



New England Fishery Management Council

50 WATER STREET | NEWBURYPORT, MASSACHUSETTS 01950 | PHONE 978 465 0492

Daniel Salerno, *Acting Chair* | Cate O'Keefe, PhD, *Executive Director*

MEETING SUMMARY

Joint Groundfish Advisory Panel and Recreational Advisory Panel Meeting

Webinar

September 3, 2025

The Groundfish Advisory Panel (GAP) and Recreational Advisory Panel (RAP) met jointly on September 3, 2025, via webinar to discuss: 1) Revised Amendment 25/Atlantic Cod Specifications and Management, 2) Framework Adjustment 72/Specifications and Management Measures, 3) Alternative Gear-Marking Framework, and 4) Other business, as necessary.

MEETING ATTENDANCE:

Groundfish Advisory Panel: Hank Soule (Chair), Al Cottone, Bonnie Brady, Gib Brogan, Ben Martens

Recreational Advisory Panel: Frank Blount (Chair), Jonathon Sterritt (Vice-Chair), Leo Chomen, Rip Cunningham, Tony DiLernia, Patrick Paquette, James Reilly, Tim Tower

Acting Groundfish Committee Chair: Dan Salerno

New England Fishery Management Council (NEFMC) Staff: Robin Frede and Julian Garrison

Presenters: Caroline Potter and Alli Murphy (GARFO)

In addition, about 36 other people attended. Among them were:

Jackie Odell, Geoff Smith, Melanie Griffin, Megan Ware, and Paul Risi (Groundfish Committee member); Mitch MacDonald and Sam Duggan (NOAA General Counsel); Peter Christopher, Mark Grant, Liz Sullivan, Heather Nelson, Spencer Talmage, Travis Ford, Laura Smith, Nicole Morgan; and Jay Hermsen (Greater Atlantic Regional Fisheries Office (GARFO)); Paul Nitschke, Glenn Chamberlain, Gabrielle Clardy-Pryor; Heidi Henninger; Henry Milliken (Northeast Fisheries Science Center (NEFSC)); Samantha Tolken (NOAA Stellwagen Bank National Marine Sanctuary); Corrin Flora and Erin Wilkinson (Maine Department of Marine Resources (ME DMR)); Tara Dolan and Kelly Whitmore (MA DMF); Sefatia Romeo Theken (Commonwealth of Massachusetts Department of Fish and Game Deputy Commissioner); Angelia Miller (Maris Collaborative); Libby Etrie (Conservation Law Foundation); Evan Balzano (Maine Coast Fishermen's Association); Mike Waine (American Sportfishing Association); Hayden Dubniczki (MAFMC Staff); Emily Bodell (NEFMC Staff); Dr. Cate O'Keefe (NEFMC Executive Director); Neal McIntosh and Richard Vincunas.

The meeting began at approximately 9:00 a.m.

KEY OUTCOMES

- Through discussion, the GAP reiterated support for incorporating the revised Atlantic cod stock units into the FMP through Amendment 25. GAP and RAP members noted concerns previously raised on preferred alternatives, in particular the WGOM cod apportionment and SNE cod recreational measures.
- The GAP and RAP provided feedback on the Alternative Gear-Marking Framework, generally sharing concerns around ensuring continued public input and engagement on development of alternative gear-marking and on-demand gear.

AGENDA ITEM #1: MANAGEMENT UPDATE (GARFO STAFF)

GARFO staff shared they had no update on the status of Framework 69 proposed rule. GARFO is working on finalizing year-end catch accounting. GARFO expects notices for at-sea monitor and electronic monitoring service providers to go out in October.

Questions on the presentation:

An advisor asked when the emergency rule ends. GARFO staff stated the rule is effective through October 28th.

AGENDA ITEM #2: REVISED AMENDMENT 25/ATLANTIC COD SPECIFICATIONS AND MANAGEMENT

Council staff provided an overview of Revised Amendment 25, which would incorporate the revised Atlantic cod stock units of Western Gulf of Maine (WGOM) cod, Eastern Gulf of Maine (EGOM) cod, Georges Bank (GB) cod, and Southern New England (SNE) cod, into the Northeast Multispecies Fishery Management Plan (FMP) and establish necessary management measures (i.e., status determination criteria, distribution of ABCs, and accountability measures). The presentation included a reminder of NOAA's disapproval of Amendment 25 on the basis of a procedural flaw in the process the Council followed from GARFO's guidance, the pathway offered in the GARFO decision letter for the Council to resubmit the action with the necessary management measures from Framework 69, and the Council's vote in June to change priorities, pausing work on several groundfish priorities in order to take up resubmission of Amendment 25. In reinitiating Amendment 25, the Council indicated clearly to focus only on reformatting the cod-specific management measures in Framework 69 and not revisit past decisions, given the short timeline for final action in September indicated by GARFO as necessary to target implementation by May 1, 2026.

Staff outlined the draft alternatives as reorganized between Amendment 25 and Framework 69, noting a few alternatives that require adjustments for fishing year (FY) 2026, draft impacts analysis as repackaged from Framework 69, and reorganized appendices, including an appendix on the Council's development of the Phase 1 transition plan bridge approach for sector allocation. The Committee/Council intend for the bridge approach as a short-term solution while the Council works toward a longer-term, more permanent approach in Phase 2 of the transition plan. This appendix references Committee tasking for the PDT, supporting PDT analyses, and Committee/Council decision making throughout development of the Council's Phase 1 approach for sector allocation, and includes illustrative examples developed by GARFO staff to demonstrate other considered approaches and how these informed the Council's final selected approach. The illustrative examples provide a mechanism to isolate impacts from the revised cod stock structure from impacts of the 2024 management track assessments, by allowing comparisons in sector cod allocations under different approaches when applied to FY2024 quotas as the "status quo." These comparisons should be considered a snapshot in time and would change if applied to a different "status quo" quota year. GARFO staff walked through these illustrative examples.

Questions on the presentation:

The GAP Chair asked several questions about the illustrative cod sector allocation examples. Staff confirmed the absolute difference in cod allocation is intended to show relative disruption, and confirmed the intent is for these to be illustrative in further characterizing the Council's decision making rather than as a basis for decision since there is not an expectation of new decisions to be made for revised Amendment 25. The GAP Chair asked about the expected duration of the short-term Phase 1 of the Council's Atlantic cod management transition plan. Council staff explained the timing is not exactly or explicitly determined, and while the Council recognized this is likely to be a minimum of 2-3 years, it is more determined by what approaches the Council chooses for the longer-term Phase 2. The next step would likely be some kind of scoping for Phase 2, which would determine what kind of action would be required and would inform the timeline.

The GAP Chair also asked if there is the possibility of Revised Amendment 25 being rejected again, and whether that could be due to the bridge approach. Staff recognized there have been discussions and concerns along these lines at previous the Committee meeting and the June Council meeting about the resubmission being disapproved again, acknowledging there is no guarantee that it will be approved, but that the Council felt that resubmitting the action and completing this step was important in fulfilling its role toward the cod management transition. While the Council discussed these concerns, there has been no indication either through conversations with GARFO staff or from the decision letter that the bridge approach was the issue, and the sense is addressing the procedural issue raised in the decision letter addresses the reason for disapproval.

Staff clarified that the initial submission of Amendment 25 did not include an environmental assessment as it was determined by GARFO to be a Categorical Exclusion. The Council was originally advised by GARFO to submit Amendment 25 as an administrative measure with a companion follow on action (Framework 69) that has impacts analyses of the implementing measures. The GAP Chair noted the increase in the WGOM sub-ACL in FY2026 from FY2025, and staff clarified the revised action includes the FY2026-2027 specifications.

Discussion:

The GAP Chair stated the discussion on revising the cod stocks in the FMP has been going on for a decade, only for it to be disapproved initially. He noted in the Amendment 25 public comments that some organizations opposed the action on procedural grounds, but there was agreement that the four cod stocks are based on best available science. He recapped prior GAP recommendations in which the GAP supported moving to the revised cod stock structure, and said he is not aware of new information that might change the GAP's recommendation on Amendment 25. He expressed concern about Revised Amendment 25 being rejected and the understanding is this would go to the Secretary of Commerce otherwise. Another advisor said that if Phase 1 is in place for 3-4 years it's important to craft it well and is concerned about losing businesses with price fluctuations at the dock and with leasing during the transition. Specifically, he shared concerns about the WGOM apportionment not recognizing the work that was done in rebuilding GOM cod and the efforts of those communities. Other GAP members echoed the GAP Chair's thoughts that there has been a lot of work done on this action and a need to move forward at this time.

The RAP Chair noted on the SNE cod recreational/commercial split last year that they were told this was only for one year but is now extended into the following year and maybe up to three years for obvious reasons given the measures aren't yet in place. A RAP member expressed concern about the economic impact on businesses from the SNE cod recreational measures with this year under zero possession when charter vessels can now only catch black sea bass and blackfish. Over the years, recreational anglers went from 10 cod per person, down to 5, and then down to 0. He agreed the availability of cod in Southern New England has not been good but feels that allowing 1 cod per person would increase business for some fleets because it can be supplemented with black sea bass, and since few people bother to fish for

cod especially in summer, this would only really impact the October-December time period. Another RAP member agreed, saying that anglers catch the occasional cod while fishing for black sea bass but no one is going to target at 1 cod per person, but they can avoid discarding if allowed occasional possession. The RAP Chair noted in the recent MRIP numbers that the observed fish numbers for SNE cod are down from thousands to near zero with very few discarded fish and with Rhode Island having zero landed fish. He did encounter a small amount of cod on a recent jigging trip as part of the hook and line pilot study.

AGENDA ITEM #3: FRAMEWORK 72 / SPECIFICATIONS AND MANAGEMENT MEASURES

Council staff provided an update on the action, including the draft scope, outline of draft alternatives, and draft timeline noting upcoming relevant meetings related to specifications setting. Staff also walked through draft Risk Policy Matrices for two stocks, white hake and ocean pout, as examples to introduce the revised Risk Policy Matrix format to be used this year that reflects the Council's new Risk Policy concept and risk factors.

Questions/Discussion on the presentation:

Several GAP members had questions and comments for the draft example Risk Policy Matrices. Advisors suggested clarifying whether the reported ex-vessel prices are in landed pounds or live pounds. For white hake, advisors noted the ACE lease prices from the hedonic price model of \$0.80 seemed low, as they have seen most lease prices for white hake over \$1.00. Advisors suggested it would be more informative to include lease price data over the fishing year to capture temporal price trends, as opposed to an annual average price as the current model reflects. GAP members suggested overall that including intra-sector lease prices, in addition to inter-sector lease prices, in the model, would provide a more complete understanding of the lease market and economic considerations. Staff noted that at the previous GAP meeting in June, Greg Ardini, Groundfish PDT member and NEFSC economist, gave a presentation seeking feedback on ideas for possible improvements to the Quota Change Model, with intra-sector lease prices highlighted by advisors as a particular area of interest. Mr. Ardini is currently working on compiling intra-sector lease price information to incorporate into the next framework action, so future framework documents should hopefully include more nuanced lease price information. GAP members also noted that while lease value is the focus in conversations considering economic information in Council decision making, there are permit banks throughout the states, and that lease prices might also include non-monetary value (e.g. research, "pay" that is in discounted or free quota, etc.). Staff noted this came up at the previous discussion with Mr. Ardini, who acknowledged it would be helpful to try incorporating some of this information on non-monetary lease value, but the first step being to start with the data that is most readily available and accessible.

RAP members asked for white hake what was meant by having no recreational component, as there are some boats that catch white hake. Staff noted this refers to these recreational catches being so small that they are not accounted for in catch accounting, as opposed to a stock like pollock which has a sizeable recreational component but not a recreational sub-ACL.

AGENDA ITEM #4: ALTERNATIVE GEAR-MARKING FRAMEWORK (CAROLINE POTTER AND ALLI MURPHY, GARFO)

Caroline Potter and Alli Murphy, GARFO leads on the Joint MAFMC and NEFMC Alternative Gear-Marking Framework, provided an overview of the action and explained they are seeking input from advisors prior to the Councils' expected final action in September / October. This action considers allowing alternative (i.e. digital) gear marking as another option to the currently required physical surface markings, which could allow for increased fishing access for fixed-gear fishermen within Atlantic Large

Whale Take Reduction Plan vertical line restricted areas but would not require the use of alternatively marked gear. The presentation included an overview of the objective of the action, review of the draft alternatives, summary of related discussion on aspects of alternatively marked gear, and a list of discussion questions for the advisors.

Questions on the presentation:

GAP members asked the following questions on the alternative gear-marking action:

- Recognizing there's a working group between the Councils working on developing this action, where does the process go from here?
 - GARFO staff explained the plan to present to a few more advisory panels meeting this month receive feedback, but otherwise then it would go to the Councils. However, on-demand gear is an ongoing process / issue, while this action is more about addressing when / where on-demand gear could potentially be used.
 - Council staff added that this action is addressing regulation changes need to allow alternatively marked gear, and that after final action the PDT / FMAT formed to develop this action would be done. However, these conversations around on-demand gear could continue with the Council's On-Demand Fishing Gear Conflict Working Group (ODWG).
- Does the Groundfish Committee vote on preferred alternatives to recommend to Council? Will it be the first time Council has seen these alternative sets?
 - Council staff clarified the FMP Committees will not vote on preferred alternatives as this is an omnibus action. The Council will be discussing and voting on final action at its September meeting. The Councils have seen these alternative sets previously, and at their last meeting indicated they would like to see this action brought to the Advisory Panels for industry input.
- Why is the current process using exempted fishing permits (EFPs) to participate in on-demand gear trials not working? What is the impetus to get this alternative gear framework through the door at this time?
 - GARFO staff explained that EFPs are not a long-term answer. They are mainly used for research, but have administrative burden (public comment, impacts analyses, etc.). Staff explained the strategy has been to try breaking down this complex issue and questions into smaller pieces that can be answered, to build on the process as these early questions are answered. GARFO staff made the comparison to the process for development and approval of electronic monitoring (EM) options for the groundfish fishery. The process for developing and approving alternative gear marking could look similar to that process. The GAP Chair stated there was much industry frustration with the EM implementation process.
- There is an expectation that this action will impact mobile and fixed gear users in the commercial groundfish fleet – both fixed gear users needing to mark gear with a transmitter, which involves hardware and installation costs for the transmitter / receivers and potentially a thru-hull transducer, satellite connectivity expenses (e.g., Starlink), and integration with a handheld device (e.g. tablet) – and for mobile gear users who will need to see the on-demand gear in order to fish in areas where on-demand gear is deployed, needing satellite connectivity with real time data access and integration with a tablet of some kind. Are all these costs required for fixed gear

users? Would this action require mobile gear vessels to install these technologies, or a future action?

- GARFO staff clarified these on-demand systems are not required unless a vessel wants to fish in vertical line restricted areas, and that the potential scale of use is dependent on what alternatives are selected in this action. This action would not require these systems, and a thru-hull transducer might not be required for use of on-demand gear, but acknowledged the practicality of this option. As far as costs, currently many fishermen are trialing on-demand gear through the EFPs and are able to use the gear free of cost from gear lending libraries, but there also have been fishermen purchasing their own gear.
- GARFO staff clarified that similarly this action would not prohibit mobile vessels from fishing in areas with on-demand gear and does not require vessels to have the technology to access on-demand gear data, but acknowledged it would be most practical for them to have this technology in order to do their due diligence to avoid gear conflicts. ODWG discussions recognize the need to have ongoing discussions around these topics including potential mobile gear requirements as on-demand gear development continues in the future. GARFO staff also explained there have been conversations about how to apply this to vessels that don't have real time internet access, with the possibility of downloading locations before setting out, but recognize it's not quite as accurate as real time information. For high density areas, it's recommended that gear location data be accessed in near real-time.

Discussion:

GAP members provided the following comments:

- Real-time gear location data is necessary in all situations.
- Concerns about the danger of entanglement with lobster gear, especially for inshore boats that are short-handed on crew, which would seem to necessitate requiring mobile vessels have a system onboard to detect on-demand gear to avoid gear conflict and safety issues. Specifically noting concerns about the high density of scallop vessels in the Northern Gulf of Maine in the month of April overlapping with the Massachusetts Restricted Area.
- Very few inshore vessels have Starlink or other internet capability because of the cost and have no intention of getting it. Practical limitations of downloading gear locations prior to leaving the dock.
- Concerns about implementation costs being exclusionary and prohibitive, and not fully understanding potential costs at this time.
- Recognition of the level of education and onboarding to work with the gear technologies, with a big cost in both implementation and lost gear expected during this learning curve.
- Concerns about uncertainty of the impacts of new on-demand gear technology and implementation. A sense that it's premature to get this on the water. Overall concerns about the pace of this action (i.e., too early to be taking final action).
- Supportive of the overall intent in balancing the need for lobster and Jonah crab fishermen to be able to have additional fishing opportunities with concerns for potential gear interactions with other fisheries. Noting that gear is being used right now in the experimental fishery off Cape Cod successfully and encourage these experiment gear trials to continue.
- Recognition that the process of developing on-demand gear has occurred over the course of several years, but it seems low on the radar of many industry members. There has been interest from both the lobster and groundfish industry in the development, but most are not aware of the potential requirements (i.e., technologies to visualize on-demand gear locations).

- Appreciate how public the process has been and encourage continuing the conversations through a public discussion process similar to the Council’s process, rather than through public comment on GARFO rulemaking. Concern that once the action is handed off to GARFO for rulemaking there will be less transparency, which is important because there is potential to exclude vessels / businesses for certain areas if the necessary steps aren’t put into place. Concerns about the “black box” nature of the alternative gear approval process with the details not described at this time, and encourage the process be kept as public and transparent as possible.
- Encourage gathering more information on how the various fleets (i.e., lobster and mobile fisheries) can coexist and seeking input from additional fisheries and industry members. Further input and engagement is needed before the Council goes forward with this action.

RAP members provided the following input:

- The recreational fleet doesn’t have wide access to or adoption of Starlink or other internet capability, mainly because of cost.
- There is not a lot of recreational fishing activity in these vertical line restricted areas but there is some effort.
- Drift fishing and anchoring are the main concerns for potential interactions with on-demand gear.
- For some anglers, particularly when drift fishing, seeing visual markers in areas prompts them to move to another area to avoid trying to drift through gear.
- Concerns about incidentally damaging gear if an anchor gets fouled up in it, and questions about implications and responsibility of damaging gear if anglers cannot see it.
- Importance of being able to see / detect where gear is in real time.
- Concerns about costs of accessing gear location data.

Public comment:

Geoff Smith (Groundfish Committee member/Council member) followed up on the discussion regarding requiring vessels to have technology onboard to detect on-demand gear and asked to clarify what role the Council process could have in future gear marking action and/or opportunities for engagement, including whether the gear requirements would be specified through Council process or agency rulemaking.

GARFO staff explained this is a narrow gear-marking action. The Councils could modify this action. Additionally, future Council actions could suggest requirements. GARFO intends to go into more detail on the gear approval process, flesh out functional equivalence requirements and other more technical details with the public comment process during rulemaking.

Council staff noted the Council’s ODWG, which was formed in recognition of the increasing use of on-demand gear and potential for interactions with Council managed fisheries, and is made up of diverse representation from different stakeholder groups. Staff highlighted the role of the ODWG as a forum to raise and discuss these issues. The ODWG will be giving a report on reducing on-demand gear interactions with other fisheries at the upcoming September Council meeting. The ODWG has echoed the need for continued public input on this process. Staff noted this action is intended as a first step toward allowing this gear to be used under regulations, with aims to continue receiving input after final action.

AGENDA ITEM #5: OTHER BUSINESS

GAP members brought up two items for other business.

The GAP Chair noted at the last meeting in June the GAP recommended the Committee request the Enforcement Committee look into mesh size enforcement concerns, and asked if there has been any update on the request.

Council staff and Dr. Cate O’Keefe (Council Executive Director) explained that the Enforcement Committee will be reconstituted after the September Council meeting. This topic is scheduled for discussion once the Enforcement Committee is reconstituted and they are expected to take this up this fall, with another update by the December Council meeting.

A GAP member raised concerns about the Georges Bank (GB) haddock apportionment method as it relates to upcoming Transboundary Management Guidance Committee (TMGC) meetings. He said there is no U.S. fishing activity in eastern Georges Bank, and that the proposed apportionment of 100% of GB haddock apportioned to the eastern area is going to lose a lot of quota which has implications for the offshore fleet. He felt they need a better representation of where GB haddock are and need to revisit apportionment.

Dan Salerno (Acting Groundfish Committee Chair and TMGC Co-Chair) said he understands the concerns about how the apportionment went for this year and explained that since TMGC is no longer using joint science they had to develop a process for understanding how much of the biomass is in the eastern Georges Bank area for the negotiation, given the U.S. assessment is for the full Georges Bank, while the Canadian assessment is based only on the eastern area. Mr. Salerno explained that TMGC will not be revisiting the apportionment this year, but noted the 2026 apportionment expanded to include strata not included in 2015, resulting in 25% of GB haddock apportioned to the western area. He emphasized that recent data shows the biomass of haddock and cod has been moving to the eastern Georges Bank area, and both the U.S. and Canadian assessments show declines in biomass so it’s not just a movement issue. He also pointed out that sectors can transfer quota from eastern Georges Bank to western.

Mr. Salerno noted the upcoming U.S. pre-TMGC meeting on Friday September 26th, which will have a closed session for TMGC members only to put together the negotiation strategy and an open session for the public, during which they will present the latest assessment information available and examine the allocation shares and apportionment methods for 2026. He encouraged participation in the open session, which will be held via webinar.

Staff reminded advisors that solicitations have gone out for 2026-2028 Advisory Panel term and that current AP members term out at end of 2025 and must reapply to be considered for the next term. The deadline to apply is October 3rd. An advisor asked when they will hear back on applications. Dr. O’Keefe explained that following the October 3rd deadline, applications will be reviewed by the committee via correspondence or a closed session, which will go back to Council staff and then to NOAA to ensure applicants have no violations of regulations. Announcements are anticipated to be made in December.

The meeting adjourned at 12:30 p.m.