

Groundfishermen call for ban on midwater trawl fleet in closed areas

by Laurie Schreiber

SACO — New England groundfishermen called on federal regulators to ban the herring midwater trawl fleet from areas currently off limits to groundfish vessels.

The public interest law firm Earthjustice filed a petition with the Secretary of Commerce last week on behalf of two fishing groups, the Northwest Atlantic Marine Alliance and the Midcoast Fishermen's Association.

According to Earthjustice attorney Roger Fleming, the petition arises from new information regarding the ability of midwater trawlers to take groundfish, including juvenile and spawning groundfish. Midwater trawlers are exempt from a ban on groundfishing in closed areas for spawning and juvenile groundfish. The first groundfish closure was established in 1994.

Midwater trawlers, said Mr. Fleming, were allowed into the closed areas on the premise that they catch negligible amounts of groundfish.

That premise, he said, proved to be mistaken, as new data came in from the National Marine Fisheries Service's

observer program.

MFA and NAMA assert that midwater trawlers are able to catch groundfish and are contributing to groundfish overfishing.

Craig Pendleton said NAMA opposed the trawler exemption since the early 1990s. The problem has grown, he said, as the trawler fleet grew in size, capacity and expertise over the years.

"It's inevitable that they would impact groundfish," he said.

In the meantime, he said, groundfishermen are restricted to the point of extinction.

"This is a plea for relief, sanity and fairness," he said. "We can't allow our sacrifices to be wiped clean."

Glen Libby noted the groundfishing fleet today, as a whole, is down to only 6,000 days at sea, down 12-fold from just a few years ago.

"And we're still facing more cuts," he said.

Herring fishermen, he said, are allowed a small but significant bycatch rate of groundfish that takes a toll on the groundfish stocks.

"Keeping the midwater boats out of closed areas is a good first step," Mr. Libby said.

According to Mr. Fleming, federal administrative procedure allowed the public to petition any federal agency for a rule change. For a situation to qualify for an emergency rule change, he said, there must be a new circumstance or threat.

"We now know that midwater trawlers can catch groundfish," he said. "These present a serious threat to the resource."

Trawler impact on groundfish stocks should be addressed in future herring plan amendments or bycatch plans, Mr. Fleming said.

The past summer's ban on midwater trawling in inshore Area 1A was effective, said Mr. Libby.

"Things were better," he said. "Before that, cod, haddock, hake would disappear when the midwater boats showed up."

Typically in Area 1A, groundfishermen might get 500 pounds per day per boat. When the trawler fleet shows up, he said; the catch for groundfishermen typically drops to 50 pounds per day.

"There's not sufficient accountability for this fishery," Mr. Fleming said of the trawler fleet.

Earlier this year, fishery associations called for greater observer coverage for the trawler fleet.

It is estimated there are 40-45 midwater trawlers in the Gulf of Maine and on Georges Bank.

