



## New England Fishery Management Council

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### MEETING SUMMARY

## Monkfish Joint Committee and Advisory Panel

Webinar

September 17, 2020

The Monkfish Committee and Advisory Panel (AP) met jointly on September 17, 2020 at 9:00 AM via webinar to provide an overview of the monkfish discard estimation methods, develop recommendations for 2021 Council management priorities regarding the Monkfish FMP and to address Executive Order (EO) 13921 on Promoting American Seafood Competitiveness and Economic Growth.

**MEETING ATTENDANCE:** Monkfish Committee: Libby Etrie (Chair), Terry Alexander, Dan Farnham (MAFMC), Allison Ferreira (GARFO), Matthew Gates, Dewey Hemilright (MAFMC), Peter Hughes (MAFMC), Scott Olszewski, John Pappalardo, Paul Risi (MAFMC), Kelly Whitmore. Advisory Panel: Greg DiDomenico (Chair), Eric Hansen, Greg Mataronas, Randall Morgan, Ted Platz, and Christopher Rainone. Council staff/PDT: Jennifer Couture, Lou Goodreau, Chris Kellogg, and Allison Murphy (GARFO staff). In addition, about eight members of the public attended.

The AP did not have a quorum. Six of the 12 AP members were present.

#### **KEY OUTCOMES:**

- Committee and AP members developed two consensus statements on the 2021 Council priorities and the Executive Order.

#### **AGENDA ITEM #1: COUNCIL MONKFISH PRIORITIES UPDATE**

Staff briefly updated AP and Committee members on the analysis of alternative methods for estimating monkfish discards as a 2020 priority. The Committee Chair further summarized using Dr. O'Keefe's presentation, that the analysis found that the current discard method of using a 3-year average performs well when discards are stable but not when there is a big year-class as in 2015 with above average recruitment conditions. Longer-term mean and median discard percent of catch performed well under average recruitment conditions. Combining long-term mean or median discard percentage of catch to set total allowable landings (TALs), with monitoring of recruitment indices and improved discard assumptions when strong recruitment occurs, may improve monkfish management. Further information can be found in the June Council meeting materials. The analysis proposed testing these findings once 2019 data are available.

#### **AGENDA ITEM #2: 2021 COUNCIL MANAGEMENT AND EO 13921 PRIORITIES**

Staff provided an overview of the Executive Order 13921 on Promoting American Seafood Competitiveness and Economic Growth (issued in May 2020) and potential 2021 Council management priorities, noting a quick turnaround time for finalizing priorities, likely at the end of October.

## 1. CONSENSUS STATEMENT

### Monkfish priority recommendations for 2021, by consensus

That the monkfish committee recommends by consensus the following priorities for 2021, not ranked in the order of priority:

1. The PDT analyze the characteristic of the fisheries such as who is using their permits as well as looking at the impacts of the entry of latent effort in other fisheries.
2. Look at the concerns raised by the agency with the IVR change and look at alternative ways to address those concerns while promoting increased efficiency and additionally by reducing bycatch by turning discards into landings, by allowing either back-loading or front-loading DAS, in the fishery.
3. Recommend that we ensure that the report on discard estimation recommendations using 2019 discard information be done in 2021 to be considered in the 2022 specification process (stay with the normal timeline for completing monkfish specifications).
4. Consider a 12-inch minimum mesh size for gillnets.
5. Consider requiring VMS for the federal fishery and the associated costs.
6. Consider allowing the leasing of monkfish DAS.

**Discussion of the consensus statement** The AP Chair brought up the latent permit/potential effort issue that was controversial in the past but noted this is most likely no longer an issue. The AP chair requested data analysis on who is fishing for monkfish and the vessel's permit composition to better characterize the fishery. This possible analysis could be done by updating the data used in the analyses completed for Amendment 6, which was never approved. One Committee member asked for examples about the impacts of latent effort entering a fisheries to understand the impacts and how effective management could be.

Several AP members asked about the recent change in regulation for the Interactive Voice Response (IVR) system requiring fishermen to call within an hour before leaving the dock to fish. This change makes IVR regulations consistent with vessel monitoring system regulations. Several AP members discussed the desire to get charged for days-at-sea (DAS) at the time of landing that corresponds with amount of monkfish they have on board, similar to the Research Set-Aside program. This would make the fishery more efficient and provide a conservation benefit. Alternatively, the new IVR regulation could be re-evaluated to allow for fishermen to call in more than an hour before leaving the dock. GARFO staff noted the new regulatory change was brought about by law enforcement concerns about enforcing possession limits at sea. No comments were received for the proposed rule (effective October 19, 2020). The Committee and AP decided that both *front-loading*, allowing the DAS clock to be started earlier before sailing, and *backloading*, allowing DAS to be determined based on the trip's catch after the vessel returned to the dock, should be evaluated as ways of improving operational flexibility and efficiency.

Several AP members supported consideration of a 12-inch minimum mesh size. They reported this should not pose a problem to fishermen as most already use this mesh size, and it could prevent the use of a smaller mesh size if needed in the future. There was a brief discussion about requiring VMS for all monkfish permit holders but also concern expressed about the need and the cost for vessels not already required to carry VMS. Finally, an AP member suggested allowing leasing of monkfish DAS because fishermen have multiple vessels and permits for the same fishery, which is inefficient. However, another AP member thought this would promote irresponsible fishing by encouraging the use of additional gear that also could increase interactions with protected resources.

## 2. CONSENSUS STATEMENT

### EO 13921 suggestions, by consensus

1. Make a general statement that imports of seafood, including HMS products, should meet or exceed the same standards of harvest, for example in terms of the gear used and impacts on protected species, and sustainability as fish landed in the U.S.
2. Consider examining length and horsepower restrictions on efficiency and whether permit-splitting may also be a tool to address efficiency concerns.

**Discussion of the consensus statement:** Staff informed the AP and Committee that it may make recommendations under EO 13921 that are not only focused on the monkfish fishery or Council actions. One AP member brought up the issue of problems caused by imported fish, especially highly migratory species, that do not meet or exceed the U.S. harvesting and sustainability standards. Staff reported that a rule on this issue was published in 2017, which includes a 5-year grace period for implementation.

One Committee member asked about the timeline of implementation for the EO and if the work would get done faster under the EO versus the council management priority process. GARFO and Council staff noted that NEPA and all applicable laws still apply to actions taken under the E.O. These actions will likely have to complete an environmental assessment or a supplementary information report, just in terms of NEPA under both the EO and the Council process.

Several AP and Committee members also discussed the need to change horsepower and vessel length restrictions so fishermen may purchase bigger engines and vessels, because it is financially impractical to do so under the current 10% upgrade restrictions. This issue was previously raised by the Mid-Atlantic Council in a response to a previous Executive Order. One advisor commented that lifting horsepower and vessel length restrictions could improve efficiency, safety, and profitability, and allow fishermen to more effectively recruit crew members given the current higher wage levels in shoreside industries. Several other AP and committee members were concerned about the impacts on the monkfish fishery and other fisheries if the horsepower and vessel length restrictions were lifted, especially for vessels using trawl gear or scallop dredge. GARFO noted that these issues also were raised during the last Skate AP and Committee meetings and they might be worth considering under this E.O. but should be discussed more broadly across fisheries.

### ***AGENDA ITEM #5: OTHER BUSINESS***

No other business was discussed by the AP or the Committee.

The Monkfish joint Committee and AP meeting adjourned at about 11:30 am.