

Appendix 4. Fishing Industry Economic Needs Assessment

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Introduction

New federal regulations governing the groundfish industry have hit the fishing industry extremely hard. Members of the industry (both harvesters and shoreside), their families, and the communities dependent on the industry are suffering the impacts of the court-ordered regulatory changes that began to go into effect in May 2002. The United States Congress has appropriated 5.5 million dollars in economic assistance to help the Massachusetts groundfishing industry weather these changes. In anticipation of this appropriation, the Massachusetts Fishermen's Partnership (MFP) took the lead on identifying immediate needs for sustaining the families, the industry and the communities in the short term. To do so, MFP conducted community meetings along the Commonwealth's coast and administered a survey to gather input on stakeholders' priorities for the \$5.5 million dollars in economic assistance for Massachusetts.

MFP held meetings in Gloucester, New Bedford, Boston, and Chatham. Each meeting was co-sponsored by fishing industry organizations in the communities. In total, ninety-five fishermen and shoreside business owners attended the meetings. Staff representing Massachusetts' Congressional delegation was present at all four meetings. At the meetings, members of the industry discussed the impacts of the new regulations on their businesses, their families, and their communities. There was a clear consensus that 5.5 million dollars was wholly inadequate to aid the industry in this very difficult time. Nonetheless, at each meeting, the vessel owners, crew, and shoreside businesses debated among themselves the best ways to make use of these very limited federal funds.

The MFP survey was designed to elicit industry views on the areas where economic assistance would provide the broadest benefit. It listed 16 different options for potential assistance and asked the industry respondents to indicate their degree of interest in each option. The survey was distributed at each meeting and extra copies were left with meeting participants to be given to industry members unable to attend the community meetings. So far, 70 individuals have responded to the survey: 7 from Boston area, 5 from Cape Cod, 3 from the South Shore, 2 from Rhode Island, 36 from the Gloucester area, and 17 from New Bedford. Of these, 11 are crewmembers, 17 shoreside business owners and 42 are vessel owners. The survey is currently available on-line via the Fishermen's Partnership website at www.fishermenspartnership.org. The Partnership continues to receive completed surveys to add to its database.

Themes

Several themes emerged from the meetings and surveys. While a diversity of views was expressed, several points garnered wide consensus within and across the communities:

1. The 5.5 million dollars cannot begin to compensate people in the industry for the losses they have suffered and are continuing to suffer.
2. The infrastructure that supports fishing in Massachusetts will not survive the current cutbacks. When the infrastructure disappears, there will be no fishing industry in Massachusetts. Unless infrastructure is supported now, there will be

no fishing industry in Massachusetts when the groundfish stocks are fully rebuilt.

3. Vessel owners deserve to be compensated for DAS reductions. The money currently appropriated for economic assistance to the industry is completely inadequate to do so.
4. Heavy debt (often at high interest rates) and/or critical cash flow problems plague nearly all sectors of the industry (shoreside and harvesting).
5. Collaborative research, though not universally praised, was frequently cited as a necessary alternative to unquestioning reliance on NMFS-generated science.
6. Sudden changes in regulations are unfair and damaging to both harvesters and shoreside businesses.

Specific Assistance Measures

Discussions at each meeting were wide-ranging, addressing problems with the regulatory process, the interpretation and implementation of both science and regulations, and attempted to develop suggestions for the use of the allocated funds to sustain the industry in the short term. In the following, each topic will be briefly discussed from both the perspectives of the meetings and the surveys.

Days-at-sea compensation

The written surveys submitted by vessel owners and crew members showed a strong preference for direct payments to fishermen in the form of DAS compensation (Rated as top choice of 16 ideas by both vessel owners and crewmembers). However, when this idea was raised at the meetings and participants realized that the \$5.5 million divided by the number of lost DAS (17,917 in Massachusetts according to initial NMFS analysis)¹⁶³ would compensate individual vessels at the rate of about \$306 per day, interest in this option waned considerably. Instead, some people offered alternative suggestions for compensating boat owners for lost income due to lost DAS. One suggestion was to calculate the average daily rate that individual vessels stocked and compensate for the 20% lost at that rate. Another suggestion was for criteria to be established so that only some people would be eligible to apply for compensation (e.g., single permit multispecies boats). Further ideas were to divide the funds up among all people (captain and crew) who fished, rather than basing the division on DAS; or, to compensate for a percentage of lost income, such as twenty percent of a vessel's income in the best year of the last 5.

A related idea, offering additional DAS to cover steam time to the fishing grounds ranked as second choice for vessel owners and crew members, 6th choice for shoreside business owners.

¹⁶³ 779 boats lost an average of 23 days each

Infrastructure sustainability

The direct impact of the new regulations on harvesters is obvious. Less obvious to those not directly involved in the fishing industry are the direct and indirect effects on shoreside (support) industries. Several attendees at each meeting noted the severe consequences of changes in regulations made without lead-time for business planning.

The interdependence of the harvesting, processing, marketing, and supply sectors, as well as the reliance on reasonable access to a physical infrastructure (wharves and piers) was reiterated in each meeting. Furthermore, the importance of community support for the fishing industry stemming from recognition of the value of the industry to communities is critical for the sustainability of the infrastructure. The loss of DAS and imposition of quotas limiting landings of high-valued species lowers the economic returns to the community from the industry and thereby increases the attractiveness of alternative uses of the waterfront. “The threshold has been reached...the shoreside infrastructure, everything that’s related to it, collapses. So it might as well mean that they just shut down [fishing]. Whether they have days or not, they’re shut down [if the infrastructure collapses].”

An increase in gentrification was viewed as a serious threat to the sustainability of the fishing industry. Despite the existence of designated port areas (DPA) in Gloucester and New Bedford, participants warned that the proliferation of even water-dependent tourist businesses (e.g., marinas, whale watch boats) was having a negative effect on the commercial fishing industry. Outside the DPAs, competition for waterfront is fierce, and water-dependent use not necessarily a criterion. Every meeting reflected the concern that the fishing infrastructure would be lost.

Participants suggested financial support for infrastructure, but were uncertain how to design such support.

Gear suppliers, in particular, have been devastated by the change in mesh size with no notification. Several have large inventories worth hundreds of thousands of dollars of unusable gear. Because orders must be placed 90 to 120 days ahead, significant quantities of gear are already enroute from manufacturers abroad. Some fishermen noted that the suppliers’ lack of legal mesh size and/or hooks prevented fishermen from being able to fish.

While changing a codend is a financial burden for trawlers (\$3-5 thousand dollars), the gillnetters have a multiplicity of nets to change so their costs are even higher. A gear supplier estimated costs for gillnetters would be \$13,000 to replace the gear, plus about \$100/net value lost on gear declared illegal after only about 15 percent worn for a total of \$23,000 per gillnetter.

Suggested: Buyback of obsolete gear from both suppliers and fishermen. Respondents to the written survey ranked “buy-back unused gear that the federal court order rendered useless” as fourth (vessel owners) and fifth (shoreside businesses). The choice “offer grant funds or interest free loans to purchase new gear to meet regulations” was ranked as 6th choice by both vessel owners and crewmembers, 9th choice by shoreside business owners.

Other support businesses affected by the regulations include fish houses (lack of steady supply of product), buyers, ice houses, shipyards, painters, welders, divers (who disentangle ropes from the wheel, etc.), baiters and strippers, lumpers, truckers, cold storage facilities and water, fuel and grocery vendors. “A shipyard that has been in one family for 137 years is in jeopardy.” “I’m about to build a new ___ plant. I’m going to have to put my house up for collateral. I’m scared now...these boats are all going to tie up. Who’s going to make my payments?”

Suggested: Payment of vessels’ debts to gear and other suppliers and/or fuel subsidies was proposed in each meeting.

The industry relies on small businesses that often do not have sufficient capital to weather the impacts due to the regulatory changes, especially on short notice. It was also noted that small boats play an important role in the industry and may need more help than some of the larger vessels. Suggested: Incentives be established for small boats to remain in the industry.

In addition to the small businesses, it was pointed out that seafood is second only to the mail in the amount of freight moving out via Logan Airport and that the airport’s statistics reflect the downturn in the shipping of monkfish during the closures.

Debt restructuring

Related to the suddenness of the changes in the regulations is the degree of indebtedness, both business and personal. This issue was indicated most clearly by the survey that showed high levels of debt and in many cases, high interest rates. The choice “consolidate debt at lower interest rate to lower monthly costs” was ranked as 2nd most important by shoreside businesses and 5th by crewmembers.

The survey results showed the following:

- 1. Debt carried by crew:** Home mortgages range from \$30,000 to \$270,000 with interest rates from 6.13 to 8 percent. Credit card debt ranges from 0 to \$100,000 with an average of \$17,190 and interest rates range from 7 to 19 percent. Other debts range from \$200 to \$17,000. Monthly payments average \$3,075.

2. **Debt carried by shoreside business owners:** Investment: 15 of the 17 shoreside business owners noted that they had invested \$10,000 or more in their business in the last year. Business debt ranges from \$6000 to \$1 million, averaging \$192,222.22 with monthly payments averaging \$2,653. Interest on their loans range from 4 to 10%. Home mortgages range from \$64,000 to \$250,000 with an average of \$149,514.83 and interest rates of 6.75 to 10%. Credit card debt ranges from 4,300 to 98,000, averaging 28,060. Interest rates range from 9.9 to 26%. Other debt: Most do not carry other personal debt. Monthly payments on personal debt average \$2,800.
3. **Debt carried by vessel owners:** Twenty-eight vessel owners said they had invested \$10,000 or more in their business in the last year. Outstanding business loans range from \$450,000 to \$3,500 with an average of \$91,967 and monthly payments ranging from \$200 to \$2,500 with an average of \$1,412. Home mortgages owed ranged from \$1900 to \$300,000 with an average of \$81,700. Of the 20 who indicated credit card debt, debt ranged from \$1000 to \$20,000 with an average of \$7,275. Interest rates ranged from 6 to 18%. Other debt averaged \$16,627 at 5 to 11%. Average monthly payments for personal debt is \$1,800.

Collaborative research

Some difference of opinion was expressed on the subject of collaborative research. The written surveys ranked collaborative research for a guaranteed daily fee of \$1500 as 3rd choice for both crew and vessel owners and 4th choice (shoreside businesses) out of 16 ideas. In the meetings, there was strong support expressed for the use of actual fishing vessels in the stock assessment process, rather than retention of the primary reliance on NMFS's large research vessels. "What the hell is the *Albatross* doing towing around a net that belongs on a 40-foot boat?"

However, there was also significant level of dissatisfaction with the amount of money that has gone to "collaborative" research, but has not filtered down to fishermen. "I know people rigged up, didn't get a penny." Also, the time delay in payment and the costs of preparing the vessel were criticized. One suggestion was for boats to be paid \$2000 per day, but the proceeds from the catch would not go to the boat, but rather into a fund for additional research. (No DAS should be demanded, however.)

Help with certain business-related expenses:

1. Mortgage payments

"I just bought a boat a few months ago. I got a \$10,000 monthly mortgage payment. Who's going to pay that? Beyond concerns about paying mortgages, fishing businesses are worried that the banks will lose faith in the industry and "call their loans."

2. Boat insurance, safety equipment, and other business expenses

Insurance costs have increased largely due to 9/11, according to insurance agents. Mandatory safety equipment is also a significant cost that some put off investing in. So, a program to reimburse vessel owners for safety equipment (e.g., \$1000 for a life raft; \$300 for an EPIRB) might be useful. Maintenance is also deferred when income is uncertain, leading to additional safety concerns. Furthermore, boats tied to the dock suffer from disuse, e.g., rust and engine cylinder damage, etc. Additional business expenses for which people requested help are wharfage fees, fuel bills, new gear (to meet new regulatory requirements), and others.

Help with certain personal or family expenses:

1. College Tuition

College tuition for children of participants in the fishing industry was identified as a need in the meetings. “My kids are going to college. Guess what? Colleges don’t dare that you only got to work 50 days a year.”

Note: Existing programs might be tapped to leverage such help. For example, colleges usually have tuition assistance, but this is based on the household’s previous year’s income. A one-year program of college tuition aid might be sufficient.

2. Healthcare

Help with healthcare payments is an appealing option to many in this physically dangerous occupation. The respondents to the written survey ranked payment of all healthcare premiums for a period of time as 3rd choice (shoreside businesses) and 5th (vessel owners). Crewmembers ranked paying a portion of the healthcare premiums for a period of time as 4th choice and shoreside businesses ranked this choice as their top priority. The fact that health care assistance is no longer consistently the number one priority can be attributed to the fishing communities’ high level of satisfaction with the Fishing Partnership Health Plan.

In the past, when incomes diminished with other regulatory changes, healthcare coverage was one of the first uses of discretionary income to be cut. For those paying premiums on a sliding scale, a problem is that the fee basis is last year’s income, but with the closures and cuts, income is going to be significantly less and premiums difficult to pay.

Note: The state-sponsored Insurance Partnership is able to reimburse a monthly portion of healthcare premiums paid by the self-employed as well as premiums paid by

small businesses and their employees.¹⁶⁴ This reimbursement program is available to those who meet certain income qualifications and is not based on last year's income. If income drops during the year, participants can amend their income status and increase their monthly reimbursement. New applicants who meet income qualifications and who currently have healthcare coverage may apply at any time. The MFP refers fishing people to the Insurance Partnership for assistance and is able to continue this service.

Other ideas for addressing financial losses:

1. Revolving loan funds

Capitalizing existing revolving loan funds would leverage an effective program, extending its ability to help all sectors of the industry. A community-based board makes the decisions about providing loans at low interest rates for short terms. The funds paid back and the interest go into the fund for loaning to others. However, some pointed out that it makes no sense to take a loan to upgrade equipment if you are not going to be allowed to fish. Another constraint is that loans require collateral that is not available to all who need loans.

2. Emergency funds

It was suggested that some of the assistance should be earmarked for emergency assistance. Self-reliance is highly valued in the industry and few members of the industry know what social services might be available.

3. Tax benefit

Suggested: Special tax benefit for crew and vessel owners.

4. Retirement fund or investment fund for fishermen

Survey Results

Assistance

Sixteen ideas were presented for potential assistance. Weighted by ranking on a 3-point scale (0 = "not helpful," 1 = "somewhat helpful," 2 = "very helpful," and 3 = "need

² "The Insurance Partnership is a state subsidy program that provides reimbursement of premiums and is not to be confused with the private sector fishing healthcare plan, the Fishing Partnership Health Plan, which provides healthcare coverage to people in the fishing community."

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this to survive”), the results are shown in the graph below. Notice that the priorities differ among the three stakeholders, crew, shoreside business owner and vessel owner.

Assistance ideas	Total score	Rank	Crew	Rank	Shore	Rank	Vessel	Rank
Offer compensation for lost DAS	133	1	26	1	9	14	8	1
Offer additional DAS to cover steam time to fishing grounds	125	2	23	2	16	6	6	2
Offer opportunities for collaborative research (collecting marine science data) for a guaranteed daily fee of \$1500	113	3	22	3	19	4	2	3
Pay a portion of healthcare premiums for a period of time (24 months?)	106	4	17	4	24	1	5	7
Pay all healthcare premiums for a period of time	100	5	13	7	20	3	7	5
Buy-back unused gear that the federal court order rendered useless	99	6	13	8	18	5	8	4
Consolidate debt at lower interest rate to lower monthly costs	96	7	16	5	21	2	9	9
Offer grant funds or interest free loans to purchase new gear to meet regulations	93	8	16	6	11	13	6	6
Offer grant funds or interest free loans to purchase gear for a different fishery	84	9	7	12	14	9	3	8
Pay housing rent for a period of time (24 months?)	73	10	10	9	6	15	7	10
Restructure business and/or personal debt so that payments would be forgiven entirely for up to 1 year	63	11	7	13	11	12	5	11
Restructure business and/or personal debt so that payments would be interest only for a period of time	60	12	6	15	12	10	2	12
Offer career counseling and/or training (for self and/or family members)	58	13	9	10	12	11	7	14
Free or low cost business counseling	54	14	7	14	16	7	1	15
Offer funds to diversify into non-fishing related business	54	15	8	11	15	8	1	16
Offer an opportunity to sell groundfish permit to the government	47	16	2	16	6	16	9	13

Survey Results (assistance portion) by category (based on total responses, not broken out by sector)

	<u>Rank</u>	<u>Score</u>
DEBT MANAGEMENT:		
consolidate debt at lower interest rates	7	(96)
restructure debt so payments forgiven for a year	11	(63)
restructure debt for interest only payments for a period	12	(60)
HELP W/ SPECIFIC EXPENSES		
pay house rent payments for a time	10	(73)
pay health care premiums for a year (all or part)	4,5	(106,100)
GEAR – GETTING INTO COMPLIANCE		
grants or low interest loans to buy new compliant gear	8	(93)
buy back gear which new rules rendered useless	6	(99)
DAS		
compensation for lost DAS	1	(133)
additional DAS to cover steam time	2	(125)
MOVING AWAY FROM GROUND FISH (TEMP & PERM)		
buyback: sell groundfish permit to government	16	(47)
grants or loans to buy gear for different fisheries	9	(84)
funds to diversify into non-fishing related businesses	15	(54)
career counseling for self and/or family members	13	(58)
free or low cost business	14	(54)
collaborative research opportunities (collecting marine science data) at 1500/day	3	(113)

Policy and Management Concerns

Other important concerns were raised in the course of the discussions at each meeting. While not directly addressing the use of economic assistance, these should inform the decisions to be made and tactics to take to address the sustainability of the fishing industry in the long term.

1. Science and interpretation

Attendees at each of the meetings expressed their frustration with the science upon which the new regulations are based. The evidence of their own catches and daily observations are at odds with the pessimistic interpretations of stock assessments

while stocks are rebuilding. This has undoubtedly been a factor influencing their business decisions. Investments of over \$10,000 in their businesses were made in the last year by 71% (42 out of 59) of the respondents to the survey who were either vessel owners or shoreside business owners. This level of debt would surely not have been undertaken if the individuals were aware of the impending cutbacks. The cutbacks were unanticipated because of the reported recovery of the majority of the stocks in the multispecies complex.

Other participants noted that the interpretation of DAS use as having increased was mistaken since monkfish days had not previously been counted as groundfish DAS. Also criticized was the notion that all DAS are equivalent and that all latent effort is the same.

One fisherman soundly criticized May spawning closures, “the fish spawn in December, January and February.” Other fishermen criticized NMFS for changing the targets as stocks approached the original targets.

Some suggested that the funds might appropriately be used to defend fishermen or to hire independent scientists to review NMFS’s stock assessments, models and interpretations.

2. Cumulative impact

Some attendees cautioned that the latest series of regulations will have serious consequences because of the cumulative effect of the multiple restrictions on all species (not just groundfish) since Amendment 5 to the Multispecies Fishery Management Plan was implemented in 1994. Thus, whereas some have been able to stay in the business by shifting target species, taking on more personal debt, finding niche markets with higher prices, etc., the added constraints push businesses on the edge over the line of sustainability. “We lost 75 percent of our time since 1994.” This same concern was voiced by shoreside businesses, with parallel estimates of the extent of cuts. One small but essential support service business owner noted that he has had to fire 6 employees in the last 3 years.

Related to the financial concerns is the observation that the fleet is aging. Participants lamented that the average age of fishermen is going up, and it is difficult to find young people who are reliable crewmembers and interested in fishing as an occupation. “We teach each other on deck of the boat, you can’t teach them that in the schoolroom...that’s a hands-on industry...You’re going to lose this industry.” Shore business owners also noted the difficulty of attracting and keeping employees with the uncertainty. “We have to compete [like] everyone else. We have to go out and find people to come into this industry and we have to be able to keep them...we just don’t have anything left to cut.”

3. Business planning

Like all businessmen, knowledgeable fishermen need to plan their year. “I just need to know [about regulatory changes] in a reasonable amount of time. I need to be treated not like a doormat, but like any other businessman. You don’t go to Boeing Aircraft Company and say, ‘you have got to use titanium in all your planes tomorrow’.” Fishermen generally seek a balance of quantity, quality and price, however, with the frequent changes in the regulations, some are afraid to experiment, search for new grounds or try different species, or even change the timing of their fishing for fear that they will lose the DAS available. The businesses dependent on the harvesters also suffer from the inability to plan ahead or change due to the threat of new regulations instantly applied. “Every two minutes there’s a change.”

In addition, some suppliers are owed considerable sums for “gearing up boats” that were then impacted by the regulations and unable to pay their bills. Suggested: Phase in regulations with 6-months to one year’s notice.

4. Equity issue

A number of individuals revealed that their efforts to contribute to the conservation of groundfish by choosing to temporarily target alternative species (or to not fish) has backfired. Rather than being rewarded for their good faith efforts, they are being penalized by the loss of DAS since their “history” in the relevant time period does not reflect their years of groundfishing and their preference for that fishery. “I’m one of the guys that did that and I went from 88 days to 43 days.” “If you’ve fished for 35 years like I have and then they say, ‘oh, this is the block of time that you should have fished,’ when they told us not to. And they say, the rest of your life doesn’t count. Now you’ve got 33 days because in the last 5 years you did what we told you to do...”

Definitions of latent and history permits were discussed in one meeting. Apparently, someone with a history permit who activates it now could actually obtain more DAS than someone who has been fishing, but diversified their target species for conservation purposes, etc.

Crewmembers shoulder a large portion of the burden of new regulations, but rarely benefit from government assistance. Vessel buybacks, for example, did not provide any compensation to crewmembers. Maintenance costs of the VTR systems are taken out of the crew share. The cutbacks in DAS make it difficult for crewmembers to sustain a livelihood. The unpredictability of regulatory change also makes it difficult to plan. Some have noted income reductions of 30 to 35 percent.

Some criticisms of the DAS tracking and accounting: “The more deceitful you were the more DAS you got. If you were strictly honest (about calling in and out), you were penalized more.”

5. Contradictory information from NMFS

Calls to NMFS for clarification on different issues such as the retention of the 10-day carryover DAS have resulted in confusion with contradictory information being given to different callers. This contributes to the harvesters inability to make sound business decisions.

6. Lack of flexibility

The proliferation of single species permits and limited access has diminished fishermen's ability to shift their target species. This is said to have negative economic and ecological consequences since fishermen who in the past diverted to more plentiful species if their target species was unavailable, now continue fishing for whatever species they have permits. The lack of flexibility also keeps fishermen from being able to recuperate from trips with poor catches, poor prices, or equipment failures.

Safety is compromised due to the number of closures, especially for small boats. They will be forced to fish in winter when it is most dangerous.

7. Impacts on families

The regulatory changes are starting to hurt families, cause divorces, and disrupt children's college plans. "You start hurting families, divorces...they'll hurt...Parents feel inadequate because they can't afford to send their kids to school. That's nice, huh?"

8. Government responsibility for overcapitalization

To the extent that the fleet is overcapitalized, some attendees argued that it was due to government policy that encouraged investment in fishing vessels, even convincing someone who was applying for help with 2 boats, to build 4 instead.

9. ITQs

Despite the negative impacts of the regulatory changes, several attendees at the meetings cautioned against managers using the outcry as an excuse to impose individual transferable quotas. In addition, one participant noted that sport fishermen must be considered if ITQs are allocated.

10. The Courts

"People spend 2 years making a plan and then somebody comes in and in 20 hours of meetings and review after the fact and says, 'ok I'll take it under advisement...I'll give

you my decision tomorrow.’ How can somebody totally circumvent the entire constitutional process?”

11. Image

The public image of the fishing industry is very poor; efforts to educate not only the politicians but also the public should be made. “We went out, we earned a living, we also supplied one of the most important things in this country and that’s food.”

Some Policy Recommendations:

1. Coordination of relief

There is a need to coordinate the 5.5 million-dollar assistance efforts with other kinds of public and private assistance already available (retraining programs, debt consolidation services, financial aid for college tuition, etc.)

2. Boat buyback

One community suggested another round of boat buybacks. “You can just keep buying boats back until you get to a certain level (target DAS for sustainability) and let those guys go fishing.” However, such buybacks should include (or focus on) the “bigger effort boats.” Not all communities agreed that additional buybacks are a good idea.

3. Review board

To date there is no indication that there will be a process by which fishermen can appeal the basis upon which their new allocation of DAS has been made. This is not a matter of disputing the actual history, but rather providing information about extenuating circumstances that affected their fishing history in the narrow qualifying time frame.

4. Management Council

One community suggested increasing the numbers of fishermen so there are representatives of every gear type. In addition, an observer should have a seat. “He sees what’s being caught...he’s measuring the roe for the science end of it.”