



New England Fishery Management Council

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

MEETING SUMMARY

Monkfish Research Set-Aside Working Group Meeting

Webinar

July 24, 2023

The Monkfish Research Set-Aside (RSA) Working Group met via webinar on July 24, 2023 at 9:00 AM to 1) review the discussion document including additional background material provided since the first work group meeting, input provided by the NEFMC during its June meeting, and any additional challenges and opportunities to improve the Monkfish RSA program; 2) review the work group's homework assignment identifying a concern/challenge a given solution addresses and any pros and cons for the potential solution; and 3) to discuss other business.

MEETING ATTENDANCE: Kelly Whitmore (Working Group Chair), Jenny Couture (NEFMC staff), Jason Didden (MAFMC staff), James Dopkin (Monkfish Advisory Panel member), Libby Etrie (NEFMC Monkfish Committee member), Jon Grabowski (researcher), Peter Hughes (MAFMC Monkfish Committee member), Ted Platz (Monkfish Advisory Panel member), Ryan Silva (GARFO RSA), and Spencer Talmage (GARFO Sustainable Fisheries Division). In addition, one other Council staff member, two Council members including the interim Monkfish Committee Chair (Matt Gates), and about three other people attended.

KEY OUTCOMES:

- On the potential solutions to the Monkfish RSA program, the work group suggested removing several suggestions based on cost and resource concerns, inability to address a particular concern, cons outweighing any potential benefit, and unnecessary administrative burden.
- The work group suggested bundling several ideas based on common themes (outreach activities that could be done by GARFO, for example) and based on trying to achieve a certain goal, namely enabling greater participation in the monkfish RSA program.
- Regarding next steps, the working group agreed to review the refined list of suggestions and to rank the ideas based on what actions are highest to least priority for further evaluation. This will be discussed during the final working group meeting (August 21st).

AGENDA ITEM #1: INTRODUCTIONS, APPROVAL OF AGENDA, TIMELINE

The Chair introduced the working group, welcomed attendees, and sought approval of the agenda. There were no agenda changes. The working group timeline for this work was also reviewed.

AGENDA ITEM #2: DISCUSSION DOCUMENT

Staff reviewed the Monkfish RSA discussion document including additional background material provided since the first work group meeting, input provided by the NEFMC during its June meeting, and any additional challenges to the program not previously identified.

Discussion

One member suggested looking at the 2019 Review Report to understand how prior RSA projects were incorporated into management.

Regarding the Category F permit (offshore monkfish permit), GARFO staff noted that there is nothing in the regulations that prevent these permit holders from participating in the Monkfish RSA program. Another member noted that the F permit category limits wouldn't work well for vessels using gillnet gear and that if there was interest in having fishermen with fixed gear to switch to fishing under F permit, then would likely need a higher landing cap with less DAS allocated. He noted there is a lot of variability with DAS limits and monkfish management, so desire to switch into Permit F fishing would depend upon DAS allocation and landings limits and how people perceive the state of the fishery.

Public Comment:

- **Tara McClintock:** Stated that she approached vessels with F permits to participate in the Monkfish RSA program, however, no one was interested in participating. More recently she's received questions and interest from the fishing industry and recommended the working group evaluate inclusion of this permit category.

Regarding additional ideas to improve RSA management, one member asked whether it was possible to have an assessment scientist who is more involved in a given fishery and involved in that fishery's management process to facilitate the RSA to avoid management process issues the fishery dealt with last year regarding use of the Ismooth approach. Council staff clarified that this is not the role of the Council, and it is up to the NEFSC to assign scientists to work on assessments. The monkfish assessment scientist was new to monkfish last year given the previous scientist retired. Another member briefly explained the stock assessment process and that the focus of the working group is on bringing real-time information into the assessment process to inform what happens next with monkfish management.

Regarding the Exempted Fishing Permit (EFP) process, GARFO staff explained that the EFP is signed by the vessel operator and the confidentiality waiver is signed by the vessel owner, who is not necessarily the same person as the vessel operator. This is more of a legal issue that GARFO can further explore given the concept of a combined EFP and confidentiality waiver is not as straightforward as simply merging the two documents into one. One member commented that he waited a long time for an EFP and that the process is an obstacle.

Public Comment:

- **Tara McClintock:** Expressed that researchers spend a lot of time getting documents together and tracking down fishermen to fill out the forms along with receiving necessary payment for DAS. The vessel owner is buying the DAS regardless of the operator so thought the confidentiality waiver and EFP processes could be combined somehow to simplify the program. She suggested having a longer lead time to get the EFPs issued in time for the start of the fishing year, perhaps publishing the RSA Request for Proposals (RFP) in September or October of the previous year.

GARFO staff recognized this administrative burden and lengthy process and commented that they have the expertise in place to get the necessary permits issued. He noted that the intention is to have the compensation EFPs in place for the start of the fishing year, however, given the delays in soliciting the RFP this year, the EFPs were issued later than normal. GARFO staff noted that the timing of RFP publication could be evaluated further to see if it makes sense to start the RFP process the summer before the start of the fishing year.

- **Emerson Hasbrouck:** Asked whether it was possible to add in the confidentiality waiver text as part of the terms and conditions of the EFP.

GARFO and Council staff suggested discussing this in greater detail offline as this is more of a legal issue. One working group member suggested GARFO withhold the

necessary fishing code to vessel operators until they sign the confidentiality waivers to incentivize completing all necessary paperwork. Withholding RSA DAS and participation in the EFP until the confidentiality waiver is signed is something the RSA researchers can do as well to incentivize vessel owners to complete all required paperwork.

AGENDA ITEM #3: REVIEW HOMEWORK ASSIGNMENT

The working group chair and Council staff reviewed the homework assignment the members of the work group were asked to complete for this meeting. For each potential solution, members identified a concern or challenge a given solution addresses and any pros and cons for the potential solution.

Discussion

The working group discussed each potential solution and provided additional input which is briefly described below. The group recommended bundling several, similar ideas together that would help address an overarching challenge of the Monkfish RSA program. The group also recommended removing several ideas from further consideration because of concerns over not addressing a particular problem of the Monkfish RSA program, being too costly or administratively burdensome, being repetitive with current RSA program requirements, and requiring too dynamic and variable of an approach that would likely be hard to predict.

Ideas related to outreach and communication:

- *Improving collaboration between researchers, the fishing industry, and NMFS assessment scientists such as an RSA Share Day:* members of the group suggested including presentations on completed and in-progress projects during an RSA Share Day (similar to the scallop fishery) and during Monkfish Advisory Panel and Committee meetings. One member suggested inviting members from the Scientific and Statistical Committee and NEFSC assessment group to these meetings. The Mid-Atlantic monkfish fishery should be more directly involved given most monkfish RSA participants are from the Northeast region. This type of collaborative opportunity could be part of the priority setting process. A few members thought the prior SMAST monkfish RSA meetings were helpful for all industry members, not just those that participated in the RSA program. Creating an email distribution list to keep any monkfish stakeholder apprised of the RSA projects including those in the broader scientific and assessment community was also suggested.
- *Expanding efforts to highlight RSA opportunities:* the group suggested clarifying that the idea is to first and foremost highlight opportunities for the industry to participate in the RSA program and also identify opportunities for researchers to get funding through the program with the intention of expanding the pool of applicants and additional interest in the program, especially in the Mid-Atlantic region. The outreach strategy could also be expanded to include more background information on how the program works, etc. to help prospective applicants.
- *Making the RSA Request for Proposals more explicit regarding expectations of the program, how to fund research, etc.:* The Notice of Funding Opportunity (NOFO) is basic so additional precautionary information could be added regarding the challenges of the program, recent performance, program incentives, tips on how to be successful, etc. NOAA's RSA program webpage already includes some of the information but it could be helpful to include it within the NOFO as well.
- *Adding outreach, advertisement, and/or communication for when/where RSA DAS can be bought:* Several members thought adding additional outreach as part of the NOAA Navigator, NOAA bulletins, etc. would be easy to do. Current outreach is from a grant perspective making award announcements and less about compensation fishing opportunities. Helping industry connect with researchers and vice versa has been challenging with cooperative research so this is something GARFO can further evaluate. There is a concern that GARFO would inadvertently direct industry

members to researchers when that may not be the researchers' desires if they already have relationships built and RSA DAS sold, etc.

Public Comment:

- **Tara McClintock:** Thought improved advertisement of RSA DAS for sale was a good idea. For her projects, she's sent out a letter describing the project, how to buy RSA DAS, and the overall RSA process to all monkfish fishermen including incidental E permit categories and thought it would be helpful if the RSA program sent out a similar letter.
- *Data sharing requirement and report-outs of RSA projects:* Grant recipients are required to submit semi-annual progress reports to allow the RSA program to stay apprised of project performance. The intention of requiring project data (scientific data collected during the project) is unclear. Researchers are required to share data as needed and requested as part of the RSA program and there is no need to have a formal process to post data especially because the datasets can be large with concerns over data storage. There was a brief discussion whether project performance in terms of DAS use and landings should be shared with the public and a couple of members advised against this given data confidentiality concerns. Whether an expanded level of information sharing is needed to help stakeholders understand the performance of each project could be discussed as part of the RSA Share Day. Members recommended removing this idea from further consideration.
- *Tracking RSA DAS and aligning how landings and DAS are calculated:* The RSA program already tracks both DAS and landings and sends a weekly report to researchers. Regarding DAS and landings calculations, each DAS is worth 4,074 lb whole weight (double the permit A/C trip limits). Since vessels fishing on RSA DAS are exempt from the monkfish possession and trip limits and may land any amount of monkfish while on an RSA DAS, this could theoretically result in vessels participating in the project landing more pounds than a DAS is worth. This idea could be part of an overarching DAS/lb allocation discussion for the AP and Committee to consider. Members recommended removing this idea from further consideration.
- *Standardized format for RSA final reports:* A specific format cannot be legally required for final reports (this can only be done for progress reports). Members recommended removing this idea from further consideration.
- *Automated system to alert stakeholders when final reports are available:* GARFO previously maintained a website for RSA projects, which is in the process of being re-established. As part of this process, GARFO will request incorporation of an automated system whereby stakeholders can sign up to be alerted when new RSA reports are posted to the website.

Ideas related to program administration and logistics:

- *NMFS/NEFMC prepare a detailed timetable for RSA projects and make adjustments as needed:* A couple of members thought this would be helpful but not a high priority. This could be more work than is beneficial.
- *Allocate RSA quota using a specific weight deducted from the annual catch limits versus having 500 DAS deducted across all limited access permits:* The group suggested broadening this idea to focus on reviewing the monkfish RSA allocation to address a specific goal (incentivize participation of leasing RSA DAS or maximizing the value of RSA DAS, etc.). Allocating pounds vs DAS could be part of this allocation discussion. One member noted that it is important to keep both DAS and landing effort controls as part of the Monkfish RSA program in order to limit effort on other fisheries (e.g., skates) where the monkfish fishery operates. Ideally fishermen would catch their poundage quota before using their full DAS quota (one of the incentives of the RSA program to be efficient in harvesting, thus being able to exceed trip limits), which could result in using DAS to harvest other species such as skates. He suggested increasing the RSA DAS landing limit for Category A and C permits to help incentivize participation in the program.

Currently, one RSA DAS is calculated as equivalent to two A/C permit trip limits. One of the members clarified that each RSA project has an overall pound cap, however, fishermen do technically have unlimited trip limits when participating under an RSA DAS (fishermen only purchase a certain amount of RSA DAS, not pounds). There is no formal agreement within the Monkfish RSA Program mandating fishermen buy the number of DAS equivalent to the number of pounds landed; there could be an informal agreement between researchers and fishing industry members. A few other members thought a comprehensive conversation about RSA allocation would be helpful as it relates to a specific goal.

- *Enable the flexibility to flip to a Monkfish RSA DAS while at sea:* The group discussed the two potential ways this idea could work: 1) operate similar to selecting the monkfish option when on a Northeast Multispecies DAS whereby if a fishermen harvests more than the incidental amount of monkfish, the fishermen would be able to declare on the VMS unit that they are flipping to a combination trip using both a Monkfish and a Northeast Multispecies DAS to have an unlimited possession limit and 2) operate similar to the scallop fishery whereby a vessel can flip to a Scallop RSA DAS to ascribe the scallops harvested from that point on to the RSA program, which results in a trip with both non-RSA and RSA scallops. Several members clarified that they envisioned the first option but need to think about this option as it relates to the broader allocation question for the Monkfish RSA program. A couple of members noted that the first option would require VMS units, which is not required as part of the Monkfish Fishery Management Plan and that switching to the combination Monkfish and Northeast Multispecies DAS is only permitted in the Northern Fishery Management Area, not the southern area. One member suggested consideration of other options such as Starlink that could be available to monkfish vessels that do not have VMS units, which may enable flexibility to flip to an RSA DAS while at sea for non-VMS vessels. These non-VMS alternatives could incentivize participation from the southern portion of the monkfish fishery, which are less likely to have VMS units relative to the northern portion of the fleet.
- *Allow for a multi-year program (> 2 years) similar to what is being proposed for the Scallop RSA program:* One member cautioned that this would mean project results wouldn't be available until the grant is closed, likely five years after the initial grant award. Another member liked the idea of a longer timeframe and thought it may work better for some projects versus others.
- *Add in a lag-time to solicit interest from the fishing industry:* The group discussed that the risks likely outweigh the rewards; most fishermen don't plan in advance when they need RSA DAS and typically purchase RSA DAS on a more ad hoc basis, which could be enhanced if fishermen could flip to an RSA DAS while at sea.

Public Comment:

- **Tara McClintock:** Stated that it would be helpful for researchers if the RFP could publish earlier so waivers, EFPs, and other paperwork could be completed in time for the start of the fishing year.
GARFO staff noted that this could be accomplished if the RFP was published in late spring or summertime.
- *Allow multi-year RSA projects such that all RSA DAS are allocated in one year and active throughout the duration of the project:* The group suggested including this as part of the overall RSA program allocation given this would require a change in regulations. Allowing projects to operate over a longer time period is effectively the same as multi-year EFPs. There was some concern over this approach but also discussion that this approach would allow for projects to take advantage of periods when the market is good and there is a higher incentive to participate in the RSA program.

Public Comment:

- **Tara McClintock:** Explained this idea would be helpful and would allow better utilization of RSA DAS to avoid DAS from expiring.

- *Streamline EFP process:* Given earlier discussion on this topic, there were no additional comments.
- *Limit RSA DAS awards based on what the fishing industry can support:* This could be difficult to predict given proposals are solicited before the fishing year begins and it is hard to gauge interest levels for buying RSA DAS. Members recommended removing this idea from further consideration.
- *Only solicit projects once all RSA DAS for current projects have been sold:* The group recommended clarifying this idea to focus on incremental change/reduction in allocating DAS in future solicitations to avoid periods with low or no RSA DAS available to the fishing industry. One member suggested this approach would produce more stability to allow current projects to continue to sell RSA DAS while new projects would receive a reduced DAS allocation to avoid saturating the market with too many RSA DAS. GARFO staff noted that they won't solicit proposals if there is no interest; the idea of limiting available DAS came from the researchers.
- *Allow Monkfish Permit Category E vessels (incidental permits) to buy Monkfish RSA DAS:* One member expressed concern over the latent effort from the incidental fishery and suggested removing this idea. There was no additional discussion on this topic. Council staff suggested keeping this idea on the list of potential solutions for now to further discuss by the Monkfish AP and Committee.
- *Establish an auction for RSA DAS:* Agreement that this is likely not doable, however, there was interest in identifying ways to support/help researchers sell RSA DAS and for fishermen to buy the DAS. This could include greater flexibility for how RSA DAS are used, incremental reductions to RSA allocations, streamlining the administrative process, etc.
- *Create a management body to oversee execution of the Monkfish RSA program:* Additional clarification is needed on the roles and responsibilities of this body, specific tasks, degree of active management, etc.
- *Create an exemption program to remove net limit restrictions for the Northern Fishery Management Area vessels to participate in the Monkfish RSA program:* One member noted that she still needs to dig into this issue further.

With limited time remaining, the working group did not provide further input on the following ideas: cooperative agreements with NMFS and researchers to develop a shared understanding of information needed between the two groups, NMFS should adopt a mission statement for RSA program, provide sufficient financial incentive for fishermen to participate in the RSA program, and compensate fishing industry for their time and expertise in the broader management process.

In summary, ideas that were considered but were removed from further consideration include:

- Data sharing requirement of RSA project results,
- Track RSA DAS and landings,
- Standardized format for RSA final reports,
- Equally distribute DAS/pound allocation across projects,
- Requirement to include letters of interest and support from the fishing industry,
- Limit RSA DAS awards based on what the fishing industry can support,
- Create a third-party broker to bridge researchers doing the science with the fishing industry negotiating a DAS price, and
- Establish an auction for RSA DAS

Lastly, staff discussed next steps to prepare for the final work group meeting on August 21st at 1pm. Next steps include reviewing and ranking the refined list of ideas to help the group inform which ideas should be recommended to the Monkfish Advisory Panel and Committee for the Council priority setting process.

AGENDA ITEM #4: OTHER BUSINESS

No other business was discussed. The meeting adjourned at 1 pm.