

Sector Agreements Workshop, Nov. 1-2, 2007

### Overview

Host:

Marine Law Institute, Center for Law & Innovation, University of Maine School of Law

Location:

Gulf of Maine Research Institute Board Room, 350 Commercial Street, Portland, Maine

Project summary:

This is a 1.5-day meeting involving a selected group of attorneys, fishermen, regulators and academics to discuss New England groundfish fishing sectors. The goals of the meeting, funded with a grant from the National Sea Grant Law Center, are to:

1. Analyze, for the first time in depth, contract terms relating to compliance and enforcement, membership transferability, monitoring and reporting practices, and relationship to other areas of property and competition law, as well as the necessary regulatory regime supportive of cooperative agreements in fisheries.
2. Begin developing a qualified legal community to assist regional fishing cooperatives with contract creation and management.
3. Create the context for partnerships between fishermen, fishery industry leaders and a legal community available and prepared to assist them with development of harvest cooperatives.

### Agenda

Thursday, November 1

7:30-8:30 a.m. Breakfast / sign-in

8:30-9:30 a.m. **Welcome**  
Rita Heimes, University of Maine School of Law  
**Inroduction to New England Fishing Sectors**  
Dan Holland, Gulf of Maine Research Institute

9:30-10:30 **Elements of the Pollock Cooperative Harvest Agreement:  
Legal Problems and Solutions**  
Joseph Sullivan, Mundt Macgregor, Seattle

10:30-11:00 a.m. Break

11:00-12:00 **Elements of the Cape Cod Sector Operating Agreement:  
Legal Problems and Solutions**  
Don Kassilke, Sher & Blackwell, Washington D.C.

12:00-1:30 Lunch  
**Keynote Address: Cooperative Harvesting in New Zealand**  
Mike Arbuckle, World Bank

**Thursday, Nov. 1, cont.**

- 1:30-3:30 p.m.      **Addressing the Problems: New Solutions?**  
Moderator: Elizabeth Butler, Pierce Atwood, Portland  
Panelists  
Joseph Sullivan  
Don Kassilke  
Gene Martin, National Marine Fisheries Service  
Robert Horne, Farm Credit Cooperative Lending Institution  
Eric Brazer, Cape Cod Commercial Hook Fishermen's Assoc.  
Maggie Raymond, Associated Fisheries of Maine  
Andrew Minkiewicz, Kelley Drye Collier Shannon
- 3:30-4:00 p.m.      Break
- 4:00-5:00 p.m.      **Ethical Issues Representing Cooperatives vs. Members and  
Alternative Dispute Resolution Opportunities**  
Malcolm Lyons, Pierce Atwood
- 5:00                      Cocktails / reception

**Friday, November 2**

- 7:30-8:30 a.m.      Breakfast
- 8:30-10:00 a.m.      **Breakout Working Groups: Tackling Specific Issues for New  
England Groundfish Sector Agreements**  
Two groups, each comprised of a mixture of attorneys and industry  
representatives, work on contract provisions from the perspective  
of either individual vessel owners (Group 1) or the  
cooperative/sector entity (Group 2)
- 10:00-10:30 a.m.      Break
- 10:30 - noon          **Report Back on Working Group Sessions / Discussion**

Brown bag lunches to go ... adjourn

Contact:

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