

Rockhopper/Roller Gear Restrictions Discussion

Restrictions on the use of roller and rockhopper gear in certain inshore areas were first adopted in Framework 27 to the Northeast Multispecies FMP (NEFMC 1999, p. 17). The language did not clearly indicate whether the restrictions were meant to apply only to groundfish vessels or to all vessels fishing in the area:

Maximum roller gear size: Otter trawl vessels fishing in Blocks 124, 125, 132, 133, 139 and 140, and the parts of Blocks 131 and 123 west of 69°50' will be limited to a maximum diameter of 12 inches for roller and rockhopper gear.

Discussion: The Council proposes this measure in response to requests from inshore fishermen, including the Alliance, to achieve some measure of separation between offshore vessels and inshore vessels in the western Gulf of Maine. The basis for this measure is that when inshore areas are closed, smaller vessels are unable to fish offshore, but when the inshore areas are open, larger mobile gear vessels can fish inshore, putting the smaller vessels at a disadvantage. The limit on roller and rockhopper gear will effectively limit the ability of mobile gear vessels from fishing in the hard bottom areas inshore, where cod and other species aggregate. In the draft framework document, the Council considered a proposed declaration program under which vessels would declare into one of two categories based on areas fished, but it expects that this measure will achieve the same result without creating additional administrative burden.

None of the documents in the Council record provide any clarification on the Council's intent at the time of framework's development. The proposal to create these restricted areas was first introduced by the Gulf of Maine Fishermen's Alliance during the development of Framework 27, at a Groundfish Committee meeting in November 1998. At subsequent Groundfish Committee and Council meetings, there was talk of accepting the "Gulf of Maine Alliance Proposal" for options in Framework 27, and therefore the intent of the proposal could be informative. The proposal recommends simply:

"Limiting mobile gear rollers and rockhoppers to 12" in inshore designated fishing areas."

In a previous bullet in the proposal, there is language related to an inshore/offshore delineation plan that states:

"The following alternative has been crafted by industry and distributed wherever possible for comments and reaction. It is comprised with components of other alternatives but constructed in a different format that attempts to distribute the conservation goals across a wider area and amongst all users and sectors in the attempt to restore the codfish resource...."

Once again, it is unclear whether the roller gear restricted areas are considered to be a part of this delineation plan, or whether it is a separate concept. There are also questions about whether vessels other than those in the groundfish fishery were using rockhopper and/or roller gear during the time this rule was developed. Amendment 13 to the Northeast Multispecies FMP also considered five different variations of rules that would restrict the use of rockhopper and/or roller gear, but none were adopted. There is no language in the description of the alternatives that clarifies whether the rules would have only applied to vessels in the groundfish fishery, or whether it would have applied to all fisheries.