, according to both fishermen and economists.

"It doesn't control harvest very effectively (and) it really puts the screws on the fishermen," said Robert J. Johnston, a resource economist at Clark University. "We can continue with the way things are going in New England and we know where that's gotten us ... or we can follow a future that offers more sustainable and profitable fishing."

The proposed new system holds more promise for both fish and fishermen, said Johnston, co-author of a new Pew Environmental Group report titled "One Last Chance: The Economic Case for a New Approach to Fisheries Management in New England."

The new management is intended to overcome the incentive for fishermen to catch as much as they can as fast as they can by giving fishermen ownership of – and responsibility for – a share of the fish in the ocean.

Under an 841-page set of proposed rules known as Amendment 16, fishermen will be able to opt out of the days-at-sea rules by joining a sector – typically a group of 20 or 30 boats that might share a region or fishing style.

Each sector will get a percentage of the overall annual catch limit for each individual fish species. Sectors that go over their limits would face penalties, such as early shutdowns and reduced limits in future years.

Boats also would have to pay for on-board observers and dockside monitors to make sure they stay within the limits, although the proposed federal budget includes some funding to help.

Just how the annual catch limits will be divided up – whether by catch histories alone or a combination of factors – and how intensive and costly the monitoring will be are among the details that have to be worked out next month.

Scientists and conservation advocates say sector management will free fishermen to catch fish when prices are best and to sell fish they now must throw back, two ways they will increase their incomes more than enough to pay for new monitoring requirements.

"That's definitely happened in other fisheries that have gone to the catch-share approach," said Daniel Holland, a resource economist at the Gulf of Maine Research Institute in Portland. The institute has been working with fishing groups to create sectors.

Glen Libby of Port Clyde is one of the Maine fishermen looking forward to the change. Libby and other Port Clyde fishermen are creating their own sector, which they see as a way to avoid waste and give them the flexibility they need to stay in business.



Doug Jones/Staff Photographer

At the Portland Fish Exchange, Tim Butland, Cody Small, Dan Murphy and Jim Hancock, left to right, sort flounder that were shipped down from Port Clyde.

Sector members would be able to go out to get fresh fish for the local market, for example, without feeling like they have to keep working and catch as many fish as they can because the clock is ticking, he said. They could also have the freedom to test new fishing gear designed to catch only the types of fish they want, and market their catch as sustainable.

Mostly, Libby hopes the new approach finally protects the fish well enough that inshore schools of flounder and other fish can return to numbers he remembers from years ago.

"The fish have gotten farther and farther offshore," he said. "You talk to a young person and they just can't believe there was ever fish in there like that."

Even within the sector, however, there is uneasiness about the change, he said. "It's going to take a while to make everybody comfortable with it."

Although most are expected to join sectors, the decision would be up to individual fishermen. Some might simply not join a sector and instead take their chances under the next round of days-at-sea rules.

Marshall Alexander, a longtime fisherman from Biddeford, is working with a proposed sector, but has not yet made up his mind.

"We're going no place the way we're going. You can't keep taking days away." But, he said, "whether I actually go along, I don't know. They're not telling us what one of those observers is going to cost," he said. And it's not yet known how the catch shares will be divided up.

Those and other details should be more clear after the New England Fishery Management Council meeting in Portland June 23 to 25.

"It's very complicated and nothing's been set in concrete yet," Alexander said. "It's hard to make business decisions that way."

Maggie Raymond, who lives in South Berwick and co-owns a fishing boat, has been helping organize a sector with boats from Maine and other states. But she also has mixed feelings.

The new system won't solve the underlying problem, according to Raymond. Under the federal rebuilding law, there will still be too few fish and too many boats, she said. After several rounds of boat buyouts and years of restrictions, there are about 550 to 600 active groundfish boats remaining in New England, she said.

"You still have to share these very small (catch limits) with too many people. It doesn't matter what system you use," she said. "We either need more flexibility in the law or we need fewer boats."

Raymond also isn't convinced that fishermen will end up with more revenue to cover the added costs of joining a sector. She said it could cost a typical boat \$20,000 a year to pay for monitoring people once the rules are phased in.

"Where's that money going to come from? We don't have that now."

Even with the costs and the uncertainties, fishermen say there is little choice but to jump into sector management.

"Change is always hard," Raymond said. "But this is a big change and it has very serious implications for individuals and communities. It's going to be tough."

The state is strongly behind the change, said Terry Stockwell, a deputy commissioner of the Maine Department of Marine Resources.

"It's allowing the industry to run more efficient operations and gives them more flexibility, and at the same time it offers accountability for catch limits. We won't be exceeding the targets anymore," he said. "It puts more responsibility on the backs of the industry to manage the fishery."

There are still many concerns about the details and how fishermen will adjust, Stockwell said. But, in the end, there is no going back to the current system.

"I think everybody wants to move on to something new."

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