

Fishermen say that their industry is doomed

By Sam Bari

Commercial fishermen in Narragansett Bay claim that the last six months has produced the best catch in years. Unfortunately, the net profit has been zero. "That's how it's been for the draggers," said Paul Harvey, a Jamestown fisherman who has fished these waters all his life.

"Maybe the long liners do better," Harvey said. "But they have to be suffering from the cost of doing business, too." According to Harvey, the National Marine Fisheries regulations and the skyrocketing expenses are driving most fishermen right out of business.

During the last six months, Harvey's 95-foot boat, the Ing Toffer II, consumed \$130,000 in fuel, and \$40,000 worth of ice. Five years ago, Harvey claims that fuel costs for the entire year were around \$100,000. And ice cost half of what it costs now. "In five years, the cost of doing business has doubled," Harvey said.

When asked if the price of fish went up accordingly, Harvey said, "No, not for the fishermen. We're at the bottom of the financial food chain. We don't set the prices. The brokers do. The middlemen between the fishermen and the consumer are taking higher percentages because the cost of fuel and distribution is also escalating," Harvey said. "By the time the costs trickle down, nothing is left for the fishermen."

Raymond Livernois, another local fisherman, is selling his boat. "I'm 53-years-old, and I've been

fishing for a living all my life," Livernois said. "I just can't afford to do it any more." Livernois put his boat up for sale last week. When he listed his boat with a broker in Point Judith, four other fishing vessels from the same marina had been listed for sale during the same week.

Harvey and Livernois both claim that the terrorist attack in New York on 9/11 started the decimation of the New England fishing industry. Livernois said his insur-

The Rhode Island Department of Environmental Management (RIDEM) is "nickel and dime-ing the fishermen to death," Harvey said. He cited a sticker that he must have on his boat that says, "I am a fishing vessel," as an example of one of the "ridiculous" charges imposed on fishermen. "I have a 95-foot boat with a huge net rolled up on the stern, and a crew working on the decks, and they make me pay \$35 for a decal to identify me as a fishing vessel. They'll do

stay out for ten days before he can bring the catch in to market. If he catches the limit in two days, he is not permitted to come home to sell it and save on expenses.

Harvey said environmental organizations are constantly lobbying for more regulations to restrict fishing. He went on to say that organizations like the Conservation Law Foundation and Audubon Society regularly sue the National

Marine Fisheries for allegedly not protecting our natural resources. Consequently, more stringent regulations are imposed on fishermen, and draggers are hit the hardest.

"If you are in the habit of buying a frozen package of fish filets for dinner, you better buy them now," Harvey said. "It won't be long before they won't be there. You'll have to go out and catch them yourself."



Dragger working the waters off Beavertail.

ance went from \$28,000 a year to \$50,000 almost overnight.

Harvey said he was recently paid \$3,500 for a 20,000-pound catch of whiting—barely 17-cents a pound. The cost of fuel for the trip was more than \$3,000, and the ice was \$1,600. "I lost money. The crew didn't get paid," Harvey said.

anything to squeeze us for a few more bucks," Harvey said.

Harvey also said that National Marine Fishery regulations have cut back the number of days a year he can fish. Five years ago, he could go out for 88 days. Now, he is only allowed 48 days. "Next year they'll cut us back another 20 percent," Harvey said.

Harvey has a multi-species license, meaning he can catch cod, haddock, flounder, monkfish, and most of the fish that consumers find in the seafood section of their grocery store. According to government regulations, he is allowed to catch 10,000 pounds of fish in ten days. However, he must

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LEGAL TIP

The Veterans Administration can't be liable under a theory of failure-to-warn for murders committed by a former mental patient after his release — but may be liable under a theory of gross negligence, the 3rd Circuit has ruled.

A Navy veteran entered a residential housing facility on Veterans Administration property grounds. He received counseling and was diagnosed as having intermittent explosive disorder, based on his history of domestic violence, symptoms of depression and past suicide attempt. After a violent altercation with another veteran, the man was made to leave the facility. Eighteen hours later, he killed two of his children and two of their friends before killing himself.

The man's wife and the mother of the other children sued the VA under the Federal Tort Claims Act, alleging gross negligence in discharging the husband when he was an imminent threat, and failure-to-warn.

At a bench trial, a U.S. District Court judge granted summary judgement to the VA on the failure-to-warn claim, but found for the plaintiffs on the gross negligence claim.

The court affirmed.

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