



**City of Gloucester
Fisheries Commission Minutes**

Wednesday, October 24, 2012- 5:00PM
Third Floor Conference Room
City Hall
9 Dale Avenue

Members:

David Bergeron
Sefatia Romeo-Theken
Angela Sanfilippo (absent)
Al Cottone
Paul Vitale

Mark Ring
Joseph Orlando (absent)
BG Brown
Gus Sanfilippo (absent)
Greg Verga

Also in attendance: Sarah Garcia, John Bell, Damon Cummings, Suzanne Altenburger, James Tarantino and several other members of the public.

1. Call to Order & Chairman's Report

The meeting was called to order at 5:12pm. **Mr. Bergeron** thanked everyone for coming. In announcements, he noted that a letter was discussed last month regarding a request for review of the Magnuson Act, the current status of fish stocks and the rebuilding timeframes established under the law. A letter/ memo was drafted and circulated to Commission members as requested last month. Copies of this letter and memo will be included and attached with these minutes for the record. **Mr. Bergeron** also noted that there will be a science forum on stock assessments on November 9th in Portsmouth, suggesting that those who are available attend.

Mr. Bergeron also noted that an interesting announcement was circulated by NOAA earlier in the day of the meeting pertaining to loans available for commercial fishing vessel improvements. Funding is being made available as a joint initiative between the Gulf of Maine Research Institute and several other organizations. He is happy to share the information with anyone who might be interested. It was noted that the deadline for applying for these loans is Oct. 31, 2012.

In a final remark, **Mr. Bergeron** noted that he was made aware that he no longer needs to print the minutes for distribution at commission meetings since they are provided electronically. If anyone has an issue accessing the minutes electronically, they should let him know and he will make paper copies available.

2. Minutes of the August 16, 2012 and September 13, 2012 meeting

Mr. Verga asked if the minutes from the September meeting needed to be accepted since there was no quorum at the meeting. It was agreed they do not need to be voted on.

Mr. Bergeron noted a comment submitted by Maggie Debbie to the August minutes regarding the State Fish Pier and vessel insurance, the goal is to allow uninsured non-tenants temporary short-term access to the pier.

Next the Commission moved to the minutes of the August 16, 2012 meeting.

MOTION

Mr. Vitale motioned to accept the minutes, **Mr. Ring** seconded. All were in favor with **Mr. Verga** voting “present” as he was not yet a Commission member at the August meeting. No discussion was held on the motion, which passed unanimously.

3. Committee Reports:

a. Commercial Fishing Dockage

In an update on the Commercial Fishing Dockage Committee, Ms. Garcia presented and noted that Mr. Wiggan of the Urban Harbors Institute was not available for the meeting due to travel. She began by explaining that there has been a great response rate to the survey which was made public at the end of September. She presented some spreadsheets detailing current responses by both vessel owners and property owners. Vessel contact info was obtained from various locations- totaling 240 vessels that dock in the city and an additional 156 vessels that land fish in Gloucester but dock elsewhere. In the month that the survey has been available, just under 100 vessels have sent in responses. Ms Garcia also brought copies of the survey to the meeting for Commission members to distribute.

Next, Ms. Garcia explained that the property owner list is much smaller, about 79 total, and that she has not received near as many responses to this portion of the survey. She noted that she will be making phone calls to property owners who have not responded the week after the meeting.

Mr. Cottone asked for clarification on vessel and property owners who have not yet responded, offering to talk with people he knows. All agreed that the response rate is great but that more can be done to encourage additional responses.

Ms. Romeo-Theken said she would like to see a better response rate from property owners. She suggested posting information about the survey on Good Morning Gloucester (local blog) and performing additional outreach to ensure more responses are gathered.

Mr. Brown asked if the list of vessels that was provided by Ms. Garcia included information about which vessels were active and which were in-active. He added that it doesn't make sense to expect responses from vessel owners who simply have permits associated with small boats stored in their yards. He added that it's important to get an understanding of how many of these vessel owners are actually in need of better/ alternative dockage. It was also mentioned that boats “landing” fish in Gloucester are not all bringing fish here by sea- some truck it in. **Mr. Bergeron** noted that these are important points and speak to the need for the survey, which aims to understand what is lacking in terms of current dockage and access in the city.

Ms. Garcia finished by noting that she is unaware of a timeline associated with next steps for the survey. **Mr. Bergeron** stated that once surveys are returned, analysis will be performed on the

responses and a report will be presented to the sub-Committee and then to the Commission. He restated to Commission members that outreach on the survey is still important at this stage.

Ms. Romeo-Theken asked Ms. Garcia who answered the survey for the waterfront-properties owned by the City. Ms. Garcia was not sure but agreed to look into it and get back to her.

John Bell of the Northeast Seafood Coalition told the Commission that he is more than happy to send out emails to NSC members who haven't responded to the survey yet. Ms. Garcia said she would be in touch with him with the information.

b. MassDevelopment Working Group

In the next order of business, **Mr. Bergeron** noted that the MassDevelopment working group met last month to come up with initial ideas for opportunities that could be analyzed. A consultant has been identified to work on this and MassDevelopment would like to meet with the working group again to find out who the consultant should be meeting with to do this study and identify needs on the harbor. Initial opportunities for development include developing processing and marketing opportunities for dogfish, redfish, lobster processing, shrimp processing, and other value-added measures for species like pollock. The working group needs to meet with the consultant to add or subtract to this list. **Mr. Bergeron** reiterated that this is a great opportunity for the Commission and the City. He then asked the group if they have any suggestions for the working group/consultant.

Mr. Verga asked if this study is going to be similar to the Fuller School survey that was recently conducted by MassDevelopment for the City. Ms. Garcia explained that this MassDevelopment study will be different, and was initiated as a result of MassDevelopment meeting with the Fisheries Commission a few months back. At that meeting, it was made clear that some things were missed in the last study conducted by MassDevelopment and that initial work needed to be done to identify needs and areas for growth particularly on the State Fish Pier and elsewhere in Gloucester. Ms. Garcia also informed the Commission that the consultant conducting this study will need to know all of the current fish processors in Gloucester and will want to meet with them. Oceancrest, the fish auction, Connolly's and Turners were all mentioned. The consultant will want to meet with them to understand their current scope of work as well as obstacles to expanding this type of processing in Gloucester.

Ms. Garcia also asked the fishermen on the Commission what the current regulatory situation is surrounding bycatch. They explained that minimum size lengths are still in place and that regulatory discards are currently mandated. These discards are counted against individual fishing quotas. Meeting attendee Suzanne Altenburger mentioned that some other countries have full retention policies in place. A short discussion was held on the issue of bycatch. **Mr. Bergeron** asked if full retention was even a possibility for the Northeast Fishery in the near future. Several confirmed that this was not expected. Gear upgrades for vessels was also discussed and **Mr. Vitale** made the point that disaster assistance does not make sense for these upgrades given the list of other everyday costs that need to be covered in lieu of a drastically reduced fishery. Most fishermen will be struggling to keep their heads above water, and any disaster assistance should be used for things like insurance payments, boat loans, etc. Lots of improvements could be made to burn less fuel, save money, etc. but with disaster looming all is irrelevant.

Returning to the MassDevelopment consultant, the potential for a waste water pre-treatment plant should remain on the list. This is the number one issue standing in the way of expanded processing in Gloucester and no new companies will want to invest here with the City's water rates as they are

now. It's also important to consider existing businesses in this context- breaks can't be given on water rates to new businesses without considering how this will effect companies like Gorton's who are already here paying the high rates.

Meeting attendee Jimmy Tarantino suggested that the Commission contact Marcia Brewster, who works on water issues and has consulted with the UN, as a resource on this pre-treatment issue.

Mrs. Helen Garland, another meeting attendee asked what percentage of the total Gloucester budget comes from fisheries? She is curious about the whole economic impact of the industry. Ms. Garcia responded that these figures are included in one of Sarah Robinson's reports. Fish landed alone were valued at \$56 million last year. Mrs. Garland noted that this figure would be an important number for people who need to wake up and see how important the industry is to the community. It should include other things such as insurance, industry shore side businesses and provide a good clear figure on the total value including trickle-down benefits to the community.

Ms. Garcia asked a question about the difference between fresh and frozen seafood processing. Jimmy Tarantino noted that as a seafood inspector who conducts inspections weekly, saying there is a difference between these two types of processing is a huge understatement. He explained that fresh fish is an extremely high value product (requiring skilled handling). It simply can't be compared to the frozen Alaskan pollock that gets shipped in for processing. Also, much of the processing of this frozen Alaskan pollock and other similar products is done on factory trawlers right at sea. The limited processing that is done here for such product is automated, not requiring a specialized workforce.

Mr. Bergeron added that the Commission wants to work to ensure that more fish landed in Gloucester is also cut here rather before being shipped out, which would keep more value here. This will be a difficult thing to do. **Mr. Cottone** noted that there are places doing high volume fresh fish processing in Boston and New Bedford, so it can be done.

It was asked if the businesses who are currently cutting fresh fish here in town would be doing more if wastewater processing wasn't an option. Many on the Commission believe this to be the case.

Mr. Vitale added that the MassDevelopment consultant should also consider visiting businesses and processors outside of Gloucester to find out why they are not in Gloucester. This will be a good way to identify obstacles for attracting new opportunities to the city.

Mr. Verga asked for clarification on the need for a pre-treatment plant or plants in Gloucester. Meeting attendee John Bell responded that every Harbor Plan in recent history has identified this need as critical for waterfront development. At some point, the City needs to look at what the technology is, who will it benefit and who will it attract? MassDevelopment has also recognized this issue of waste water pre-treatment, and this would be a great mother ship to start with. Ms Altenburger added that she has previously suggested the development of a kind of island system of pre-treatment plants, with small-scale plants peppered around the city as a starting point, working in collaboration to draw pressure off the city's strained water system.

In a related question, Mr. Bell asked where the City/ City Council stand on the City's DPA designation. It seems to him that before moving forward on this issue of waterfront development, everyone needs to get on the same page. The important question to consider is what are the ways we best strengthen the port?

Ms. Garcia responded that it's clear that the focus from the Mayor's office is that commercial fishing is Gloucester's strength and that is not going anywhere. This is the main point informing the harbor planning study. She added that not anyone in this city wants to move a fishing boat in the name of alternative development. The City has never supported removing DPA outside the context of a harbor plan. In her own personal view, it will be important to work hard to incorporate mixed uses under DPA- how to make them work together better and do no harm to the fishing sector. It's also clear that many of the DPA regulations are too onerous.

Mr. Verga added that the Mayor has also specifically asked the City Council to put a question on a ballot regarding I4C2's DPA status for next year. Both City Counselors Bruce Tobey and **Mr. Verga** are openly considering this proposal and have an open mind on the issue.

Mr. Bell added that these issues should be carefully considered in the context of the onerous processes involved in petitioning the state's DPA regulations. Only minor tweaking is necessary to bring the regulations current to 2012. He noted there should be collaboration at that table to look at DPA to see if there are ways for all ports with DPAs to benefit from the modernization of the DPA regulations. The State has invested tons of money in the DPA here. Gloucester needs to be smart about its DPA.

It was also noted that CZM and DEP convened a working group to talk about targeted changes to the DPA regulations. It took a long time to implement these changes and it's a complicated process.

Mr. Bell added that the industry will be vulnerable over the next 3 years and that many will try and paint a picture that this is the end. It's not the end. These times will be a struggle, but we must work on solutions together. The first issue to tackle involves ensuring any disaster assistance made available hits fishermen and crews, and this board is in a great position to advocate for the fishing community during this disastrous 2 or 3 years. These hard times will not be the end but a new beginning. Through the Coalition, Mr. Bell will do anything he can to make sure the NSC supports the Commission in this mission. **Mr. Bergeron** thanked Mr. Bell for his comments and agreed that collaboration will be important moving forward. Mr. Bell added that he is assured that Mayor Kirk is also steadfast in her commitment to the industry. **Ms. Romeo-Theken** added that the City Council needs to be educated on these important issues so they can be prepared to make important decisions during the difficult times for the industry.

Ms. Garcia added that the City must move forward as a unit, and that no big decisions will be made without consensus.

Suzanne Altenburger asked a question on DPA funding- if other communities were to forfeit their DPA designation, would the pool of designated port funds shrink proportionally, or would more funds be made available for communities that stay? This is an important question to have answered as these bigger DPA decisions are made.

4. Next Meeting Agenda-

Items to be included for discussion at the November Fisheries Commission meeting include an update on the dockage survey and on the Commission's work with Mass Development. **Mr. Ring** also suggested that the Commission discuss the potential for Gloucester's participation in the Boston Seafood Show. There is still some time before the trade show but planning should begin soon.

After some discussion, it was decided that the next commission meeting will be held on Wednesday, November 28 at 5:30pm.

5. Adjournment

Mr. Vitale motioned to adjourn the meeting. **Mr. Ring** seconded. All in favor, meeting was adjourned at 6:41 pm.

Attachments follow.

----- Email message -----

From: **David Bergeron** <gloucester.fisheries@gmail.com>

Date: Wed, Oct 3, 2012 at 4:58 PM

Subject: Fisheries Commission proposed letter to Congress

To: Al Cottone <zekeball@verizon.net>, Angela Sanfilippo <asanfilippo@mass-fish.org>, BG Brown <wgbvbrown@yahoo.com>, Emily Currier <emilycurrier@gmail.com>, Greg Verga <greg@vergare.com>, Gus Sanfilippo <guss4@comcast.net>, Joe Orlando <f.vpadrepio@gmail.com>, Mark Ring <Mark.Ring3@verizon.net>, Mayor Carolyn Kirk <ckirk@ci.gloucester.ma.us>, Paul Vitale <fvangelarose@comcast.net>, Sarah Garcia <sgarcia@gloucester-ma.gov>, Sefatia Romeo Theken <sromeo@nhs-healthlink.org>
Cc: Christine Pantano <cpantano@gloucester-ma.gov>

Fisheries Commission:

Commissioners came to consensus on two matters at the last commission meeting and requested I circulate the attached proposed letter to the delegation. Commissioners – meeting informally on September 13 – agreed that emergency financial assistance is greatly needed for the groundfish industry and every effort should be encouraged to obtain it. Commissioners also agreed that a request should be promoted separately from the matter of financial assistance for an independent review of whether or not scientific observations regarding the biology and environmental conditions of our fish stocks trigger an exemption in the Magnuson Stevens Act that allows the 10-year rebuilding deadline to be exceeded, which would additionally authorize the request the mayors have made for a freeze in cuts to allowable catches next year. Our request here is for an independent review of this provision in the law rather than the review of the science that New Bedford has been emphasizing. The MSA provides criteria for an exemption to the rebuilding deadline that should be examined thoroughly by regarded legal scholars on the Magnuson Stevens Act in view of the grave austerity and economic threat of the cuts being proposed. I have been in contact with a colleague at the National Academy of Science and there is agreement that our proposed request is entirely reasonable and appropriate.

If there are no objections to the proposed letter attached by the beginning of business on Monday, October 8, it is requested that the mayor send the letter to the delegation at a time she deems most appropriate to do so within the month.

This email correspondence will be entered into the public record at our next commission meeting.

David Bergeron, Chair
Fisheries Commission

Proposed Letter to Congress

Unprecedented cuts in allowable catches of New England fish stocks are being considered for FY2013 by NOAA Fisheries. These cuts, if implemented, will deal a severe economic blow to many fishing vessels in our struggling fleet. We estimate these cuts would put at least 50% of our groundfish vessels out of business. Every effort must be made to mitigate the economic and social crisis such cuts would cause. We are very grateful that the administration has declared a fishery failure and that the Congressional delegation is pursuing emergency financial assistance to our fleet. These efforts are very important and the need for financial assistance could not be clearer, but more is needed.

In addition to disaster assistance funding, an independent review by the National Academy of Science is urgently needed of the legal implications of reasons for changes in observed New England stock biomasses. Specifically, we request this independent review render an impartial assessment of the extent to which scientific observations trigger an exemption to the Magnuson Stevens Act (MSA) requirement to rebuild stocks within 10 years as provided in MSA § 304(e)4A(ii), rebuilding may “not exceed 10 years, except in cases where the biology of the stock of fish, other environmental conditions...dictate otherwise.”

NOAA officials have stated that biological factors and environmental conditions other than fishing activities account for recent changes in *observed* measurements of local stock abundances. We believe that these factors allow NOAA Fisheries the authority under current law to implement a management regimen that exceeds 10 years to rebuild the stocks. We make note of the history of Gloucester fishermen sailing as far away as the Grand Banks because fish were there before later returning to local waters. Therefore, environmental conditions and the biology of the stocks trigger an MSA exemption to rebuilding requirements that grants NOAA Fisheries authority to implement a freeze in changes to allowable catch limits next year. A review by the National Academy of Science would make this legal flexibility clear.

We emphasize the need for immediate financial assistance to the groundfish industry and; moreover, in addition to financial assistance we request an independent review be conducted by the National Academy of Science to assess the legal implications of recent scientific observations of New England fish stocks. Members of the groundfish industry are already in desperate financial difficulties. We urge Congress to do everything possible to move forward in response to these requests as quickly as possible.

Thank you for your hard work on behalf of our fishermen and your consideration of our requests.