



New England Fishery Management Council

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Eric Reid, *Chair* | Thomas A. Nies, *Executive Director*

MEETING SUMMARY

Recreational Advisory Panel

Webinar

August 31, 2022

The Recreational Advisory Panel (RAP) met on August 31, 2022 by webinar to discuss: 1) Framework Adjustment 65/Specifications and Management Measures; 2) Atlantic Cod Management; 3) Possible Council 2023 Priorities; 4) NOAA's National Saltwater Recreational Fisheries Policy; and 5) Other business, as necessary

MEETING ATTENDANCE: Frank Blount (Chair), Barry Gibson (Vice Chair), Rip Cunningham, Patrick Paquette, Michael Plaia, James Reilly, and Jon Sterritt; Dr. Jamie Cournane, Robin Frede, and Angela Forristall (NEFMC staff); Russell Dunn (NOAA Fisheries, Office of the Assistant Administrator); Tim Sartwell (NOAA Fisheries, Office of Management and Budget); Kyle Molton (Greater Atlantic Regional Fisheries Office (GARFO)); Paul Nitschke and Scott Steinback (Northeast Fisheries Science Center (NEFSC)); Rick Bellavance (Groundfish Committee chair); Libby Etrie (Groundfish Committee vice-chair); and Melanie Griffin, Michael Pierdinock and Daniel Salerno (Groundfish Committee). In addition, approximately 5 members of the public attended.

SUPPORTING DOCUMENTATION: Discussions were aided by the following documents and presentations: (1) Meeting overview memo from Groundfish Committee Chair and agenda; (2) Presentation, Council Staff; (3a) Framework Adjustment 65, Draft alternatives outline; (3b) The Council's Risk Policy Road Map (2016), that includes the Risk Policy Statement and Implementation Plan, see pp. 4-5 and 10-12; (3ci) 2021 Fall Management Track Stock Assessments and Peer Review of GB cod and GOM cod (3cii) 2022 TRAC Status Report for EGB cod; (3ciii) Memo from Groundfish PDT to SSC re Rebuilding Strategies for Gulf of Maine cod; (3civ) Memo from Groundfish PDT to SSC re GB cod additional relevant information; (3cv) Memo from Groundfish PDT to SSC re Cod OFLs and ABCs FY2022-FY2024; (3cvi) Risk policy matrix for GOM cod; (3cvii) Risk policy matrix for GB cod; SNE/MA Winter Flounder; (3di) 2022 Spring Management Track Assessment of SNE/MA winter flounder; (3dii) 2022 Spring Management Track Peer Review of SNE/MA winter flounder; (3diii) Memo from Groundfish PDT to SSC re SNE/MA winter flounder OFLs and ABCs FY2023-FY2025; (3div) Risk policy matrix for SNE/MA winter flounder; (4) Council 2022 Priorities; (5a) Recreational Advisory Panel Meeting Summary, Jun. 1, 2022; (5b) Groundfish Committee Meeting Summary, Jun. 14, 2022; (5c) Council Meeting Motions, Jun. 28-30, 2022; (6) NOAA Fisheries National Saltwater Recreational Fisheries Policy, 2015; and (7) Correspondence.

The meeting began at 1:30 pm.

KEY OUTCOMES:

- From the Groundfish Committee’s motion on 6/14/22:
 - *The Committee recommends to the Plan Development Team that the White Paper on potential approaches to allocate “Georges Bank cod” to the recreational fishery consider the following:*
 - *Management measures that each sector (rec vs. comm) was subject to during time periods considered, including whether the recreational fishery was subject to a catch target, if that catch target was linked to a change in the ABC, and if the catch target was based on old vs. new MRIP data.....*
 - *If and how state waters catch factors into the allocation*
 - That the Recreational Advisory Panel recommends if an allocation is made it should use new MRIP for the recreational fishery and that state waters catch should factor into the allocation.
- Add to the list of possible priorities:
 - Evaluate the uncertainty (e.g., high PSEs, low or high catch events influencing estimates) in GB cod catch estimates and recommend how to use in recreational management (i.e., use in 3-year averages, etc.). This may be a problem in additional or future cod stock areas. May involve the PDT and SSC.
 - Develop a mechanism to quantify how many anglers are catching/targeting groundfish.

OPENING REMARKS:

Kyle Molton (NMFS GARFO) shared Gulf of Maine (GOM) cod and haddock recreational measures for FY2022 have been implemented. GARFO approved all measures recommended by the Council, including the 20 haddock limit, adjustments to the GOM cod fall season, and a GOM cod minimum fish size of 22 inches.

AGENDA ITEM #1: FRAMEWORK ADJUSTMENT 65/SPECIFICATIONS AND MANAGEMENT MEASURES, DR. COURNANE (NEFMC)

Council staff shared a timeline of groundfish actions by quarter for 2022. Staff shared the goals, objectives, scope, and range of alternatives of Framework 65 (FW65) and a timeline for the action.

Staff shared the PDT’s analysis of different GOM cod rebuilding projections and Council staff’s preliminary summary of the Scientific and Statistical Committee’s (SSC’s) feedback. The Council received a letter from the GARFO that GOM cod was making inadequate progress on rebuilding and the Council must implement a new rebuilding plan within two years. The SSC agreed with the PDT’s recommendation of using the current Acceptable Biological Catch (ABC) of 551mt through FY2024. Staff shared a Risk Policy Matrix for GOM cod and encouraged the advisors to provide feedback on the matrix.

Staff provided updated survey indices, catch performance, landings and discards, utilization, and economic information for Georges Bank (GB) cod, and Southern New England/Mid-Atlantic (SNE/MA) winter flounder. Staff explained the GB cod recreational catch target is not a sub-Annual Catch Limit (sub-ACL) allocated to the recreational fishery, but a target used to develop measures that will keep recreational catch at or below that value. SNE/MA winter flounder is no longer considered overfished and is rebuilt, but this determination is a direct result of changes made to the recruitment stanza going into the projections. Council staff’s preliminary summary of the SSC’s ABC recommendations for these stocks were shared.

Staff informed the RAP the PDT is exploring modifications to the existing groundfish control rules. The Groundfish Committee (Committee) recognized the value of exploring modifications or replacements of the control rules but felt more intensive changes could be explored under an additional priority for 2023.

Questions and Comments on the Presentation:

An advisor referenced the GOM cod rebuilding projections using the M=0.2 model and asked if GOM cod would be able to rebuild in ten years if there is good recruitment and low mortality. Staff explained projections made with M=0.2 utilize sampling from the distribution of recruitment which includes average to good recruitment. The advisor concluded spawning stock biomass (SSB) projections under F=0 are optimistic.

An advisor referenced the Georges Bank (GB) cod biomass trends in the spring and fall NMFS bottom trawl surveys and observed the 2017 spring survey values are high outliers. They asked if values are averaged. Staff explained survey values are input into an empirical model with a Loess smoother that down weights some high values but can also have the effect of raising low values. The advisor noted it has been a long time since the commercial groundfish fishery has fully utilized the commercial GB cod sub-ACL and asked if the GAP has discussed this. Staff noted the GAP has not directly discussed this at their meeting earlier the same day but shared that GB cod quota is primarily used to target other, healthier stocks.

An advisor asked for clarification on what the RAP should be discussing when considering measures that may impact recreational GB cod catch. Staff explained the RAP could discuss what the GB cod recreational catch target could be. The catch target for FY2023 may be the same as it was in FY2022 (75mt), or it might change. Later in the year, there will be an analysis of measures such as bag limits and size restrictions meant to keep recreational catch below the catch target. The advisor asked if there has been an instance in recent years where the recreational fishery has exceeded their catch target, resulting in an overage of the ACL and triggering a pound-for-pound payback by the commercial fishery. Staff said this occurred in 2016, but because of the delay when the recreational catch data is available the commercial sub-ACL was reduced in 2018. An advisor asked if the payback is automatic or based on a three-year average of recreational catch. Staff explained the Regional Administrator sent the Council a letter detailing the calculation.

An advisor stated preliminary recreational data indicates there has been zero landings of codfish in Wave 3. Scott Steinback (NEFSC) noted the Wave 3 data is still preliminary and will likely change as Wave 4 data comes out. He noted overall landings are up a bit from last year but are not by a drastic amount.

AGENDA ITEM #2: ATLANTIC COD MANAGEMENT, DR. COURNANE (NEFMC)

Council staff presented a map of the current four biological units under consideration by the Atlantic Cod Research Track Working Group. The Committee has tasked the PDT with developing a White Paper on potential approaches to allocate cod caught in the Georges Bank area to the recreational fishery.

Questions and Comments on the Presentation:

Advisors questioned the Committees' recommendation to use weights vs. numbers of fish in the allocation and what approach is currently being used versus which would be the alternative approach. Staff explained the catch target uses weights and the weight is converted to number of fish based on a previous analysis. There was concern that not everything in the recreational fishery is weighed and a conversion factor between weights and fish might be inaccurate.

One advisor expressed support for using catch data from years prior to when the recreational catch target was established (FY2018) to have a longer time series and compare what catch was with and without the

catch target. Another commented the new MRIP data should be used as the basis for analysis and state waters catch should factor into the allocation.

An advisor asked for clarification on the recommendation there should be an exploration of recreational catch compared to its impacts. Staff explained this would explore what would trigger an accountability measure (AM) if the recreational catch goes over its sub-ACL. For example, would an AM be triggered if the total *and* recreational sub-ACL is exceeded, or if just the recreational sub-ACL is exceeded?

An advisor asked how this analysis would be influenced by a change in stock structure. Staff explained the PDT is developing a discussion paper on potential approaches to allocate cod that are caught in what is currently referred to as the Georges Bank area. It is meant to inform a discussion on potential approaches, but no alternatives have been developed yet.

1. MOTION: CUNNINGHAM/STERRITT

From the Groundfish Committee's motion on 6/14/22:

The Committee recommends to the Plan Development Team that the White Paper on potential approaches to allocate "Georges Bank cod" to the recreational fishery consider the following:

- a) Management measures that each sector (rec vs. comm) was subject to during time periods considered, including whether the recreational fishery was subject to a catch target, if that catch target was linked to a change in the ABC, and if the catch target was based on old vs. new MRIP data.....*
- g) If and how state waters catch factors into the allocation*

That the Recreational Advisory Panel recommends if an allocation is made it should use new MRIP for the recreational fishery and that state waters catch should factor into the allocation.

Discussion on the Motion: Kyle Molton (NMFS GARFO) asked if the maker of the motion is wanting to use MRIP data converted to a new standard or if the analysis should only use new MRIP data for quota accounting. The maker of the motion clarified the intention is to have converted data used.

MOTION #1 BY CONSENSUS, AND WITHOUT OBJECTION.

AGENDA ITEM #3: POSSIBLE COUNCIL 2023 PRIORITIES, DR. COURNANE (NEFMC)

Council staff shared the list of 2022 Council Priorities and asked advisors if there were any additions they would like to forward to the Committee and Council for consideration as 2023 priorities.

- *Possible 2023 priorities to add to the list for consideration: Multiple advisors expressed support for adding a priority to evaluate uncertainty in GB cod catch estimates and recommend how to use estimates in recreational management. There have been large swings in estimates and high PSEs and one advisor stated MRIP will no longer publish data if PSEs are over 50%. Scott Steinback (NEFSC) explained values with PSEs over 50% will no longer be published on the public query site but the underlying data will be available to those who access the raw data. He noted the large swings in GB cod catch estimates result from a low number of intercepts with anglers and low cod catch. He acknowledged this problem will likely grow under a different cod stock structure with more management units. One advisor stated this issue may not be as prevalent in the GOM but will likely be an issue in a SNE cod stock area. Another noted that the high PSEs are a statistical representation of the inconsistent and low landings of GB cod.*

- *Advisors discussed a possible priority to develop a mechanism to quantify how many anglers are catching/targeting groundfish.* An advisor proposed a license or method for tracking anglers that could take the form of a fishing endorsement anglers purchase for a small charge. A different advisor did not support this idea because of logistical complications and stated knowing how many individuals are recreationally groundfish fishing without knowing anything more (e.g. residency, mode) may not be useful. They expressed it would be better to either go all the way to recreational catch reporting or stick with the data already collected. There was not agreement by advisors on a specific method, but consensus that a general mechanism to quantify anglers catching/targeting groundfish should be added to the priorities list.

AGENDA ITEM #4: NOAA’S NATIONAL SALTWATER RECREATIONAL FISHERIES POLICY, RUSS DUNN

Russ Dunn (NOAA Fisheries) presented on the 2015 National Saltwater Recreational Fisheries Policy goals and guiding principles. He shared six specific discussion questions NOAA Fisheries is hoping to get input on as the agency begins to update the policy. Mr. Dunn explained RAP members could provide input now or through the online comment portal¹. The deadline for comments is December 31, 2022.

Questions and Comments on the Presentation:

Advisors asked for clarification on if comments would go directly to the agency. One advisor expressed concern that comments by the RAP may be altered or changed if they go through the Committee. Staff explained RAP comments made today would be received by the Committee for consideration and possibly forwarded to the Council for discussion I at the September meeting. Anyone from public can make individual or organizational comments through the online portal or as public comment at the Committee or Council meeting.

Multiple advisors expressed appreciation for the National Saltwater Recreational Fishery Policy and noted it helped the recreational sector to gain more federal recognition. Advisors commented the policy uses bureaucratic language and does not outline definitive actions. They felt the document could be more specific. Mr. Dunn stated there is hesitation to build in definitive steps and actions because that puts the policy at risk of being quickly outdated. He explained the policy is an overarching blueprint that can be put into action through regionalized efforts.

Advisors asked if there was a NOAA employee whose primary role was to advocate on behalf of the recreational sector. Mr. Dunn explained his role is to make sure decision makers are fully informed about recreational issues and the impact of management decisions on the recreational sector.

One advisor commented any discussion of permits will help gain wide-ranging recognition and attention on the Policy. Another expressed frustration the RAP is still having discussions about using the best scientific information available regarding MRIP data, but acknowledged they see benefits in the policy.

AGENDA ITEM #5: OTHER BUSINESS

An advisor shared NOAA Fisheries is accepting comments on proposed changes to North Atlantic Right Whale protections until the end of September².

Advisors asked if there was a plan for future meetings to be webinar, hybrid, or in person. Council staff explained this decision is currently at the discretion of the Groundfish Committee chair, in consultation of the advisory panel chair. The Executive Committee will continue to review how meetings will operate. Rick Bellavance (Groundfish Committee chair) welcomed RAP members to provide any input on how

¹ <https://www.fisheries.noaa.gov/feature-story/noaa-fisheries-invites-comments-update-recreational-fisheries-policy>

² <https://www.fisheries.noaa.gov/action/amendments-north-atlantic-right-whale-vessel-strike-reduction-rule>

they would like meetings to be run in the future. Some advisors felt a webinar option should always be available so the public can participate and comment remotely, providing greater flexibility to attend all or some of the meeting. Advisors expressed support for having the meeting format being influenced by the topics on the agenda (e.g., a short informational meeting held by webinar versus a longer meeting with final recommendations as a hybrid meeting with in-person and webinar options).

The Recreational Advisory Panel meeting adjourned at approximately 4:30 p.m.