



NMFS grants redfish exemption but industry calls program 'unworkable'

GLOUCESTER, MA – The National Marine Fisheries Service (NMFS) has approved an exemption allowing groundfish sector fishermen to use 4-1/2” mesh to target redfish under 100% observer coverage for the remainder of the 2012 fishing year, which ends April 30.

Whether anyone will be able to take advantage of the program, however, remains to be seen.

And, many interested fishermen say that, come the May 1 start of the 2013 fishing year, small-mesh redfish fishing will be totally unfeasible if NMFS requires fishermen to pay *all* observer costs on their own – with no federal assistance – as currently is being proposed.

Parts of the Gulf of Maine are teeming with Acadian redfish, a small, mild-tasting, deep-water species that's gaining favor in restaurants and supermarkets thanks to aggressive new promotional campaigns spearheaded by the Gulf of Maine Research Institute (GMRI), industry, and some of New England's top chefs and processors.

GMRI's "Out of the Blue" initiative, which was funded through a Saltonstall-Kennedy Grant and designed to build markets for "underused and underappreciated Gulf of Maine seafood," was especially successful. Redfish was the program's first species to be showcased on local restaurant menus, backed by widely circulated and easy-to-read educational materials.

Groundfish sector fishermen hoped to capitalize on this renewed interest in redfish, especially since the stock is so abundant right now. The 2013 annual catch limit (ACL) for redfish is on track to increase by 148% over what was allocated to sectors in 2012. Only two other groundfish stocks have higher quotas – Georges Bank haddock and pollock.

Redfish had its heyday in the 1940s and '50s when catches mostly were sold under government military contracts.



Jeffery Eitzmann, A.I.S. Inc. photo

F/V Olympia crewmen work with a codend full of redfish during a 2011 trip that was part of the REDNET cooperative research project.

Landings then declined dramatically, partly due to overharvesting but also because of increases in minimum mesh sizes.

The current minimum fish size for redfish is 9", making it hard to retain in 6-1/2" mesh. Framework Adjustment 48 to the groundfish plan proposes to drop the minimum size for redfish to 7" to help alleviate discards – a move welcomed by industry – but a 7" fish would be even harder to retain in a large-mesh groundfish net.

So, in a calculated and very public effort to reinvigorate this promising alternative fishery, scientists and fishermen teamed up two years ago to conduct a cooperative research project called REDNET. The project focused on developing a sustainable directed redfish trawl fishery in the Gulf of Maine.

Three primary researchers oversaw the effort – Kohl Kanwit of the Maine Department of Marine Resources, Mike

Pol of the Massachusetts Division of Marine Fisheries, and Pingguo He of the School for Marine Science and Technology (SMST) at the University of Massachusetts Dartmouth.

Working with other members of the scientific community and commercial fishermen and industry representatives, the team carried out the work with funding from the NMFS Cooperative Research Program at the Northeast Fisheries Science Center (see CFN December 2011 for details).

REDNET results

At-sea REDNET trials aboard five commercial fishing boats in 2011 and early 2012 showed that redfish successfully could be targeted with 4-1/2" mesh with very little bycatch.

Hailing these results, industry representatives and the New England Fishery Management Council next

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asked NMFS to authorize an exemption so that sector fishermen could begin targeting redfish with 4-1/2" mesh as soon as possible.

NMFS followed through and, on March 5, published a final rule in the *Federal Register* approving the exemption for a portion of the Gulf of Maine east of the year-round Western Gulf of Maine Closed Area for the rest of the 2012 fishing year. The program went into effect on Feb. 28.

The approval came with a number of stipulations and caveats, including a requirement that at least 80% of the catch be comprised of redfish and that groundfish discards not exceed 5%.

On the plus side, the final rule did allow vessels to carry multiple mesh sizes onboard, so fishermen would have the chance to cap off a redfish trip with a few 6-1/2" groundfish tows to help meet expenses or switch over to regular

Steven Kennedy/CFN photo

We're burning a lot of fuel and getting 40-to-50 cents per pound for the fish. I don't think we can make any money doing it this way if we have to pay for observers.

—Terry Alexander



What this means, NMFS said, is that "sectors using this exemption would therefore be required to pay for 100% of the at-sea cost for a monitor on 100% of 4-1/2" redfish exemption trips."

Industry members were stunned.

"I don't understand what they're thinking," said Terry Alexander, whose boat took part in the REDNET sea trials.

Forcing fishermen to pay 100% of at-sea monitoring costs would make it hard to come out on top at the end of the day, especially given today's high fuel costs, he said.

"We're burning a lot of fuel and getting 40-to-50 cents per pound for the fish. I don't think it's workable the way it's written. I don't think we can make any money doing it this way," Alexander said.

Maggie Raymond of Associated Fisheries of Maine, whose vessel also participated in the REDNET project, expressed enormous disappointment over

change for a high-volume, low-value fishery like redfish.

Still, a few fishermen indicated they might be able to make an exempted redfish trip before the end of April if they happened to be randomly assigned to carry an observer or at-sea monitor.

Then they planned to hold out for a 4-1/2" mesh exemption under their 2013 sector operations plans, which take effect May 1. Redfish fishing typically peaks in the summer under longer daylight hours,



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groundfish fishing entirely if redfish weren't available.

According to industry members, the most challenging part of the exemption program is the requirement for 100% observer coverage. Vessels need to wait to be randomly selected to carry an observer or at-sea monitor in order to make a redfish trip with small mesh.

NMFS acknowledged sector concerns about vessels losing "flexibility" under such a constraining requirement. So, the agency determined it could "support a small-scale industry-funded program." That way, sector fishermen who were willing to cover their own observer costs could do so in order to go redfish fishing more frequently.

Observer costs were still being investigated in mid-March, but initial estimates were running in the \$500-per-day range or higher – a big chunk of

fishermen said, so this was considered to be a reasonable course of action.

Insurmountable cost

Less than two weeks after the 2012 exemption program became effective, however, the landscape changed significantly.

On March 13, NMFS circulated a copy of the proposed rule – as filed with the Office of the Federal Register – for 18 sector operations plans, which set off a firestorm on a number of exemption fronts.

Regarding redfish, the agency said, "We propose to allow sectors to use the 4-1/2" redfish exemption only if an industry-funded monitor is onboard the trip and to prohibit a sector vessel from using this exemption if a federally funded observer or at-sea monitor is onboard."

the direction NMFS had taken.

"NMFS has repeatedly hailed this exemption as one of the 'mitigating measures' for the reductions in ACLs in 2013 for the groundfish fleet," she said. "Now they've made the utilization of this exemption impossible and negated any mitigation it may have provided."

In a 2012 draft report of "Component 2" of the REDNET project, which evaluated baseline catch and bycatch, organizers cited three "fishery conservation and management goals," which were to:

- Redirect "fishing effort in the multispecies fishery away from stocks that are overfished to stocks that are considered rebuilt, such as redfish";
- Achieve "optimum yield by increasing commercial landings of redfish through development of a directed fishery under the adaptive management ability of

groundfish sectors”; and

- Increase “the economic viability of groundfish sectors by providing access to the ACL of a recovered species and thus generating much-needed revenue for the industry.”

These goals cannot be achieved, industry members said, if observer costs negate any potential revenue that could be made by redfish fishing.

NMFS position

In the proposed rule for the 2013 sector operations plans, NMFS said that monitoring all trips targeting redfish was “necessary to adequately monitor bycatch thresholds and ensure compliance.”

Many sectors requested various fishery “exemptions” in their plans, some of which could only be carried out when observers or at-sea monitors were on board.

In such cases, NMFS said it was proposing to require 100% industry-funded monitoring, adding that it had

“numerous concerns about the impact of additional monitoring requirements on existing required monitoring programs.”

The agency readily acknowledged that requiring fishermen to pay for observers “may limit the benefit of these exemptions to industry.”

But it also expressed concern that fishermen randomly selected to carry a federally funded observer or at-sea monitor would then use those occasions to take exempted redfish trips and potentially “reduce the number of observers/monitors available to cover standard sector trips.”

NMFS cited several other potentially problematic issues and said it would monitor the impacts of the 4-1/2” redfish exemption – and any approved industry-funded monitoring program – on other required monitoring programs. The agency also proposed to reserve the right to “revoke the 4-1/2” redfish exemption during the fishing year, if

necessary, to mitigate any negative impacts.”

The comment deadline on the proposed rule closes on March 29. NMFS said it specifically was looking for comments on the 100% industry-funded monitoring requirement for redfish and the potential for revoking the 4-1/2” exemption midway through the fishing year if necessary.

Comments can be submitted one of three ways:

- Electronically – Go to <www.regulations.gov/#!docketDetail;D=NOAA-NMFS-2013-0007>, click on “Comment Now!” in the blue box, and follow the instructions;
- By mail – Send written comments to Allison Murphy, NMFS, 55 Great Republic Drive, Gloucester, MA 01930; or
- By fax – Send to the attention of Allison Murphy at (978) 281-9135.

For more information, call Murphy at (978) 281-9122.

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