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New rules, same struggle: Staying afloat

Many small-boat operators say groundfish guidelines are still stacked against them, but other fishermen see progress.

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A year ago, Rob Odlin of Scarborough was predicting the demise of his groundfishing career.

Alden Leeman of Harpswell, captain of the Jennifer and Emily, a groundfishing dragger, works on his net gear while docked at the Portland Fish Exchange pier. "We are fishing a lot harder," he said.

With his maximum catch reduced from about 300,000 pounds to 91,000 pounds and the number of days he could fish cut to 24, Odlin believed the new sector management system was stacked against small-boat operators like him.

Today, Odlin says he is still afloat, barely, and he hasn't changed his opinion of the new system.

Odlin is among many fishermen who say they are struggling under the new regulations that went into effect May 1. At the time, critics predicted half of New England's 1,480 groundfishing vessels would be put out of business and groundfishing would screech to a halt by summer.

A year later, neither prediction has come true, but fishermen are divided about how well the new system works. The ports of New Bedford and Gloucester, Mass., and various fishing interests filed a lawsuit against U.S. Commerce Secretary Gary Locke and Jane Lubchenco, head of the National Oceanic and Atmospheric Administration, claiming the regulations violate federal law.

Under the new regulations, fishermen are encouraged to join cooperative-like groups, called sectors, which are allocated a portion of the annual quota for each species based on the total of members' previous catches. Each member's individual quota is also based on that member's fishing history.

The government also set stiff new quotas for haddock, cod, yellowtail flounder and other groundfish species. Once a sector exceeds its quota for any of the 19 species, intentionally or not, the entire sector must stop fishing for any species. Sectors and members are allowed to lease part of their quota to other fishermen within the sector and between sectors.

Most fishermen -- some estimate more than 90 percent -- joined one of 17 sectors, four of which are in Maine. Those who didn't, including Odlin, became part of what is called the common pool. The common pool continues to operate under the old system, which aimed to reduce overfishing by making large areas of fishing grounds off-limits and reducing the number of fishing days allowed.

Proponents of the sector management system say the old system was not working.

"It was a blunt instrument," said fisherman Jim Odlin, Rob's older brother, who likes the new system.

Not only were profits down for owners of large and midsize boats in the past five years as the fleet continued to shrink, but fishermen consistently exceeded quotas.

Preliminary data under the new management system show that from May 1 to Jan. 31, landings were down 16 percent but revenues were up 4 percent, according to the National Marine Fisheries Service. Landings were up for some healthy species, such as haddock, which increased from 7,500 metric tons last season to more than 8,000 metric tons this season.

For Jim Odlin, those are among many signs that the new rules are working. Odlin, who owns five fishing boats -- three in Portland and two in New Bedford -- is a board member of the Sustainable Harvest Sector, one of the largest with 33 members, 24 of them from Maine. Jim Odlin is also one of 16 members of the New England Fisheries Management Council, which manages groundfishing in the region's waters and wrote the sector management rules.

He said his own sector has reduced the amount of unintentional fish catch, which regulations require be discarded dead at sea, from 20 percent of the total catch to 2.5 percent.

Jim Odlin said not one sector has had to shut down for exceeding quotas, and for the first time since regulations were introduced, groundfishermen in sectors are not overfishing.

"This is the first time we have not exceeded the limit on Gulf of Maine cod, but the common pool went over the limit," he said.

He said fishermen are earning more money under the new system because they no longer have to cram all their fishing into a limited number of days at sea. Because they can now fish all year, as long as quotas aren't exceeded, they no longer glut the market at certain times, which drives down prices, Jim Odlin said.

He said his own annual cost of leasing quotas is less than what he paid for days-at-sea leases. Lease prices fluctuated all year, he said, but are now falling.

Sen. Olympia Snowe, ranking member of the Commerce Subcommittee on Oceans, Atmosphere, Fisheries and the Coast Guard, recently urged federal regulators to continue the sector management system after hearing from Maine fishermen concerned that it might be abandoned. She was assured it would continue.

But critics of the system say that, unlike better-financed operations, they can't afford to lease quotas.

"They have bigger profit margins. This is way worse for me than last year," said Brian Pearce of North Yarmouth, who owns a 40-foot boat.

Dana Hammond of South Bristol said he leased his entire quota to other fishermen and tied up his 50-foot fishing boat for the season. He also sold his fishing permit.

"Now I am running another guy's boat," Hammond said.

Maine's Northeast Coastal Communities Groundfish Sector, which includes 18 small-boat fishermen from Maine and Massachusetts, has remained neutral on the merits of the new system, said Robin Alden, former commissioner of the Maine Department of Marine Resources and executive director of the Penobscot Down East Resources Center.

Alden said the sector formed to ensure that part-time and small-boat groundfishermen could continue to operate in Maine.

"If all the rights remain in the hands of a few Maine boats and those boats leave, Maine loses its rights," Alden said.

Right now, none of the Maine members are fishing, but they hope to next season. Alden said 20 more fishermen are signed up to join after May 1. The sector mainly leases out its allocation to fund research on groundfish stocks in eastern Maine, where the fishery collapsed years ago.

Even ardent backers of the new system admit there are drawbacks. Fishermen must fill out more paperwork. They are also more likely to have a federal regulator aboard to monitor the catch. Under the old system, about 10 percent of fishing trips were monitored compared with 46 percent under the new system.

The sector system has brought about changes in the way fishermen operate.

Alden Leeman of Harpswell, captain of the 65-foot Jennifer and Emily, one of two boats owned by Mark Bichrest of Cundy's Harbor and part of the Sustainable Harvest Sector, said he now keeps in constant contact with a dealer on shore so he can target fish species fetching the highest prices.

He said he is working more and doing better financially. "We are fishing a lot harder," he said.

Rob Odlin said he was making money for the first few months in the common pool, until the quota was cut further. Then diesel prices started climbing. He switched to shrimp for a time, but that season closed early. He said leasing days at sea was much less expensive than leasing quotas. Quotas were about \$1.50 a pound for cod and 60 cents for hake, which made the leases a break-even proposition at best.

He has enrolled in the Port Clyde Community Groundfish Sector, which charges no membership fee -- some other sectors charge \$10,000.

"If they let you in," Odlin said.

He said he raised his concerns about the new system in letters to the state's congressional delegation.

"I got zero replies," he said.

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