



City of Gloucester
Fisheries Commission Minutes
Thursday, February 16, 2012- 7:00PM
Sawyer Free Library
Friends Room
2 Dale Avenue

Members:

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

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

Also in attendance: City Council President Jackie Hardy, Phil Cusumano, Patti Page, Susan Pollock, Damon Cummings, members of III Northeast Fishery Sector, Inc. ("Fixed Gear Sector") and several other members of the public

1. Call to Order & Chairman's Report

Mr. Bergeron, Chair of the Commission, called the meeting to order at 7:07pm. He thanked everyone for coming. He began the meeting by noting that the Mayor presented before the Working Group on Gulf of Maine cod as planned last Friday. He also mentioned that some concerns have been brought to his attention regarding the wording of the Mayor's statement and what was decided upon at last week's meeting. These concerns will be addressed at tonight's meeting.

2. Minutes of the December 15, 2011, January 19, 2012, and February 9, 2012 meetings

In the first order of business, the Commission moved to the minutes of the last three meetings.

Mr. Ring raised a correction on page 5 of the emergency meeting minutes from February 9. He noted that his comment on the rolling closures was recorded incorrectly. To clarify, his point was that the presence of larger vessels fishing inshore is a concern since the fall rolling closures for Stellwagen are not currently in effect. Corrections have been made accordingly to the February 9th minutes.

MOTION

Ms. Romeo-Theken motioned to accept the minutes from the December 15, January 19 and February 9 meetings (with the above mentioned correction). **Ms. Sanfilippo** seconded. All in favor, none opposed. Motion passed unanimously.

3. Update on the Commercial Fishing Dockage study

Sarah Garcia provided an update of the Commercial Fishing Dockage study for the Commission. The Subcommittee on Commercial Dockage has not met since the January Fisheries Commission meeting. However, the survey questions have been re-worked and they should have something formal for Commission approval soon. It was proposed that the subcommittee meet again to draft a RFP aimed at hiring someone to produce a formal report on dockage. It has been decided that a volunteer or intern would not be sufficient in conducting this survey. Ms. Garcia asked if the Commission would like to rely on the Subcommittee to finalize the RFP or if the Commission would prefer to retain final approval..

Mr. Bergeron restated that an RFP should be drafted to hire a consultant to conduct an official study of dockage in the city. He turned the question of where this RFP should be developed to the Commission.

Ms. Romeo-Theken answered that once drafted, the RFP could be circulated to the Commission members via email for comment to expedite the process.

Ms. Garcia responded that she can circulate the RFP approved by the Subcommittee to the full ommission, but comments back will have to follow Open Meeting Law. So long as Commission members reply only to the sender with comments individually they will not be in violation of Open Meeting Law.

Mr. Bergeron asked the Commission if this was an agreeable approach for the RFP. They agreed. He commented that it is a good goal to have this completed before the next meeting. He also once again thanked all the volunteers for helping out on this dockage study.

4. Update on the Ad Hoc Committee on Fisheries Summit

Mr. Bergeron next mentioned that the Ad Hoc Committee on a Fisheries Summit has not met since the January Commission meeting.

Ms. Sanfilippo responded that they have not formally met, but that they have discussed what to do about the upcoming Boston Seafood Show, deciding that it is too late for this year to organize a booth. However, she will still be attending the event. Based on what is learned from attending this year's show, the subcommittee will then meet to discuss if it's a good idea to plan on attending next year. If so, the group will begin meeting in July about a City booth to prepare for next year. She added that the recently appointed Massachusetts Seafood Marketing Commission, of which she is a member, had its first meeting and will be attending the Seafood Show. At this late point, it would be a waste of money for the city to invest in a booth for this year's show. More planning is needed.

Mr. Bergeron asked if the subcommittee will be meeting again soon.

Ms. Sanfilippo and **Mr. Brown** confirmed that the subcommittee will meet again before the March Fisheries Commission meeting and report back with any developments.

Ms. Romeo-Theken asked Sarah Garcia about the funding that is available relating to this Seafood Show.

Ms. Garcia responded that funding is available for Fisheries Commission members who are interested in attending the show to cover the cost of tickets. She added that the trainings that are offered at this event are too expensive but funds are available for admission tickets for the show.

Ms. Romeo-Theken added that she wanted to make sure Commission members are aware that this funding is available for them to attend the show.

Ms. Garcia added that the Seafood Show has a website listing the schedule of workshops and events. She noted that there are Sunday and Monday meetings, and that she is planning on attending on Monday. If there is anything of particular value to any of the Commission members, they should let her know so she can arrange to cover the cost of attendance. The dates for the show are March 11 and 12.

Mr. Bergeron asked for an update on this show from anyone who attends at next month's Commission meeting.

Ms. Sanfilippo agreed to send along the show's website address so Commission members can review the workshops that are available.

5. Update on meeting of the Gloucester groundfish sectors & Discussion of Commission position on Amendment 18

The Commission moved next to a discussion of the meeting of the Gloucester groundfish Sectors.

Mr. Brown noted that his Sector (III Northeast Fishery Sector, Inc)- the "Fixed Gear" Sector in Gloucester had a meeting within the past week. The boards from the Gloucester Sectors were not able to meet together since last Fisheries Commission meeting. **Mr. Brown** stated that it is still a good idea to all get together and discuss the recent issues that have come up.

Mr. Bergeron noted that he was presented with a letter from the Fixed Gear Sector at the beginning of tonight's meeting. He accepted the letter for the record of the meeting and there were no objections. It has been included at the end of these minutes. The letter will also be forwarded to the Mayor. Regarding the recommendation at the end of the letter to appoint a new member to the Commission, **Mr. Bergeron** stated that appointments to the Commission are handled by the Mayor. It was also noted that the Mayor did quite a bit of outreach in filling the seats on the Commission but had difficulty locating interested fishermen.

Mr. Brown asked if someone who fishes out of Gloucester but is not a resident could be included on the Commission. Sarah Garcia responded that Commission members must be Gloucester residents.

Sector Manager Nicolas Brancalone asked the Commission where it is stated that members must be residents. He added that he searched the Code of Ordinances and could not find it there. He also asked if the Code could be amended to allow for non-residents to sit on the Commission.

Sarah Garcia responded that she could find the reference for him. **Ms. Romeo-Theken** added that the Code cannot be changed and that the purpose of the Fisheries Commission is to serve the Gloucester fleet and the shore-side operations in the city that work with this fleet.

It was noted that the current composition of the Commission does not accurately represent the 2 Sectors in Gloucester. 4 members are from one sector and only 1 member is from the other.

Mr. Ring asked The Fixed Gear Sector members in attendance if any Gloucester residents from their Sector are interested in sitting on the Commission. **Mr. Orlando** asked Bill Muniz if he was available. He responded that he is not available to join the Commission at this time.

Ms. Romeo-Theken commented that the purpose of the Fisheries Commission is not to serve the individual Sectors. Rather, the Commission was reconstituted to represent the *entire* industry of Gloucester, including the shore-side businesses that work with fishermen. Therefore, the Commission wants to hear from everyone that has a stake in the industry. This includes wharf owners, fish processors etc. The Commission does not serve as a forum to handle issues sector vs. sector. If someone or a group feels that they are not being represented by the Commission or does not want a letter published on their behalf they are more than welcome to come before the Commission to discuss. The key is that all parties must work together to solve some of the major issues facing the fishery.

Mr. Orlando agreed with **Ms. Romeo-Theken's** point and added that when the Commission was set up, lots of people from different Sectors were asked to join. If the gillnetters are now concerned that they are not being represented, it would be fine to have additional members join the Commission so long as the numbers allow for it.

Ms. Romeo-Theken asked how many seats the Commission could have. No one was sure of the total number.

Mr. Cottone added that a feeler was put out in the community a few months ago to have additional gillnetters join the Commission, but was met with little response.

Mr. Orlando noted that he understands there has been some concerns raised over the letter that was written for Mayor Kirk's presentation before the Council's Working Group on Gulf of Maine Cod. He clarified that this statement was prepared just in reference to the interim rule, and not related to proposed actions under Amendment 18 or the habitat omnibus amendment. The Commission has yet to issue any formal opinions or statements on Amendment 18. Therefore, the recommendations on closed areas that were included in the statement were intended only for this interim rule. He also noted that he had conversations with some members of the Fixed Gear Sector and did not hear any complaints about the Commission's position on the Gulf of Maine closed areas from them.

Mr. Cottone added that it was discussed at last meeting that Gulf of Maine closures could be left alone to use as bargaining chips down the line as changes are proposed to the Stellwagen Bank National Marine Sanctuary management plan. He also added that he does not think the habitat areas will be opened at all in the near future.

Bill Muniz from the Fixed Gear Sector disagreed and thought there might be a possibility of opening these habitat closures in the future. Regardless, he does not want to see the possibility ruled out.

Mr. Ring noted that there seems to be a misunderstanding over what was to be included in the Mayor's statement. He was under the impression that the Commission had agreed not to include

anything about the Western Gulf of Maine closures in the statement. However, a mention of the Gulf of Maine closed areas was included in the Mayor's remarks.

Mr. Bergeron responded that it was a misunderstanding, and that he thought the Commission had agreed that no action should be taken on the Gulf of Maine closed areas. He took responsibility for this misunderstanding.

Mr. Ring wondered if perhaps the confusion came up after some of the conversations that were held at the end of last week's meeting.

Mr. Brown noted that the concern from his sector stems from the fact that they did not want anything in writing saying that the industry does not want any of the closed areas open in the Gulf of Maine.

Mr. Bergeron commented that no letter has been sent yet regarding these points. He said the formal letter could remain silent on the Gulf of Maine closed areas.

Mr. Ring noted that the Sectors can still get together to discuss this point. **Mr. Cottone** agreed.

Bill Muniz suggested that closed habitat areas may be opened for special permits.

Mr. Cottone asked if he meant Special Access Permits and agreed that the availability of these permits could not be ruled out as a possibility in the future.

Ms. Romeo-Theken added that the Commission made its best effort to work out the details of the closures, etc. at the last meeting given the tight time frame and could only go on the opinions of those who were present. She also repeated that the Commission was not looking at Amendment 18, but was trying to formulate a response to the interim rule only. She asked that anyone who feels under-represented should please come forward and talk to her, that she will be happy to voice concerns on their behalf.

Mr. Ring noted that even if people are not interested in seats on the Commission, they are still welcome to come before the group and discuss concerns.

Sector Manager Nicolas Brancaleone noted that both sectors have listservs set up for sector members. He asked if he could be emailed with the dates of meetings (including emergency meetings) and could distribute this info via the listservs.

Mr. Bergeron agreed and noted that if the sectors have formal letters for submission to the Commission, it would be helpful if they could be sent before the meeting for review.

Sarah Garcia added that for emergency meetings, a news flash feature is available through the city website for posting info on last-minute meetings.

Mr. Bergeron noted that a team effort is essential in getting the word out about meetings.

Mr. Bergeron returned to the letter that still needs to be drafted on the interim measure for Gulf of Maine cod. He said the mention of the Gulf of Maine closures can be left out.

Mr. Brancaleone asked if the Mayor's statement could be changed as well.

Mr. Bergeron replied that the minutes cannot be changed but that he is open to changing the content of the letter moving forward.

Mr. Orlando asked when the letter has to be sent.

Mr. Bergeron responded that ideally, it should be sent this week. There is no deadline but the sooner the letter is sent the better. There is no word on when a final decision will be handed down by the Department of Commerce.

Ms. Sanfilippo asked if point six will be taken out of the letter.

Mr. Bergeron responded that point six will no longer include notes on western Gulf of Maine closures.

Ms. Sanfilippo noted that point six in the statement does not mention the Western Gulf of Maine, but rather refers to the Gulf of Maine in general.

Mr. Orlando repeated that he thought the Commission had agreed that no changes should be made the Gulf of Maine closures.

Mr. Ring responded that only the Western Gulf of Maine was discussed at last week's meeting and that Mr. Tobey had suggested that all decisions on this area should go to subcommittee before a formal comment was made.

Mr. Bergeron referred to page 9 of the February 9th minutes which states that the position of the Commission was to open Closed Areas 1 and 2 on Georges Bank and the Nantucket Lightship Area, but not to make any changes to closed areas inside the Gulf of Maine. The misunderstanding came into play regarding whether or not the Gulf of Maine should have been mentioned at all.

Mr. Ring reiterated that the sectors need to get together to see what they can hammer out in response to these closures.

Ms. Romeo-Theken asked for clarification over what was to be removed from point 6 of the statement.

Mr. Bergeron responded that all the text after including and following the word "However" would be removed.

Mr. Orlando asked if it makes sense to take point 6 out all together while the sectors try and figure out what is best for everyone.

Ms. Romeo-Theken asked about the timeframe for the letter, and it was relayed that there is not much time.

MOTION

Mr. Orlando motioned that the Commission hold off on the drafting a formal letter to the Secretary of Commerce until the two Sectors meet and further discuss the issues at hand. After this joint meeting, the Sectors will come back to the Commission with a report. The Commission will then vote on the exact wording of point # 6 in the letter. **Mr. Brown** seconded the motion. All in favor none opposed, motion passes unanimously.

Moving next to a discussion of Amendment 18, **Mr. Bergeron** related that the Mayor had asked the Commission to take a position on the Amendment.

Some of the Commission members suggested that she may be mixing Amendment 18 with the interim rule. **Ms Romeo-Theken** suggested that the Commission thank the Mayor for stepping up on the interim rule and relay that they will keep her posted as developments come up with Amendment 18.

Mr. Cottone related that the scoping of this new Amendment is still going on at present.

Mr. Bergeron confirmed with the rest of the Commission that this approach to Amendment 18 is appropriate at this time.

Mr. Brown suggested that the Sectors also discuss Amendment 18 at the joint meeting and see if they can come to a consensus on the issue. That would be ideal.

Mr. Cottone added that a letter could also be sent to the Commerce Department on Amendment 18 if a consensus can be reached.

Ms. Romeo-Theken agreed that a consensus would be ideal. Even if 80% of the sector members could agree on something it would be great. As a City Councilor, she noted that it is difficult to defend the industry when there is such a multiplicity of opinions. It also makes it difficult when these dividing opinions are all aired in the local paper. The Fisheries Commission was re-established to represent the consensus view of the industry.

Ms. Sanfilippo shifted the group's focus to an editorial from the day's Gloucester Times. The article made note of large vessels fishing inshore waters. She wants clarification on what is meant by "large vessels." Sometimes the way these boats are discussed, you would think foreign factory trawlers are back in our waters. She asked the Commission how large these boats actually are, because to the best of her knowledge, the largest boats in Gloucester are around 90 feet and there are only a handful of them left.

The fishermen on the Commission responded that large boats are fishing these grounds from New Bedford. **Mr. Vitale** added that some of the vessels are over 100 feet long and come from New Bedford and ports in Maine.

Ms. Sanfilippo asked if these vessels were fishing legally.

Mr. Vitale responded that they are fishing legally.

Mr. Orlando commented that he doesn't think they should be blaming the big boats.

Mr. Cottone added that the paper sensationalizes these issues and is not a reliable source.

Ms. Sanfilippo responded that everyday people don't know that the paper is inaccurate.

Mr. Cottone noted that it's a fact that bigger boats have been working inside as of late. These vessels are not factory trawlers but there has been change in fishing pressure inshore.

Ms. Romeo-Theken clarified that these “big boats” are 10-day trip boats. **Mr. Cottone** confirmed that these are the vessels they are referencing.

Ms. Romeo-Theken asked why they have moved in-shore.

Mr. Cottone responded that the new regulatory system makes it easy for them to fish there. The new system allows all vessels under sectors to fish in any of the open areas so long as they do not exceed their quota.

Ms. Romeo-Theken asked if these large vessels are displacing the smaller day boats. **Mr. Cottone** responded that day boats and trip boats are now fishing side by side inshore.

Bill Muniz commented that the largest issue relating to pressure right now is that boats are setting out in The Gulf of Maine and dragging until they pass into Georges. These fish are then landed as Georges Bank fish.

Mr. Cottone responded that the assessment that deals with the Gulf of Maine cod stock was conducted in 2008, 2009 and 2010 before these new practices were taking place. During that time fish were in abundance and yet the assessment indicates that nothing was out there.

Mr. Muniz responded that he understands the timeframe of the assessment. He brought the current practices up because it needs to be addressed.

Mr. Bergeron stated that there seems to be no disagreement that a shift in fishing effort has occurred.

Ms. Romeo-Theken asked the rest of the group if they agree that fish is being caught in one place and landed under a different name. **Mr. Cottone** and others agreed that this is happening.

Mr. Vitale explained that before the sector system under the Days at Sea regulations, vessels had to declare pre-trip which stock they would be fishing for the day. They were not allowed to work both Gulf of Maine and Georges Bank at the same time. For some reason, this separation was thrown out with the new regulations without an explanation. Now vessels can fish both areas in a single trip which has allowed for the practice motioned earlier.

Mr. Muniz reiterated that boats are setting out on the Gulf of Maine and hauling up on Georges, designating the whole catch as Georges fish.

Mr. Orlando admitted that this is happening but he doesn't think it's happening to an extreme. Under the new regulations, the practice is legal.

Ms. Romeo-Theken asked if the environmentalists were aware of this practice and if they had been vocal about the issue.

Ms. Sanfilippo responded that they do not seem aware of the issue. She feels that this practice is directly opposed to all the work that was done in the 90s to help rebuild these stocks.

Mr. Orlando commented that the shift in effort issue will be difficult to address.

Mr. Bergeron stated that as of the last meeting, the Commission members seemed to agree that this shift in effort was happening, but also that there are clearly other factors influencing the current situation.

Mr. Orlando reiterated a point from an earlier meeting that the sand eels, a major link in the local food chain, seem to have moved off the Gulf of Maine recently.

Mr. Bergeron noted that this environmental issue may be the bigger issue at hand.

Mr. Brown referred to the mid-1990s when the fisheries collapsed- he asked if the sand eels had also disappeared then.

Mr. Orlando replied that the sand eels had also disappeared during that time. When there is no food, there will be no fish.

Mr. Bergeron responded that these environmental concerns do not mean that the shifting fishing effort should not still be addressed.

Mr. Orlando commented that there has been a shift in effort of late. Some of the large trip boats were allocated Gulf of Maine cod under sectors and they are coming inside to catch it, which is adding pressure to the stock.

Ms. Romeo-Theken noted that City Council President Jacki Hardy was present at the meeting and thanked her for coming. Councilor Hardy responded that she was attending to see Phil Cusumano's presentation on the marina breakwater.

6. Breakwater Marina Project

The Breakwater Marina project was the next item for discussion. Phil Cusumano shared a PowerPoint presentation on this Breakwater Marina to the Commission. His presentation included an overview of the inner harbor and a slide detailing the design of the proposed marina and its anchorage. He explained the placement of the proposed marina had to be re-worked to ensure its anchors were not in the federal channel. The design includes a 450 foot long dock with 11 fingers for 22 boats on the side facing the state fish pier. 2 end caps will be able to accommodate 50 foot vessels. The face of the marina will allow for random combinations of varying sized boats, depending on the need. The dock itself will stretch 4 feet underwater. One option for the outer side of the dock is to dock boats using the Mediterranean Mooring style, which involves mooring anchors 150 ft away to anchor the bow of a vessel bow that is backed into a slip. This method could accommodate vessels up to 120 ft. The dock will be made of concrete and is modeled on a marina breakwater in Casco Bay, Maine, which is 900 feet long. The proposed marina will be equipped with rolling shocks and keels that will keep it steady. The southwestern facing harbor gets choppy at times and this marina would help to stop waves up to 3-4 feet tall. Mr. Cusumano related his experiences visiting the breakwater marina in Casco Bay and noted that the dock stays taught due to a crisscrossed anchoring system. He said the dock feels like solid ground. The purpose of this proposed marina will be to host transient vessels visiting Gloucester for the day or overnight. Regulatory constraints would allow these transient vessels to stay in town for up to 14 days in one stretch and no more than 30 days in a whole summer. Visiting vessels would be charged by the hour or for the night if staying over. Rates in nearby towns are around \$2-3 an hour. Approximate costs for the installation of this marina are approximately \$1million.

City Council Jackie Hardy asked Mr. Cusumano what the funding source will be for this project.

Mr. Cusumano responded that securing a BIG grant (Boating Infrastructure Grant) is the plan. These grants come in two tiers- tier one makes grants up to \$100,000 and tier two makes grants up to \$1million. Due to the scope of this proposed project, the marina will hopefully qualify for the tier two BIG funding.

Mr. Cusumano was next asked if there will be a shuttle service to the transient marina. He responded that there will be a launch boat intended for transporting people to shore and back. It will not be a taxi, as there are already private businesses providing this service and he does not want to take away from these businesses.

Mr. Vitale asked if it will be necessary to leave one of the slips on the marina open for the launch boat. Mr. Cusumano responded that it would be great if the dock was full to capacity and there wasn't any room- but that he does not anticipate this being a problem for the launch boat.

Damon Cummings asked if the four foot depth of the dock included the keels. Mr. Cusumano responded that it does. Mr. Cummings added a point on the effectiveness of breakwaters and the relationship of a wave's height to its length. He noted that some waves approaching Gloucester Harbor can be 20 feet in length but most do not have a high fetch (distance travelled by the wave). Mr. Cusumano responded that the Casco Bay breakwater marina has withstood waves with fetches of 22 feet and also winter storms and a hurricane. Mr. Cummings added that there will be twice as many waves as before on the outside of this new dock and Mr. Cusumano responded that he is aware, and that is why the outside is being reserved for larger vessels.

Mr. Brown asked about the angle of the anchoring wires and whether or not this would pose a problem for large vessels approaching the dock.

Mr. Cusumano responded that the wires will crisscross and come from the opposite end of the structure, meaning they will be very deep and will not pose an issue for larger vessels. He added that the individual fingers will have concrete flares instead of wires.

Ms. Sanfilippo asked about the rates that will be charged for transient vessels. Mr. Cusumano clarified that the hourly rates will be per vessel per hour. Patti Page added that overnight rates are usually around \$30-60 per night. **Ms. Sanfilippo** expressed concerns that rates may not be high enough to cover the costs of the construction of the dock. She also added concerns that people who come to Gloucester via cruise ships and buses don't tend to stay in Gloucester- they go to Salem or Rockport instead.

Mr. Vitale added that tourists used to come to Gloucester for Gloucester. Rocky Neck used to be a thriving tourist attraction back in the day. However he agrees that many who come from cruise ships just pass through Gloucester. **Ms. Sanfilippo** added that many of the current transient marinas in other towns have visitors that just stay on their boats grilling etc. They do not come out into the community.

Mr. Cusumano responded that these transient vessels will be coming for Gloucester *for* Gloucester.

Mr. Vitale noted that there is currently a scarcity of dockage for these transient vessels. Currently there are no spots to tie up for visitors. Mr. Cusumano added that there are currently only 28

transient moorings in the city, only 7 of which are in the harbor. This marina will accommodate 30+ transient vessels.

Ms. Sanfilippo asked what kind of vessels would be allowed to dock at this marina.

Mr. Cusumano responded that all types will be welcome, recreational or commercial.

Mr. Orlando thinks the marina is a great idea. He added that he and other fishermen listen to constant requests to the harbormaster over the radio for dockage from transient vessels. He asked Mr. Cusumano if there has been any feedback from the private sector on the proposed construction of this dock.

Mr. Cusumano responded that the proposal has not yet gone to public hearing. To date there has only been one presentation in city hall for property owners on the waterfront. The presentation before the Fisheries Commission is the second time the info has been presented. Further meetings will follow.

Mr. Orlando asked if this marina will take the place of the mooring field. He added that navigating the North Channel in the fog or difficult conditions can be challenging for larger vessels.

Mr. Cusumano responded that this marina will not replace the mooring field but will help to organize vessels and keep them out of the North Channel.

Mr. Ring asked if marina owners have commented on this transient marina yet. Seeing that they stand to lose transient vessels to the new project, he wondered if they would oppose its construction.

Mr. Cusumano responded that many of the marina owners were at the first presentation and that he did not hear any concerns along those lines.

Mr. Orlando added that the pictures from the presentation of the Casco Bay marina looked great. As long as this proposed project works for everyone, he thinks it's a great idea.

Ms. Romeo-Theken noted that Mac Bell was the only person at the first meeting that came out in opposition to the project. He noted that he had heard concerns from waterfront property owners in the past about this sort of project. However, these concerns were not confirmed. The only concern that was raised is that some wharf owners (including Joe Ciaramitaro of Capt. Joe and Sons) would like to construct a dock of their own but cannot due to DPA regulations. Mr. Cusumano added that bottom anchored wharfs are allowed, but land-based docks are not.

Ms. Romeo-Theken added that through the Subcommittee on Commercial Fishing Dockage's study, it has become clear that there is a need for dockage for transient vessels looking to land fish in town. If the city wants a successful fish auction, it has to attract vessels from out of town and there needs to be a place for them to dock. The main concern around this type of structure up to this point has been that these industries can't co-exist, but this proposal shows that they can. However, the city needs to ensure that the proper infrastructure is here to support tourists and new visitors to town. This will include improvements to the public transportation system and a more effective network of tourist attractions that showcase the city. The proposed Harbor Walk is a start, but it does not stretch far enough into all that the city has to offer. She commented that she

had doubts about this marina at first, but now sees its value so long as the city has the proper mechanisms in place to support the new visitors.

Mr. Ring added that it is important to make sure the marina will have spaces available for commercial vessels.

Mr. Cottone asked if the launch vessels will be available year-round. Mr. Cusumano responded that it will be available in the summer only. However, if there is a significant need for it in the off season, making it available during these times could be an option. Ms. Page added that the launch boat could stay in the water year round in case there is a need for it off-season.

Mr. Orlando asked what the water depth is at the proposed marina location at low tide. Mr. Cusumano responded that it is 14-16 feet at mean low water.

Mr. Cottone asked if there will be enough room on the finger side of the dock to allow a 40 foot vessel to back out without running into another vessel in the mooring field. Mr. Cusumano responded that there is enough room. A 40 foot vessel will have 110 feet before it hits anything in the mooring field.

Mr. Brown asked if facilities/ amenities will be provided on the marina. Mr. Cusumano responded that they are working on getting power and water from the state fish pier.

Mr. Cottone asked if these have been included in the \$1million budget, and Mr. Cusumano responded that they have. The million dollars will cover the building, shipping, installing, moorings, power and water for the marina. He has received electric/ water estimates from a firm in Boston and some out of state contractors, but would like to stay local and hire from within Gloucester if possible.

Mr. Brown asked if shower or laundry facilities will be made available on the dock. Mr. Cusumano responded that it would be great to have those amenities, but he is not sure at this time if that will work out.

Mr. Bergeron asked Mr. Cusumano what the Fisheries Commission can do regarding this project.

Mr. Cusumano responded that nothing needs to be done at this point. His purpose in presenting to the Fisheries Commission is to openly share the plans and make sure that the marina will not interfere with any of the current activities taking place in the harbor. He also wanted to demonstrate that he will not be taking up much new space, as the marina will be located where there are already moorings. The current mooring field will be reorganized and may be able to accommodate additional space for local boaters. The hope is to get some people off the waiting list.

Mr. Orlando asked if more moorings will be added to the mooring field. Mr. Cusumano responded that space will be made available for more as the result of a reorganization of the current mooring field.

Meeting attendee Marcia Hart asked where the current transient moorings are located if not in the harbor. Mr. Cusumano responded that they are in a variety of locations, including the outer harbor, in the river, at Cape Ann Marina, etc.

Ms. Hart responded that it seems this project will be successful and it seems like there will not be an issue filling it up. Mr. Cusumano noted that it might be difficult to fill it at first, but as the word gets out that this space is available more will come. Ms. Hart asked who will be in charge of determining who gets to dock at the marina. Mr. Cusumano answered that the Harbor Master will be in charge and will also coordinate the launch boat, which will most likely have operators that work in shifts.

Mr. Bergeron asked how the marina will relate to the DPA. Mr. Cusumano responded that bottom-anchored marinas do not come under the jurisdiction of Ch. 91 and are therefore not subject to DPA regulations. These bottom-anchored structures could be a creative solution for waterfront property owners who are looking to expand but have not been able to under the DPA regulations.

Mr. Orlando asked if the electrical connections from shore count as the dock being tied into the land. Mr. Cusumano responded that so far, no- the electrical and water connections do not subject the marina to Ch. 91 regulations. **Mr. Vitale** added that land-based marinas are designated by a walk-able connection such as a gangway.

Mr. Ring asked what the current status of the project is and whether or not it needs City Council approval.

City Council President Jackie Hardy responded that yes, it needs Council approval.

Meeting attendee Susan Pollock asked about the timeframe for the project. Mr. Cusumano responded that the BIG grant proposal is due in September. If that grant comes through, the dock could conceivably be ready for use in 2013.

Damon Cummings asked if the launch service will be available this summer. Mr. Cusumano responded that it will be up and running for boats in the mooring field.

Mr. Bergeron thanked Mr. Cusumano for his presentation.

7. Agenda for the March 15, 2012 meeting

Items for the March 15 Agenda include:

- Report on progress of the joint meeting of the Sectors.
- Update from the Fisheries Summit Subcommittee
- Update on the progress of a development of an RFP for a dockage study
- Sarah Garcia has also agreed to review the Mt. Auburn Plan and to discuss items from the plan that might be relevant for the Commission to consider.

Mr. Bergeron asked if it makes sense to wait until the next meeting (March 15) to draft a formal letter on the interim rule. He noted that a time was of the essence in this matter. He suggested that if the Sectors do in fact meet and form a consensus on the disputed point 6 from the Mayor's statement, that a letter be drafted as soon as possible. The Commission agreed that a timely turnaround is important.

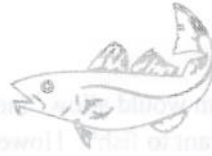
Mr. Orlando asked what the Commission would do if the Sectors cannot come to a consensus for the letter.

Mr. Bergeron answered that the language from the Feb. 9th minutes should be used, which makes no mention of the Gulf of Maine closed areas. But he emphasized that the fishermen should get together and come to a consensus.

8. Adjournment

MOTION

Mr. Orlando motioned to adjourn the meeting. **Ms. Romeo-Theken** seconded. All were in favor, none opposed. Meeting adjourned at 8:49pm.



III Northeast Fishery Sector Inc.

10 Witham Street
Gloucester, Massachusetts 01930

February 16, 2012

Mr. David Bergeron, Chairman
Gloucester Fisheries Commission
9 Dale Avenue
Gloucester, MA 01930

Dear Mr. Bergeron:

Established in 2009 and implemented under sector management in 2010, III Northeast Fishery Sector, Inc. ("NEFS III") is a groundfish sector comprised of ninety-three federal limited access multispecies permits, of which thirty-five are currently declared as "active". NEFS III is made-up of predominantly inshore fixed-gear vessels (sink gillnet and long-line) based in Gloucester. NEFS III membership is represented by the Northeast Seafood Coalition for policy and regulatory matters. On behalf of the membership and leadership of NEFS III, we respectfully ask the Gloucester Fisheries Commission to clarify point number six in your statement read before the NOAA Gulf of Maine Cod Working Group at their 10 February meeting.

The statement reads:

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.

It is the majority opinion of the NEFS III board of directors that opening the Western Gulf of Maine Closure to all gear types would be detrimental, as set forth in the February 1 Council motion. The NEFS III, along with the Northeast Seafood Coalition, has urged the Council to expedite the Habitat Omnibus Amendment to eliminate artifacts of the old management regime including groundfish mortality closures; and recommended the Council evaluate all existing input controls (both rolling closures and year-round/seasonal closures) and make necessary adjustments to more effectively harvest stocks. We recommend the Gloucester Fisheries Commission do the same and urge the Council to act quickly.

The day-boat, inshore Gulf of Maine fleet has been severely impacted by regulations set forth in Amendment 16 and the implementation of catch shares, most notably the reduction taken by the commercial groundfish fishery to account for the recreational sub-ACL. Compounding variables under the sector management system, particularly during fishing year 2011, have led to low catch levels for fixed gear, which ultimately translates into low earnings.

One of the key aforementioned variables is the archaic input controls still implemented even after the transition to sector management. In the July 2009 issue of NOAA Fisheries Service *Changing Tides* publication, it was

stated that the sector catch share system would allow “more flexibility in making daily business decisions” for participants on “how and when they want to fish”. However, numerous effort controls that remain in place from the DAS management structure and additional layers of regulatory and administrative systems implemented by the Council and the National Marine Fisheries Service have further complicated the ability of a sector member to utilize flexibility in making business decisions and fully utilize their harvest share when they wish to. Under the first year of the sector system, NEFS III members were severely impacted by April rolling closures, groundfish mortality closures including the Western Gulf of Maine Closure and Cashes Ledge and habitat closures including areas Fippinnies Ledge and Cashes. Preserving these closures has needlessly and harmfully undermined a core objective of the new sector system. Many of the existing closures greatly hinder fishermen’s ability to access and harvest their available allocation of stocks that are predominantly located within their boundaries.

The opening of existing input controls is particularly critical now, when the industry faces a drastic reduction in the Gulf of Maine cod catch for fishing year 2012 and beyond. Opening closures would facilitate day-boat vessels’ ability to harvest underutilized stocks including pollock, haddock, white hake, plaice (dabs), and redfish. For example, NEFS III concluded fishing year 2010 landing 19 percent of our final annual catch entitlement of pollock, 40 percent of Gulf of Maine haddock, 4 percent of dabs and 1 percent of redfish. In contrast, NEFS III utilized 88 percent of the final Gulf of Maine cod annual catch entitlement. The amount of underutilized stocks left on the table is unacceptable – especially at a time when GOM cod is, potentially, in such a critical state. NEFS III members need to have the ability to access their complete harvest share portfolios, which include the underutilized stocks mentioned above. To do so, we recommend the Commission urge the Council and the Habitat Plan Development Team push forward and implement the Habitat Omnibus Amendment without delay. In our opinion, the designation of targeted areas, as considered in draft Habitat Plan Development Team documents (15 August 2011), were heading in the appropriate direction needed to protect habitat while providing critically needed opportunities for the fleet.

Furthermore, the board members of NEFS III understand one of the fundamental goals of the Gloucester Fisheries Commission is to address pressing issues faced by local fishers; however to do so, the Commission needs to be more inclusive of the diverse make-up of the Gloucester fishing community. It is our understanding that there are vacancies on the Commission. On behalf of NEFS III, we would like to endorse the addition of Mr. Edward Smith to the Fisheries Commission. Mr. Smith is currently on the NEFS III board of directors and has been actively involved in our Sector since 2010. He has been actively involved in the Gloucester fishing community for decades, and he currently participates in the lobster fishery and owns/operates fixed-gear vessels and a mobile-gear vessel. We undoubtedly believe his judgment and experience will serve the Commission well.

Thank you for your attention and consideration.

Sincerely,

Richard Burgess
William Muniz
Louis Williams

James Santapaula
William “BG” Brown
John Montgomery

cc: Edward Smith, Scott Swicker, William Cunningham
Jackie Odell