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# Amendment 17 Public Comments Received

**NEFMC  
Groundfish Committee  
May 26, 2011**

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# Status

- Final vote on A17 expected at June Council meeting
  - Comment period ended May 18, 2011
  - 6 comments received
    - 4 in support, 2 with objections
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# Supporting comments

- Ensure permits will be affordable and available to communities, support local economies (Cape Cod)
  - “Decline in access to fisheries allocations from various stakeholders” is happening in Alaska; need to protect communities (SW Alaska)
  - Support Amendment and implied goals, recommend additional tools to protect communities including “rent-to-own” model (NAMA)
  - Preserve access for small-scale fishermen, limit consolidation, and reduce economic barriers to entry (Pew)
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# Objections

- ❑ Implementation will cause impacts to that would not otherwise; lack of analysis legally questionable
  - ❑ Purposes and objectives lack transparency
  - ❑ Creates conflict of interest with states voting on future actions
    - Should states continue to be exempt from financial disclosure on Council?
  - ❑ Federal taxpayer dollars compete directly with fishermen in what was a private sector marketplace
  - ❑ Amount of funds is unlimited and cannot be analyzed
  - ❑ Will distort market because no upper and lower limits on pricing
  - ❑ Negotiation of MOAs occurs outside of public process
  - ❑ Violates NS 5 by having economic allocation as sole purpose
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# Objections

- Inadequate analysis; will have significant impacts on market and distribution of fishing rights
- Council had no role in the development; no oversight; no transparency
- Legal analysis:
  - MSA requires “fishery impact statement” and analyses
  - NEPA requires an EA ; cat. exclusion not allowed under MSA
  - RFA required; all vessels affected are “small entities”
  - Analysis is not impossible, possible indirect effects must be included such as market influence, changes in fishing patterns