

**City of Gloucester
Fisheries Commission Minutes
EMERGENCY MEETING**

Thursday, February 9, 2012- 7:00PM
Sawyer Free Library
Friends Room
2 Dale Avenue

Members:

David Bergeron
Bruce Tobey
Sefatia Romeo-Theken
Angela Sanfilippo
Al Cottone

Paul Vitale
Mark Ring
Joseph Orlando
BG Brown
Gus Sanfilippo (absent)

Also in attendance: Mayor Kirk, Patti Page, Damon Cummings, Sunny Robinson, Niaz Dorry, Jackie O'Dell and Vito Giacalone

1. Call to Order & Chairman's Remarks

Mr. Bergeron, Chair of the Commission, called the meeting to order at 7:05pm. He thanked everyone for coming on short notice. He announced that the Mayor had written the Commission a letter (see attached) and turned to the Mayor for an explanation on the purpose of the meeting.

Mayor Kirk thanked the Commission for convening on short notice. She explained that originally, the Commission was reconstituted to deal mainly with local issues. However, she has realized that there are many regional and national issues and events that the Commission can help her to better understand and form responses to. For example, it would be useful for the Mayor's office to be informed of events she should attend—such as the recent cod assessment update from the New England Fisheries Management Council meeting in Portsmouth. Also, the Commission should give the Mayor guidance on issues like the cod crisis, Amendment 18 and any other important issues that may come up.

Tonight's emergency meeting should address the Commission's approach for providing the Mayor with guidance and advice on major issues in the fishery that require quick, informed responses. Any proposed actions on the immediate crises (the cod assessment and Amendment 18) would also be appropriate topics for discussion at this meeting.

Mr. Bergeron thanked the Mayor for turning to the Commission for input and guidance on these important issues.

Mr. Orlando also thanked the Mayor for approaching the Commission and followed up with a question regarding the drafting of a formal letter on the cod assessment and Amendment 18. He asked if the Mayor would be willing to testify in support of a formal letter from the Commission on these issues.

The Mayor responded that this is precisely her intention for calling the emergency meeting. She absolutely should have been in Portsmouth, but was unaware of the opportunity until it was too late. She needs to know when events are coming and what her stance should be on the issues. The Commission is responsible for helping her to inform and shape these decisions.

Mr. Cottone suggested that a Commission sub-committee be constituted to develop positions and talking points on unexpected developments in the fishery. This sub-committee would be responsible for drafting key bullet points on the issues and getting them to the Chair as soon as possible to channel to the Mayor.

The Mayor agreed with this proposal, emphasizing that the important element will be a quick turn around on key information.

Ms. Romeo-Theken noted that she appreciates and respects the Mayor's stance on looking to the Commission for informed and reliable information on these issues. In reconstituting the Commission, it's important the city focus on new approaches to addressing the issues in the fishery. Factions within the local industry have proven detrimental to the local fleet in the past, and the Fisheries Commission is the perfect place to smooth out differences amongst fishermen with the goal of presenting a united front. The focus should be on what's best for Gloucester.

Mr. Bergeron noted that the focus of this evening's meeting will be to discuss the pressing issues. During next week's regularly scheduled meeting, the Commission can formally address how it will organize to best address new issues and events in the fishery.

Mr. Tobey thanked the Mayor for approaching the Commission and added that **Mr. Cottone's** proposal to put together a subcommittee on this matter is a good idea. He also added that this subcommittee should act as a sort of "strike force" to provide quick and informed responses. Also, the subcommittee structure would allow the Commission to avoid some of the delays associated with open meeting law. Most importantly, the Commission must trust that this subcommittee will represent the diversity of views on the Commission, as well as the Gloucester fleet as a whole.

Mr. Orlando suggested that outside members with intimate knowledge of the regulatory process should also be included in this subcommittee in order to keep up with key developments. He suggested that either Vito Giacalone or Jackie O'Dell participate on the sub-committee given their awareness of key developments and extensive knowledge of the regulations.

Meeting attendee Sunny Robinson agreed that the subcommittee would be a good approach, and suggested that Patti Page be included to keep everyone up to date on meeting dates. **Ms. Romeo-Theken** responded that this will pose a conflict of interest due to Ms. Page's employment with the National Marine Fisheries Service.

Mr. Bergeron suggested the Commission members think about the subcommittee for a week and we can revisit this issue at next week's meeting.

Ms. Romeo-Theken responded that a decision should be made at this meeting regarding subcommittee appointments. This is an important need and should be addressed as soon as possible.

Mr. Ring added that the subcommittee should be as diverse as possible, representing views from all the gear-types in the industry. Opinions should be funneled through **Mr. Bergeron** to ensure coherence and consistency for the Mayor's office.

The Mayor agreed that working through **Mr. Bergeron** would be the best approach. She added that she is confident on her basic knowledge of fisheries issues. It is the unexpected developments that she will need the most help with. She needs talking points on these issues for correspondence with high ranking state and federal officials.

Mr. Cottone added that the need for key information goes both ways. If the press or elected officials are coming to Gloucester regarding fisheries issues, The Commission needs to be informed of the who, what, where and when.

The Mayor agreed that two-way communication is essential.

Mr. Orlando added that the key issue at present is to draft a letter for immediate release to the National Marine Fisheries Service/ New England Council expressing Gloucester's position on the interim proposal for cod allocations. He proposed that the Commission support the high-end interim TAC recommendation of 7500 metric tons for the new fishing year.

The Mayor responded that this is exactly the sort of information she needs from the Commission, as she would not know how to respond to a question on the interim TAC levels given her lack of information on the developments.

The Commission decided to move to a substantive conversation with Jackie O'Dell and Vito Giacalone on the cod issue and get back to the Mayor on their formal stance on the issue. It was also decided that the subcommittee on pressing issues in the fishery would include **Mr. Vitale, Mr. Ring, Mr. Brown, Ms. Sanfilippo** along with Jackie O'Dell and/or Vito Giacalone. Sub-committee details will be finalized next week.

2. Gulf of Maine Cod Assessment and Management

In a brief overview, Jackie O'Dell, Executive Director of the Northeast Seafood Coalition (NSC) explained the current status of the recent Gulf of Maine cod assessment. She explained that the findings of this assessment indicate that the current biomass of Gulf of Maine cod is not where it was thought to be as of 2008 and will not be where it needs to be to meet the rebuilding timeframes in Magnuson. In 2008, the assessment indicated that the stock was at 65% of the rebuilding target. In a drastic change, the 2011 assessment indicates that we are currently only at 20% of the rebuilding target, and that the stock is overfished and overfishing is occurring. These figures suggest that drastic measures are needed to reduce overfishing. The differences between this most recent assessment and the assessment in 2008 cannot be overstated. Aside from the differences in results, these two assessments employed different models and different data collection methods. Discard mortality rates from the recreational sector were included in 2011, and not in 2008. The research vessel collecting this data also changed: in 2008, the research FSV Albatross IV was used

for data collection; in 2011, a new research vessel (FSV Henry S. Bigelow) was used for the assessment. Questions have been raised regarding the lack of calibration between these two vessels. Overall, there are many questions revolving around the lack of consistency between the two assessments. The hope is that the new assessment will be reevaluated to account for the inconsistencies.

The Magnuson law mandates that when overfishing is occurring, the total allowable catch (TAC) for a stock must be set at a level that will bring an end to the overfishing. However, Glenn Delaney of the Northeast Seafood Coalition has identified a clause of the Magnuson Stevens Act that will allow the New England Fisheries Management Council to pass an interim TAC level for fishing year 2012. This interim measure would allow for additional planning and review of the assessment. At the last council meeting, a TAC in the range of 6700 metric tons to 7500 metric tons was proposed for this interim level. Currently (for fishing year 2011) the TAC for Gulf of Maine Cod is set at 8500 metric tons, so these proposed interim levels would mean a reduction of between 10-22% for the fishery.

Vito Giacalone added that without interim emergency action, the required TAC would be 1400 metric tons in order to rebuild by 2014, as mandated by the reauthorized Magnuson law. In fact, 1400 metric tons would be the maximum allowable catch. The reality would most likely be closer to 75% of 1400, which would mean a shutdown for the fishery.

Ms. O'Dell added that the recreational sector would also be allocated a portion of the 1400 metric tons, leaving approximately 70% for the commercial fleet.

Mr. Ring interjected that in response to this information, the letter from the Commission should back the recommendation for an interim TAC.

MOTION: **Mr. Orlando** motioned for the Commission to send a letter to Secretary of Commerce Bryson supporting an interim TAC limit for fishing year 2012 in the range of 6700-7500 metric tons with strong recommendation to allocate the full 7500 metric tons. Also, the Mayor should send letter in conjunction with Commission. **Mr. Tobey** seconded the motion.

Discussion: **Ms. Sanfilippo** noted that without a Gulf of Maine cod allocation, the economy of Gloucester would collapse. There is no choice but for the Commission to support this interim measure.

Mr. Orlando added that one of the main issues with a drastically low TAC for cod is that it is almost impossible to set a tow for another species without catching some cod. It's impossible to stay away from cod. It moves around and it's unpredictable. Even if avoiding cod completely, the fishery will run the risk of exceeding the TAC mandated by Magnuson.

Mr. Tobey added that the wording of this letter will be critical. The City shouldn't bet against itself. The range of 6700-7500 metric tons seems risky. He asked if the Commission should simply recommend the full 7500 metric tons. **Mr. Orlando** agreed to amend his original motion to say that the full 7500 metric tons should be the recommendation of the Commission.

Meeting attendee Niaz Dorry of the Northwest Atlantic Marine Alliance (NAMA) responded to an earlier comment that the cod situation has caught everyone by surprise. She noted that she has been hearing the opposite—that inshore cod are in fact on the decline—from fishermen since the passage of Amendment 16 in early 2010. In this context, she suggested that it is important for the

Commission to consider the impact of fishing capacity and vessel size when forming a response to the cod crisis.

In response to this point, Ms. O'Dell offered a point of clarification on the recent stock assessment. The numbers in this most recent assessment dealt with data collected in fishing years 2008, 2009 and 2010. Additionally, the 2005 year class of cod—an especially strong year class—was heavily weighted in the 2008 assessment and was down weighted in the most recent assessment. This year class was one of the reasons fishermen were doing so well in 2008.

Mr. Vitale agreed, stating that many fishing trips in 2008 involved single 10 minute tows before hitting his quota.

Ms. O'Dell followed that under the Days at Sea system, the fish were there. Now it's not clear what is going on with the ecosystem. However, she reiterated that the data for this newest assessment was collected mostly under the Days at Sea system, when the fish were undoubtedly out there, as the fishermen on the Commission can attest. It was certainly not as disastrous as they are currently claiming.

Ms. Dorry countered that she started hearing reports of the dwindling cod stock as early as 2010, when Amendment 16 was first implemented. Regardless of whether or not Amendment 16 caused the decline, the important factor and the one at the root of the issue for NAMA is the capacity issue. The size of vessels in a fleet and the fishing effort they exert is an integral part of determining what is going on with the fish stocks.

Mr. Orlando asked Ms. Dorry where she was hearing that inshore cod has been on the decline since 2010.

Ms. Dorry responded that small boats fishing inshore had been reporting on the decline of cod since that time. Scale seems to be the major cause. Right out the gate with the start of Amendment 16, larger, off-shore boats moved in-shore and began exploiting stocks traditionally fished by smaller inshore vessels. She has heard consistent reports throughout the region, not just in Gloucester.

Mr. Vitale added that a similar trend with the supposedly healthy stock of haddock on Georges Bank has been occurring simultaneously. Despite reports that this stock is thriving, exploitation has been low maybe as the stock biomass stays inside the closed areas. Things have slowed down outside as well as inside. He also added that sand eels, a key feed fish for groundfish, seem to have disappeared in recent years. There is great concern over this crucial ecological factor because of the sand eel's critical place in the local food chain. In this light, while it is easy to point fingers at the large scale boats, there are clearly other factors influencing the current situation. Additionally, these off-shore vessels currently have limited options for fishing grounds because fisheries have slowed outside the Gulf of Maine also. They need open areas outside the Gulf of Maine so they have options for fishing off-shore.

Mr. Ring added that the presence of larger vessels fishing inshore is a concern since the fall rolling closures for Stellwagen are not currently in effect.

Mr. Brown responded that although challenging to work with, these rolling closures are important for spawning purposes. He added that in the past year and half, harvesting with fixed gear (in his case, a gillnet) has been increasingly more difficult. He is not sure if it has been the result of the

capacity issue or the lack of feed for the fish, but he has definitely experienced difficulty in finding fish. It seems to be getting worse with time.

Mr. Vitale agreed saying he has not been doing as well lately either. The cod seems to be consistent in deep water, but it's been harder and harder to find inshore.

Mr. Bergeron added that these are all important environmental questions, and the key is figuring out how the assessments can better address them accurately.

Mr. Orlando noted that he has been fishing for a long time, and that he has experienced these fluctuations in the resource before. It seems to happen in 7 year cycles, where at the top of the cycle, the fish are plentiful, but at the bottom, they move away. He noted that it all seems tied to the sand eels, which have definitely declined or moved away in the past few years. He has seen the same cycle 5 or 6 times since he began fishing. To him, the size of the boats is not the issue. He is discouraged that the experience of long-term fishermen is not considered when conducting these assessments.

Ms. Dorry responded that she has lots of respect for the accounts of fishermen. However, she wonders if it is environmentally healthy to fish with such heavy effort when the stocks are plentiful. Perhaps this is influencing their disappearance. It might make more sense to fish for longer times at smaller efforts, allowing the stocks to sustain themselves and even rejuvenate to higher levels.

Mr. Giacalone suggested that defending one group of fishermen over another does not help to solve the problems at hand. The reality is that the whole ecological system is not producing. There are a whole range of explanations for this, including water temperature, feed, cycles of behavior, etc. He added that in such circumstances, it is easy to find a scapegoat. If foreign fishing vessels were still fishing our waters, we would be pointing fingers at them right now. Currently there are only 30 boats left that fish all of Georges Bank, and everyone is pointing fingers at them as the culprit for the current downturn. The real issue is that no one is doing as well as they were a couple of years ago. It's important not to take on a mob mentality when times get tough.

Ms. Sanfilippo asked if the assessments take environmental factors into account.

Ms. O'Dell responded that no, they do not, and that is part of the problem. No ecosystems-based principles are applied in conducting these assessments and setting the corresponding TACs.

Ms. Dorry added that the problems are written in the Magnuson Act. It lacks the ecosystems approach. With the '96 reauthorization of the Act, she lobbied to have these new approaches incorporated into the legislation and was almost successful. However, in the 11th hour the new language was removed from the Act because of the threat it posed to the oil and logging corporations. She asked if we want to take these issues on again given the present climate. She feels there will be less opposition this time around because of the shortcomings of the rebuilding timeframes. She also added that a major flaw with the current Magnuson law is that regulators have been cherry-picking which of the 10 national standards to implement. The law was written to take all 10 standards into account equally, but it is clear to all that it has not been implemented that way.

Mr. Bergeron asked if the Commission was ready to vote on the motion and there was no objection. He read the motion and the vote was 8 in favor, none opposed. Motion approved.

Mr. Bergeron then returned to a discussion of the specific points to include in the Commission's letter on the cod crisis. **Mr. Orlando** suggested that in regards to the proposed opening of closed areas, the Commission should only support opening Areas 1 and 2 on Georges Bank, but not the others.

Mr. Brown responded that there has to be more options for the off-shore boats.

Mr. Bergeron proposed reading all of the points of the letter (below) and deciding on them as a group one-by one. It was decided that points 1-5 were acceptable as they were drafted. Point six, regarding the opening of currently closed areas, required some discussion.

1. The importance of GOM cod to the fishermen and economy of Gloucester. Gloucester is the epicenter for the "new" assessment. This City was working under the assumption that GOM cod was on target to rebuilt by 2010 ...
2. The stark difference between the two assessments (2008 GARM) v. 2011, and how the scientific information changes from one assessment threatens the businesses in this City. The letter should clearly state that it is essential to confront these wildly different results, and conflicting results, if a fishing community like Gloucester is to exist.
3. Gloucester is one of the remaining "hub - ports", the infrastructure is but a fraction of what is used to be, and all is threatened.
4. Acknowledge that NSC pointed out the section in the law that allows NMFS to implement a one year Interim TAC, and reveal appreciation to the Agency that they agree this section provides them the authority to implement a one year Interim TAC to reduce overfishing.
5. Much needs to be done in the next year to address the inadequacies in the assessment prior to permanent TACs being initiated for 2013 and beyond.
6. Removal of the "mortality" sections of the groundfish closed areas.

Ms. O'Dell informed the group that she meant to bring a map illustrating each of the closed areas for a visual. She explained that within these closed areas, there are mortality areas and habitat areas. The mortality areas are closed with the intent of reducing fishing mortality. The motion on the table through the interim rule is to remove the mortality sections in the proposed closed areas. This will only open small slivers on eastern side of Georges Bank. It will not make changes to the habitat closures.

Mr. Bergeron asked if this issue belonged in the Commission's letter.

Ms. O'Dell answered that it is an important part of the interim motion.

Mr. Vitale added that opening some of these closed areas will help ease the pressure on the Gulf of Maine cod stock.

Ms. Sanfilippo noted that it is a good idea to address this point now, as it relates directly to the problem and these areas have been closed for a long time.

Mr. Ring added that some of the closures were never meant to be permanent. Now that they have remained closed for many years, perhaps it is time to open them.

Mr. Orlando commented that some of these closed areas should be left closed because of the current threat of losing additional fishing grounds on Stellwagen Bank. Down the line, opening

these currently closed areas could be used as bargaining chips if pieces of Stellwagen are taken away.

Ms. O'Dell added that the time to weigh in on the issue is at the meeting in Portsmouth tomorrow (Friday, 2/10) before the Gulf of Maine Cod Working Group. The information gathered by this working group will be presented to the Agency in Washington with recommendations on the options available for setting the 2012 TAC. The letter is very important, but the Commission should also consider sending someone to this meeting to present before the working group. A strong comment on behalf of the city is essential at this stage.

Mr. Bergeron agreed that presenting was a good suggestion, and that the Commission would follow through with it. He restated for confirmation that the position of the Commission is to open Closed Areas 1 and 2 on Georges Bank, but not to make any changes to closed areas inside the Gulf of Maine.

Mr. Brown asked how productive these 2 closed areas on Georges Bank have been in the past.

Mr. Giacalone responded that the areas have been closed for 20 years. During this time, scallopers have still been allowed to dredge there and Canadians have been fishing haddock right up against the Hauge Line on the other side. It makes sense to open the areas to the groundfish fleet.

Ms. Dorry added a point on creating incentives for off-shore vessels to make the trip out to these closed areas if they are in fact reopened. Offshore vessels that have moved inshore will only make the longer trips to Georges if there are incentives involved.

Mr. Bergeron asked the group again to settle on some language for the proposed opening of closed areas. **Ms. Sanfilippo** added that the Nantucket Lightship area should also be re-opened.

It was decided that the letter should read: "Open the mortality closure sections of the Nantucket Lightship Closed Area and Closed Areas 1 and 2 on Georges Bank."

Mr. Brown asked if this motion would be met with opposition from the scallop fleet. Mr. Giacalone did not think so. All agreed to the revised closure language by consent.

Mr. Bergeron moved next to who should present at the working group meeting in Portsmouth. **Mr. Cottone** is a member of the working group, and **Mr. Orlando** volunteered to read the letter at the meeting.

Ms. O'Dell added that the letter should be both from the Commission and the Mayor. Ideally, the Mayor should present the letter to the working group. Given the importance of cod to the City of Gloucester, this is the Mayor's opportunity to shine. Gloucester is at the epicenter of this crisis, so it is very important that the city's leadership come out and discuss the potential impacts to the community. What's more, several other communities up and down the coast depend on Gloucester as a hub port. If Gloucester goes under, the trickle-down effect would be monumental to the entire region. This cannot be understated. Millions of dollars and several shore-side economies are at stake.

Mr. Bergeron agreed to see if Mayor could make it to the meeting to present. Later in the meeting it was confirmed that she could attend, but would need a final draft of the letter as soon as possible to prepare.

3. Amendment 18 to the Northeast Groundfish Plan

Moving next to a discussion of Amendment 18 to the Northeast Groundfish Plan. Mr. Giacalone began by noting that the origins of this amendment have been complicated and unusual. Normally amendments come about as a result of new biological findings that must be addressed. This one differs because it is an off-shoot of Amendment 16, which created the current sector-based regulatory system. Mr. Giacalone provided some perspective on the recent change to sectors, including NOAA's refusal to label these sectors as "Limited Access Privilege Programs" (LAPPs), even though they appear to be so. He also discussed the option that fishermen had during this switch-over to stay in the common pool, which given the restrictions was really no option at all. Taking all the details into account, he explained that although the Northeast Seafood Coalition did not support sectors, it assisted in the transition to them because there was no other viable option.

One of the largest threats to the fishery under sectors/ Amendment 16 is the threat of the excessive consolidation of the fleet. Currently there are no caps set on the accumulation of permits or quota. As a result, Amendment 18 aims to set caps on consolidation in order to preserve fleet diversity and prevent consolidation.

Mr. Giacalone expressed his opinion that although Amendment 18 is based on good objectives, it is too theoretical and could lead to negative consequences down the line. He fears that if Amendment 18 goes forward on anti-consolidation platform, infighting could tear the industry apart and additional regulations might strip away some of the protections available under the sectors. While imperfect, these sectors allow fishermen a certain level of decision making power in the area of buying and selling permits. Also the contractual right of first refusal among fishermen within a sector and then among sectors limits how much and how far trading of permits and quota goes. Therefore, he encourages fishermen to work together under the current regulations to ensure that consolidation does not take place. If Amendment 18 were to pass and anti-consolidation measures were put into effect, the result would be that the current system would be one step closer to a Limited Access Privilege Plan, where quotas would be individually owned assets and transferrable (ITQs). Currently a framework action could shift allocations among permits, and this present arrangement is too uncertain and risky to outside investors. If Amendment 18 converts this system into a real LAPP where quota becomes a bankable asset, the Wall Street investors will come and the fishery will consolidate very rapidly. In such a regulatory environment, the protections of working together as a community (or sector) would disappear and there would be no controlling what happens with the individual quotas. All of the hard work that has gone into developing sectors would be thrown out the window.

Ms. Sanfilippo added that instituting individual transferrable quotas (ITQs) have been a goal of the Agency since 1988. She clearly remembers opposing these transferrable quotas back in the eighties and believes Gloucester should still do so today.

Mr. Tobey added that big money (corporations) can be very patient, and if the ultimate goal of these big money interests is to buy up all the quota, such companies won't mind waiting for the fisheries to move in this regulatory direction.

Mr. Giacalone reiterated that the protections against consolidation already exist under sectors. Any decisions like the ones proposed in Amendment 18 can collectively be agreed upon among the sectors without the need for an amendment. If fishermen can agree on something, it can be put in the sectors operation plans and these operation plans become written into the final rule.

Mr. Bergeron asked if there were currently any negotiations within or between sectors to propose this sort of anti-consolidation plan.

Mr. Giacalone responded that within the Gloucester sectors, he has not heard specific concerns about anyone accumulating too much quota. Under the current system, each sector has the “right of refusal” which governs the sale of permits within and between sectors. If someone decides to sell and an outside buyer is interested, the sector has the right to refuse the sale and keep the permit within the sector, given they match the price of the permit. To the best of his knowledge, Mr. Giacalone added that no more than 2 permits have left the Gloucester sectors since the implementation of Amendment 16. Not a single outside corporation has bought a permit, either.

In a recent scoping hearing presentation on Amendment 18, NOAA officials revealed that 36% of the winter flounder quota is owned by 3 individuals at present, using this as an example of consolidation. However, they neglected to investigate or discuss whether or not this 36% was accumulated before or after the implementation of the catch share system. According to Mr. Giacalone, there is no question that everyone should be vigilantly on guard against consolidation, but that there is a system in place and alarms will certainly go off if it does start to occur. The sectors provide ownership among locals, which will keep corporate investment back.

Ms. Dorry followed Mr. Giacalone, stating that she believes that she is on the same page as far as the ultimate goal of preventing consolidation. However, her organization (NAMA) has been pushing for the passage of Amendment 18. She added that consolidation occurs not only when permits are sold, but also when their quotas are leased out. She has heard from many fishermen that permit leasing has been disproportionately skewed towards larger boats with bigger fishing capacities. Given the tight regulatory environment and the limited quota available, the only option for many small-scale fishermen is to lease. Small ports like those in New Hampshire are really struggling under this new regulatory environment. The infrastructure in these small fishing towns is suffering as well. Additionally, she feels that only bits and pieces of Amendment 16 are being implemented at this point. There were several protections against consolidation that were written into the law, all of which have been disregarded up to this point. NAMA’s market work has allowed them to build support around this issue across networks. The challenge lies in the lack of transparency in the sector system. The ocean is supposed to be a public resource, but currently it is being managed in private.

Ms. O’Dell followed that the Northeast Seafood Coalition makes all of its operations transparent. The operations plan for sectors is online as well as the organization’s annual report. Any information that is not made public is proprietary information relating to individual fishermen’s harvests. This information has never been publically available, and there are standards in place to protect individual fishermen’s business dealings.

While she understands this, Ms. Dorry responded that this is precisely the type of information that is needed to figure out if consolidation is in fact occurring.

Ms. O’Dell responded that she understands, and the NSC is currently investigating how to make this information public while still protecting the rights of individual fishermen. An internal study is being conducted to analyze the flow of fish in the different sectors.

Mr. Cottone added that he has seen that those who are leasing are targeting alternative fisheries. In other words, they are leasing their quota for the more traditionally fished stocks while targeting alternative fisheries instead.

Mr. Bergeron decided that at present, it does not make sense for the Commission to take a formal stance on Amendment 18. Instead, the fishermen in sectors should be supported and encouraged to work together to address problems.

Sunny Robinson pointed out that the Commission could decide to take a formal stance along the lines of stating that fleet diversity should be decided by the fishermen through private negotiations among the sectors.

Mr. Giacalone added that the formal positions of the Fisheries Commission should focus on what is best for the Gloucester fleet. The Commission should take the time to get the hard data on the consolidation issue and make informed decisions on how to proceed. The bottom line—and most important element in preventing consolidation—is to ensure that there is enough fish to go around for everyone to make a viable living. Stable total allowable catch (TAC) levels are needed first and foremost to protect the diversity of the fleet. Without the fish to catch, consolidation will follow without question.

The Commission decided that it was in Gloucester's best interest to try and have a joint meeting among the boards of the three Gloucester-based sectors, ideally before next week's Commission meeting. Fishermen of the sectors will report back next week on their progress, and the Commission will consider next steps.

4. Adjournment

MOTION: **Mr. Cottone** motioned to adjourn the meeting. **Mr. Vitale** seconded. All were in favor, meeting adjourned at 9:01pm.

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CITY OF GLOUCESTER
OFFICE OF THE MAYOR

February 2, 2012

Mr. David Bergeron
Chairman
Gloucester Fisheries Commission

Dear Mr. Chairman,

First may I thank you and the Commission members for your service to the city. Your monthly updates are enormously helpful, and I can see that the Commission is making great progress on its agenda including the commercial dockage study, planning for a Fisheries Summit and exploring industry-related economic development opportunities for the city of Gloucester.

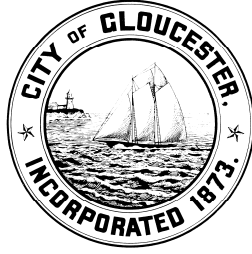
It is also important to recognize that the Mayor's office needs guidance and advice from time to time on fisheries-related issues. I look to the Commission to provide that guidance as I consider those Gloucester citizens in the industry or closest to the industry to be the best experts available.

With that said, there are a number of crucial developments occurring, and I am afraid that the city of Gloucester's voice is not being expressed – the Gulf of Maine cod situation being one example. I would be grateful if you were to put the following requests on the agenda for the next Fisheries Commission meeting for discussion:

- Request that the Commission monitor upcoming key meetings, and flag those that require attendance by representatives or public comment from the city of Gloucester. This past week's NEFMC meeting in Portsmouth is an example.
- Request that the Commission be proactive in taking positions on and writing letters to appropriate people advocating for Gloucester on important developments in the industry. Examples might be Amendment 18, or the city's perspective on how to solve the cod crisis.

Without your specific support on these two requests, I fear that Gloucester, by default, will become silenced on these matters. We cannot let this happen, and again, I need to rely on the Fisheries Commission to leverage any bully pulpit the Mayor's office might have.

With gratitude,
Carolyn A. Kirk
Mayor



FISHERIES COMMISSION

Gloucester Fisheries Commission Statement for Mayor Carolyn Kirk before the NOAA Gulf of Maine Cod Working Group – February 10, 2012

The Gloucester Fisheries Commission met last evening in emergency session and expressed grave concern regarding deep cuts in allowable catches of Gulf of Maine cod. Gloucester's fishing industry and harbor infrastructure are deeply dependent on landings of codfish, and significant cuts in the allowable catch of codfish would without a doubt threaten the very survival of our entire fishing industry and working waterfront.

The Gloucester Fisheries Commission has been reactivated after many years of inactivity to address pressing issues to our local fishermen such as the matter of Gulf of Maine cod management. Representing the diversity of Gloucester's fishing industry, the Commission took action to send a letter to Secretary of Commerce John Bryson supporting the New England Fishery Management Council's motion to recommend NMFS initiate an Interim TAC / via an Emergency Rule for fishing year 2012 with a strong recommendation to approve an Interim TAC of 7,500 metric tons and do the least harm to the industry, as the process continues to address the scientific issues in question.

The letter to Secretary Bryson will also make the following points:

1. The importance of GOM cod to the fishermen and economy of Gloucester cannot be overemphasized. The economic impacts of deep cuts to landings of codfish will be felt most strongly by the Port of Gloucester. Our city will be the effective epicenter of the impact of the "new" assessment. Gloucester was working under the assumption that GOM cod was on target to be rebuilt by 2010, we cannot survive a sudden cut of codfish landings, and we must not be forced to do so based on one assessment that dramatically contradicts years of scientific information.
2. The stark difference between the two assessments in 2008 and 2011 threatens all fishing related businesses in our City, and it is essential to reassess such wildly different findings and conflicting results, if a fishing community like Gloucester is to exist.
3. Gloucester is one of the remaining full service "hub - ports" in the region. The infrastructure is but a fraction of what is used to be, and everything that remains of that infrastructure will be lost if the Council's recommendation to do the least harm to industry is not implemented by the Secretary. Failure to implement the Council's recommendation would collapse our infrastructure, shut down other fisheries in our community, and threaten fishermen in other ports that depend upon our hub port services.

Gloucester Fisheries Commission Statement for Mayor Carolyn Kirk before the NOAA Gulf of Maine Cod Working Group – February 10, 2012

4. We are grateful that the Northeast Seafood Coalition pointed out the section in the law that allows NMFS to implement a one year Interim TAC, and we appreciate the Agency's agreement that this section provides them the authority to implement a one year Interim TAC to reduce overfishing.
5. We urge every possible action be taken in the next year to address the inadequacies in the assessment prior to permanent TACs being initiated for 2013 and beyond.
6. At this time and for this Emergency Action the Commission recommends that no changes be made to groundfish closures in the Gulf of Maine and defer consideration of these areas to a subsequent Council action (i.e., the habitat omnibus amendment); however, ***the Commission strongly supports opening of the mortality sections of the Nantucket Lightship Closed Area and Closed Areas 1 and 2 on Georges Bank.***

Thank you.

Presented by:

Carolyn A. Kirk
Mayor
City of Gloucester

February 10, 2012
Portsmouth, NH
NOAA Gulf of Maine Cod Working Group Meeting

On behalf of the Gloucester Fisheries Commission:

David Bergeron, Chairman
City Councilor Bruce Tobey
City Councilor Sefatia Romeo-Theken
Al Cottone
Angela Sanfilippo
Paul Vitale
Gus Sanfilippo
Mark Ring
Joseph Orlando
William (BG) Brown