

**The Mayor's Ocean and Fisheries Council**  
**Meeting**  
May 7, 2010  
United Fisherman's Club, New Bedford MA

**Meeting Summary**

The Mayor's Ocean and Fisheries Council met May 7, 2010 at the United Fisherman's Club in New Bedford, Massachusetts to discuss the May 1 implementation of sector management and the upcoming meeting between Secretary Locke and members of Congress. On May 12 the Secretary plans to discuss the implementation of catch shares in New England with members of the congressional delegation. The Mayor's Ocean and Fisheries Council convened to provide input for this discussion.

**Inequitable Allocation**

During the development of Amendment 16, the industry lobbied for an allocation scheme based on a combination of horsepower and history. The Council ultimately voted to base allocations solely on catch history from 1996 to 2006. The allocations were viewed by many participants as inequitable and unfair.

During the mid-1990s the National Marine Fisheries Service was incentivizing the harvest of 'underutilized species' such as skate and dogfish to shift effort away from overfished groundfish species such as cod. Fishermen who participated in these programs are now facing reduced quotas of many species – because they don't have adequate history. It seems that these individuals are being penalized for conserving. This is only one of many examples provided by participants citing the unfair nature of the allocation scheme.

The allocation of fishing privileges is essentially the foundation of any fishery management plan – without the proper allocation, the rest of the plan is likely to fail. The current allocations should be revisited keeping in mind National Standard 4 (fair and equitable distribution of fishing privileges).

A consensus among participants was that without more fish no management plan would work. Although for many participants, more fish is not the whole answer. One fisherman described his dilemma. Allocated approximately 1,500 pounds of pollock, he anticipated being tied up for the season by June 1. Even if his pollock allocation were doubled, it would remain a small portion of what he needs to keep fishing. Many fishermen face similar difficulties with one or more choke species, limiting their ability to harvest the rest of their quota. Stocks for which sectors have been allocated relatively low quota are coined 'choke species' because once the allocation has been met the sector must shut down. The catch share system allows for the transfer of quota between sectors; therefore, sectors that have reached a particular limit may purchase additional quota from another sector or permit bank to continue fishing. This attribute of sectors is cited as a positive. The problem however is that the fleet quota of some 'choke species' may be so low that no one will have enough to share and that the majority of the fleet will be shut down prematurely with significant quota of other species remaining.

**Requesting a Moratorium**

The Mayor's Ocean and Fisheries Council felt that immediate action was necessary in the form of a moratorium on Amendment 16 and the associated catch limits. While additional quota would help, the current management system is flawed and inconsistent with the intent of the Magnuson-Stevens Act. Thus a moratorium coupled with legal action was supported by the group.

Meeting participants felt that a moratorium on the new regulations (Amendment 16 and the associated catch limits / accountability measures) was necessary to fix the overwhelming flaws in the system. Participants were, however, wary of the potential problems with this approach, and felt that a clear

management alternative must be presented for the moratorium period. It was suggested that management revert back to Framework 42, 2009 status quo.

The group acknowledged that many of the issues they are facing are related to new National Standard 1 requirements. The requirements may have had devastating impacts under the days-at-sea system too. However, coupled with the allocation scheme, catch limits have created situations where many fishermen will be shut down due to the low quota of ‘choke species’.

**The Next Step**

Action was encouraged through legal and political avenues. Many participants felt it would be necessary to pursue a lawsuit based on the inconsistency of Amendment 16 with the Magnuson-Stevens Act, specifically National Standards 4 and 8. A joint action between New Bedford and Gloucester was proposed.

Many of the problems associated with sectors and previous management plans are linked to problems in the Magnuson-Stevens Act and its interpretation. Amending the Magnuson-Stevens Act to incorporate additional flexibility was encouraged as the ‘next step’ after mitigation of the more pressing sector implementation issues. In addition to amending Magnuson, meeting participants stressed the need for better science and accountability within NMFS.

**Concluding Thoughts**

If nothing is done soon, sectors and catch limits will have a devastating effect on the fishing industry and the families and communities that depend on it. Many boats have already left the industry and others, in only the first week, are nearing the quota cap for some choke species. Participants projected that 40 – 70% of the fleet would be tied up for the season by June. If U.S. citizens value these communities, the social, cultural, and economic benefits, they will request that action is taken to mitigate the effects of Amendment 16.

The federal government is stressing job creation – there is no better opportunity to preserve jobs than to stop the consolidation of New England’s fishing fleets.

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