



New England Fishery Management Council

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John F. Quinn, J.D., Ph.D., *Chairman* | Thomas A. Nies, *Executive Director*

PUBLIC HEARING SUMMARY

Amendment 23 to the Northeast Multispecies Fishery Management Plan July 29, 2020, 4-6pm Webinar Hearing

The Council held public hearings to solicit comments on the alternatives under consideration in the Draft Amendment 23 to the Northeast Multispecies (Groundfish) Fishery Management Plan. The amendment will adjust the groundfish monitoring program to improve the accuracy and accountability of catch reporting in the commercial groundfish fishery.

Hearing chairman: Terry Stockwell (Groundfish Committee Chair)

Council staff: Jamie Cournane, Robin Frede, Melissa Errend, Chris Kellogg, Janice Plante, and Tom Nies

Attendance: 13 audience members (including three Council members); one commenter

The hearing began at 4:03 pm.

Mr. Stockwell opened the hearing, introduced Council staff in attendance, and commented on the Amendment 23 process. This included updates to the Amendment 23 timeline resulting from recent Council decisions to reschedule final action and schedule additional public hearings due to the COVID-19 pandemic. Ms. Frede and Ms. Errend briefed the audience on the purpose of the amendment, alternatives under consideration, draft impacts analysis, and amendment timeline and next steps. This hearing was geographically focused on Rhode Island and Connecticut/Mid-Atlantic states as a region. Council staff presented example fishing vessel profiles as part of the economic impacts that are specific to these states and regions. After an opportunity to ask questions for clarification, public comments were taken on the measures proposed in the amendment.

Questions:

There were no questions.

Comments:

Dan Salerno (sector manager for NEFS 5, providing comments gathered from sector members):
I would like to thank this opportunity to comment on behalf of my members of NEFS 5, which is

a Southern New England based sector. As you all may be aware, I will be appointed to the Council, but these comments are specific to feedback that I've received from my members, and not anything that I have in my own mind. My members have wanted to put some ideas on the table specific to the preferred alternatives that have been put on the table, so that's what the comments are going to be tailored to. The first one my members had wanted to talk about was 100% monitoring of trips. A lot of my guys said that this would be just devastating to their operations, and many guys feel that they probably wouldn't even participate in groundfish anymore. Based on the feedback, I'm looking at probably a 30 to 50% reduction in sector groundfish activity. There will be less trips, or some guys just may choose not to participate in groundfish anymore, as some of the presentation showed. Most of the guys in Southern New England are very minimally reliant on groundfish, so they just won't even participate anymore. Some of these guys may even retire, some may complete fishing in their other fisheries, and some members may even join the common pool as this is a viable option for Southern New England as opposed to other regions. Some of the concerns that my guys presented was that the analysis that was used to look at the so-called potential cheating bias, illegal reporting, whatever you want to call it, was very Gulf of Maine and Georges Bank specific. My guys do not participate in any of those regions. We are specifically a Southern New England/Mid Atlantic Broad Stock Area sector, and that's pretty much the concern that these guys will be paying for issues that may or may not be occurring in other regions of the fishery. They also want to know if there was supposed observer bias within our sector, who was it. I actually could not have that information provided to me. They were curious as to why that type of information was not put back into the sector system, so the sectors can actually look into this and correct it on their own hands. They always felt that this was one of the points of the sectors, was this co-management and self-policing type system.

The next preferred alternative we wanted to discuss was the options for additional options for monitoring tools. They basically believe that if people want to put cameras on the boats, go right ahead. As some of you may or may not be aware, in Sector 5 we have two members that are participating in the audit model program right now and one member is actually participating in the EM replace human ASM replacement model. The two preferred alternatives, which are the audit model and max retention model, we basically said if people want to do it, go right ahead. The feeling is, however, not many guys would be participating in this because they don't feel that this is something that they'd be interested in. The one member that actually is participating in the EM in place of human ASM model was kind of upset that this was not a preferred alternative. This member has actually been participating in various camera work since prior to the sector program, and he feels that if the Council voted for these two preferred alternatives without the ASM replacement model, he would more than likely just take the cameras off his boat because his operation would not allow him to do this type of audit model work at 100% on every one of his trips. My guys that do participate in EM wanted to also point out that this is not exactly a plug and play type system. There are still issues that come up that need to be addressed. One thing we would like to point out is the hake issue, for some of you may or may not be aware, that we're being charged white hake because we didn't know what they were on the camera system. It took almost three years to come up with a workable solution. Anytime a new problem crops up,

it takes time to work through these issues, and my guys are getting frustrated when these new problems come up and it takes forever. They also wanted to point out that while the cameras may be cheaper on paper, there is an unpaid cost of EM which is basically the industry doing the job of the at-sea monitor. And there's concern that these guys are being held to a higher standard of quality than the monitors.

Moving on to the next preferred alternative we wanted to comment on was the elimination of the uncertainty buffers for a sector allocation if 100% monitoring was selected. We would be for this, but to tell you the truth, this is not really a huge gain, particularly for guys that fish in the Southern New England region. A 3 to 5% increase in individual stock allocations is a pittance, and when you look at an individual member basis, basically the feeling I got was thanks for nothing. Most likely the extra fish would not even be caught anyway. The 10-year average of NEFS 5 usage of their initial allocation is only roughly 24%, so this additional fish would probably mean not much more, if anything, landed for the Southern New England sector of NEFS 5. For the dockside monitoring program, the option of no action as the preferred alternative, we are fully supportive of this. Obviously, you are aware that the sector lived through the dockside monitoring program of 2010-2011, and my guys felt this was a huge waste of time and money, and there was no benefit whatsoever for these guys. They say if there are concerns about vertically integrated companies and supposed cheating and collusion, that there should be cheaper ways to address this than putting 100% dockside monitoring on everyone. Moving on to the next preferred alternative, which was the funding option for the groundfish monitoring program, the preferred of sub option 2B: waivers from monitoring if insufficient funds are available for NMFS. My guys feel that this has got to be the case. We support sub-option 2B basically because if NMFS doesn't have the funds to do the shoreside component, there's no way that the industry is going to be able to pick up the tab on both the shoreside and the at-sea side. That's just a no-win situation for the industry on that for these guys.

And finally, we would like to comment on the exemptions from monitoring requirements. The preferred alternatives of options 3A and 3B, which is removing ASM and DSM from vessels fishing west of the 71 30 line, we are fully supportive of this. That's where the bulk of our activity occurs, on the west side of this area, particularly the vessels that are fishing out of the Shinnecock region. My members are also very appreciative to Councilman Reid for putting this option into Amendment 23. This is one of the few times that we see that the Council has actually recognized the fact that groundfishing in Southern New England is not the same as groundfishing in other regions, such as the Georges Bank or the Gulf of Maine region. Most groundfishing trips in this region are usually directed on other non-groundfish stocks. Specifically talking about guys that are fishing in the bait skate fishery, in the scallop trawl fishery, the monkfish fishery, the fluke fishery. These fisheries all require them for the most part to be fishing on a Groundfish Day, and there's usually very little groundfish to no groundfish as bycatch which they will keep just to keep the day profitable, but it's not like these vessels are targeting groundfish in the Southern New England region. The only drawback we see with this exemption and this preferred alternative is that we really wish it had been for the whole Southern New England/Mid-Atlantic Broad Stock Area or based on more of a statistical area than just a straight line in the ocean, just

for simplicity's sake. It's going to make it a little more for monitoring this at the sector and at the member level to see where the trips should and shouldn't be exempt from monitoring. That pretty much concludes the comments that my members wanted to present. I will also be following up and the sector will be providing more in-depth comments to more discussion points on Amendment 23. Thank you for the opportunity to comment today.

The public hearing closed at approximately 5:00 pm.

**Amendment 23/Groundfish Monitoring
Public Hearing
Webinar**

Audience List

Date	July 29, 2020
Start time	4:03 PM
End time	5:00 PM
Number of participants	13

Groundfish Committee Chair: Terry Stockwell

Council Staff (6): Jamie Cournane, Robin Frede, Melissa Errend, Janice Plante, Tom Nies, and Chris Kellogg

Participants (taken from webinar list during presentation)

	<u>Name</u>	<u>Affiliation (based on email address)</u>
1	Allison Lorenc	Conservation Law Foundation
	Daniel Caless	NOAA Fisheries
	Daniel Salerno	Sector Manager- NEFS 5
	Elizabeth Etrie	NEFMC
	Eric Reid	NEFMC
	Heather Cronin	Gulf of Maine Research Institute
	Jeff Taylor	Mayforth Group
	Liz Moore	Gulf of Maine Research Institute
	Maggie Raymond	Associated Fisheries of Maine
10	Mark Grant	NOAA Fisheries
	Scott Olszewski	NEFMC / RI DEM
	Stephanie Sykes	Cape Cod Fishermen's Alliance
13	Victor Vecchio	NOAA Fisheries