



New England Fishery Management Council

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

MEETING SUMMARY

Monkfish Advisory Panel

webinar

May 4, 2022

The Monkfish Advisory Panel (AP) met on May 4, 2022, via webinar at 9:00 AM to give input on 1) the *2022 Monkfish Fishery Performance Report*, 2) *Framework Adjustment 13 to the Monkfish Fishery Management Plan (FW13)* specifications and management measures, 3) the *2022-2026 Council Research Priorities and Data Needs*, and 4) other business.

MEETING ATTENDANCE: Mr. Greg DiDomenico (AP Chair), Mr. James Dopkin, Mr. Timothy Froelich, Mr. Eric Hansen, Mr. Michael Karch, Mr. Greg Mataronas, Mr. William P. McCann, Mr. Ted Platz, and Mr. Chris Rainone. Monkfish Committee: Ms. Elizabeth Etrie (Committee Chair), Mr. Peter Hughes (Vice Chair), Mr. Alan Tracy, Mr. Dan Farnham, and Ms. Kelly Whitmore. Council staff: Ms. Jenny Couture, Dr. Rachel Feeney (Plan Development Team (PDT) Chair), and Ms. Janice Plante. GARFO staff: Mr. Spencer Talmage. MAFMC staff: Mr. Jason Didden. About five other people attended.

KEY OUTCOMES:

- On the fishery performance report, the AP provided helpful input on fishery performance, factors influencing the fishery, and suggestions for improvement, regulatory and otherwise.
- On Framework Adjustment 13, the AP recommended:
 - Considering alternatives for increasing Day-at-Sea (DAS) and possession limits, while considering the outcome of the 2022 monkfish assessment.
 - Adding an alternative to reinstate the measure to allow flexibility for three DAS/trip and flexibility to land an additional DAS if there is an overage.
 - Adding an alternative that would require 12” gillnet mesh, effective two years after implementation.
 - Against developing alternatives that would require the Vessel Monitoring System (VMS) for the federal monkfish fishery.
 - Against developing alternatives that would constrain the scallop dredge fishery at this time, in response to the Council priority for reducing southern area discards.
- On updating the 2022-2026 Council research priorities related to monkfish, the AP recommended accepting the PDT recommendations for updates.
- Under other business, the AP recommended priorities for the 2023-2024 Monkfish Research-Set-Aside (RSA) program.

AGENDA ITEM #1: INTRODUCTIONS, APPROVAL OF AGENDA, AND OTHER UPDATES

The AP Chair introduced the advisors, welcomed attendees, and sought approval of the agenda. There were no agenda changes. Staff reviewed the timeline for 2022 monkfish work, including the fishery performance report, Framework Adjustment 13, and research priorities.

Discussion: The AP Chair asked about the 2022 assessment and opportunity for participation in any working groups. Staff noted that this is a management track assessment and working groups are only involved during research track assessments.

AGENDA ITEM #2: PDT-ADVISORY PANEL FISHERY PERFORMANCE REPORT

Council staff reviewed the draft fishery performance report, including background information on the status of the monkfish fishery and recent fishery data. The report is akin to the approach used by the Mid-Atlantic Fishery Management Council. A draft report will be received by the Monkfish Committee on May 26, followed by a review by the Scientific and Statistical Committee, and finalization of the report with the AP prior to the September NEFMC meeting.

Discussion: An advisor asked if there was any increase in participation of category B permits; staff briefly reviewed the relevant tables in the report and the FW13 discussion document showing an overall decline in participation, especially in DAS used. However, there was a jump in active B permits from FY 2018 to 2021, from 4 to 15 landing >10,000 lb of monkfish.

The AP responded to the performance report discussion questions at length (see details in report); a summary of the main takeaways is included here. Many advisors are concerned about the low value of monkfish, potential changes to the monkfish gillnet fishery based on ongoing Atlantic Right Whale Take Reduction Team (ALWTRT) work, latent effort in the fishery, and inability to efficiently fish with the effort controls in place. Higher landing limits, more DAS, and ability to get charged DAS based on the weight of monkfish landed would improve efficiency and reduce discarding. Additional concerns were impacts of offshore wind development, not being able to land monkfish because of constraining landing limits in other fisheries (e.g., skate), warming waters, and challenges from the pandemic. The domestic monkfish market was discussed at length and is thought to contribute to the low monkfish value. Because of the low value, it is difficult to compete with shoreside industries for workers (experienced crew, captains, etc.). High fuel price is a contributing factor. Some fishermen are choosing not to fish certain times of the year (especially in the fall), because they will either not make any money or may lose money.

Public Comment:

- **Dave Borden, Atlantic Offshore Lobstermen’s Association:** Noted the upcoming ALWTRT meeting (week of 5/9/2022) and suggested the AP pay attention to the TRT process along with the results from ongoing litigation over protecting right whales. There is potential to close additional fishing grounds that may directly impact the monkfish gillnet fishery.

AGENDA ITEM #3A: FRAMEWORK ADJUSTMENT 13 – SPECIFICATIONS

Staff reviewed the development of 2023-2025 specifications including acceptable biological catch (ABC) setting and flowchart, revisiting discard deduction methods, and effort controls (i.e., possession limits and DAS). The PDT is providing data on landings frequency and DAS usage to inform any development of alternatives for effort controls.

Discussion: An advisor asked how long the current DAS and trip limits have been in place. After staff noted the current effort limits have remained unchanged for the past 5 years, the advisor commented that the monkfish fishery used to be productive, catching the full possession limits. Regarding effort controls, an advisor suggested rethinking the definition of “active” monkfish vessels (i.e., using at least one monkfish DAS or landing at least 1 lb of monkfish) given the upcoming discussion on potentially reducing effort in gillnet fisheries to reduce right whale interactions. Several advisors were concerned about the magnitude of latent effort and increase overall efficiency in the fishery before slightly or modestly increasing trip limits and DAS. A few advisors wanted to allow the DAS clock to run, meaning vessels would be allowed to land additional DAS’ worth of trip limits.

Consensus Statement #1: The Advisory Panel recommends considering a full range of alternatives for increasing DAS and possession limits (for all permit categories and the incidental limits) in Framework Adjustment 13. On a percentage basis, an increase in DAS or possession limit should be no higher than the ABC may increase based on the assessment. The AP cautions that the outcome of the 2022 monkfish assessment should be considered when deciding if to adjust these effort controls. The AP would not support lowering DAS or possession limits.

Discussion of the consensus statement: A few advisors wanted to see a full range of alternatives to keep options open. There is concern about any upcoming right whale regulation changes (e.g., spatial closures), the outcome of the upcoming management track assessment, and the lack of new entrants into the fishery. An advisor wanted the PDT to estimate how many fishermen are using all their allocated DAS. Another advisor suggested increasing DAS allocated by 3, 5, or 8 DAS as potential alternatives to consider; the AP Chair recommended against including specific effort control alternatives at this time. As one advisor noted, there may be more landings available for the fishery if the discard mortality rate in the scallop dredge fishery is lowered based on new research.

Public Comment:

- **Dave Borden:** Asked about the category B permits and if there is a proportional decline in the number of sets. This is important considering the upcoming right whale TRT meeting and potential changes to the gillnet fishery. Staff responded that the PDT could investigate this.

Consensus Statement #2: The Advisory Panel recommends adding an alternative that would reinstate the measure that would allow the flexibility for three DAS to be used on a trip (prohibited during 2019 rulemaking), particularly for the monkfish gillnet vessels (i.e., pre-loading). The AP also recommends adding an alternative that would allow for landing an additional DAS if there is an overage.

Discussion of the consensus statement: There was interest in better understanding why the regulations allowing pre-loading DAS were changed. GARFO staff commented that the Agency is likely open to additional flexibility on DAS use, though the structure might differ than what was in place previously. The Monkfish Committee Chair stated that this was an administrative change that GARFO had the authority to do, with the goal to make regulations consistent across the fishery.

A few advisors were focused on allowing the DAS pre-loading and other flexibilities for the A and B permit categories, which are constrained by trip limits (C and D permit categories can land unlimited monkfish if fishing under both a monkfish and Northeast multispecies DAS). The AP ultimately decided to expand the focus to all permit categories. An advisor noted that preloading the DAS clock is a potential risk if the vessel does not catch the additional DAS' landing limits; he suggested also allowing for getting charged additional DAS if there are any overages, up to three DAS. Current regulations only allow for one additional DAS for any landing overages.

AGENDA ITEM #3B: FRAMEWORK ADJUSTMENT 13 – MANAGEMENT MEASURES

Staff reviewed the management measures identified as Council priorities including potentially requiring a 12-inch minimum mesh size for monkfish gillnets (10" mesh currently required in some exemption areas), potentially requiring use of VMS across the federal monkfish fishery (certain permits currently exempt) and reducing discards in the Southern Fishery Management Area.

Consensus Statement #3: The Advisory Panel recommends adding an alternative that would require 12" gillnet mesh and that this should be implemented in FY 2025 (i.e., two years from implementation) so that the industry can adjust more smoothly. This would help reduce discards of small monkfish and skates and promote sustainability.

Discussion of the consensus statement: A few advisors were not in favor of changing the minimum mesh size given there is already high usage of this mesh size. Other advisors wanted increased mesh size because the smaller mesh catches smaller skates and sub-legal monkfish. The larger mesh would result in a cleaner fishery. There was a brief discussion on requiring 11.75” mesh for enforcement purposes. This mesh size cannot be bought, however, it is possible that fishermen will receive a bad batch from gear manufacturers with mesh size less than 12”, meaning fishermen would be out of compliance. GARFO staff commented that most mesh requirements are either in 1” or 0.5” increments, so a mesh size in between may be hard to enforce.

Consensus Statement #4: The Advisory Panel recommends against developing alternatives that would require VMS across more of the monkfish fishery. The cost burden would be too great for small vessels (transmission, battery), and very few of these vessels fish in both management areas.

Discussion of the consensus statement: The AP Chair asked if there are enforcement concerns related to requiring VMS in the monkfish fishery; staff said VMS would allow for enforcement officers to verify area fished, which is important given the two management areas have different trip limits and other requirements. Some advisors did not see compliance as an issue given few vessels cross between the fishery management areas and do not want VMS because of the high cost and battery drain issue (vessels are on moorings). An electronic tracking device like what is being proposed by the Atlantic States Marine Fisheries Commission in the lobster and Jonah crab fisheries would be more manageable than VMS. An advisor suggested an AIS system, which is free.

Consensus Statement #5: Regarding reducing discards in the southern area, the Advisory Panel recommends against developing alternatives that would constrain the scallop dredge fishery at this time. The AP would prefer to wait for the results of the 2022 assessment and feels that the scallop fishery is moving northward; discarding is likely to become less of an issue into the future.

Discussion of the consensus statement: An advisor noted that scallop fishing effort is likely going to shift from the Mid-Atlantic access areas to Closed Area II and further north, so discards in the southern area may decline for the next few years. The overall reduction in available scallop biomass might result in an increase in monkfish tail landings to help supplement value lost from scallop landings. A lower dredge discard mortality rate based on recent research may also be incorporated into the management track assessment this year, which would decrease overall discard mortality in the scallop dredge fishery. An increase in total allowable landings in the skate fishery may also result in more monkfish discards being turned into landings; monkfish and skate are typically encountered and caught on the same trip and a few advisors noted that skate trip limits are limiting the ability to land monkfish.

AGENDA ITEM #4: 2022-2026 COUNCIL RESEARCH PRIORITIES, DATA NEEDS

Staff reviewed the *2021-2025 Council Research Priorities and Data Needs* relevant to monkfish including the PDT recommended updates for 2022-2026 priority setting. The PDT developed a few clarifications to the priorities, noted where two priorities could be consolidated, and did not recommend any new priorities.

Discussion: An advisor asked about the impact of offshore wind development on the monkfish fishery and other fisheries in general, especially the impact from pile-driving activities. Another advisor wanted to know if there are any monitoring surveys to measure the impact of offshore development. Staff shared that baseline surveys are being conducted and then there are monitoring surveys at various time intervals throughout project construction and operation that is meant to help identify and measure any impacts.

Consensus statement #6: The Advisory Panel recommends the updates for the 2022-2026 research priorities proposed by the PDT.

Discussion of the consensus statement: There was no additional discussion on this topic.

AGENDA ITEM #5: OTHER BUSINESS

Council staff reviewed the Monkfish Research-Set-Aside (RSA) Program, including an overview of the last proposal solicitation and the previous RSA research priorities. There was no proposal solicitation in 2021 due to concerns that existing projects were having difficulty with raising the needed revenue through fishing on RSA Days-At-Sea. If a Monkfish RSA Request for Proposals is issued for 2023-2024, research priorities should be identified by the Council. The AP reviewed the list of 2020-2021 priorities and made recommendations for updates.

Consensus statement #7: The Advisory Panel recommends the following as priorities for the 2023-2024 Monkfish Research-Set-Aside program. These are not listed in priority order.

1. Studies of stock structure/stock identification and implications for stock assessment and fisheries management;
2. Trawl and gillnet gear studies focusing on (a) bycatch reduction, including reducing interactions, and injury/mortality associated with these interactions, with sea turtles, Atlantic sturgeon, right and humpback whales, and other protected species and (b) size and/or species selectivity;
3. Research on the pingers used for monkfish gillnet gear to reduce porpoises, so that interaction with seals is reduced; and
4. Research to improve the monkfish market (e.g., increasing domestic demand, making new markets).

Discussion of the consensus statement: An advisor was frustrated with the requirements for the sound frequency of seal-deterrent pingers and the need to include pingers in every panel (versus every other panel). Manufacturers are creating special pingers for New England fishermen given the sound frequency requirement, which seems to attract seals. A member of the public from Cornell University shared that a project was recently funded to test these pingers, however, she stated that the project is in a holding pattern because the harbor porpoise take reduction plan needs to be changed to allow for such research. GARFO staff noted an upcoming GARFO workshop on May 17 on marine mammal deterrents in the region with a goal for reducing seal interactions with fishing gear.

Regarding the desire to market monkfish, there is a recently funded Cornell project focused on this topic. The Cornell project leader plans to get in touch with the AP to further discuss their insight and any involvement. It will likely take more than one project to improve the monkfish market, so the AP was interested in keeping this topic on the priority list.

No other business was discussed. The meeting adjourned at 1:15 pm.