



## New England Fishery Management Council

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

# MEETING SUMMARY

## Monkfish Committee

webinar

May 26, 2022

The Monkfish Committee met on May 26, 2022, via webinar at 10:00 AM to: 1) receive and discuss the draft monkfish fishery performance report, 2) develop Framework Adjustment (FW) 13 to the Monkfish Fishery Management Plan, 3) develop research priorities, and 4) discuss other business.

**MEETING ATTENDANCE:** Ms. Elizabeth Etrie, Mr. Peter Hughes (Vice Chair), Mr. Pete Christopher (GARFO), Mr. Dan Farnham, Mr. Matt Gates, Mr. Dewey Hemilright, Mr. Scott Olszewski, Mr. John Pappalardo, Mr. Paul Risi, Mr. David Stormer, Mr. Alan Tracy, and Ms. Kelly Whitmore; Monkfish Advisory Panel: Mr. Greg DiDomenico; Council staff: Dr. Rachel Feeney (Plan Development Team (PDT) Chair), Dr. Jamie Courneane, Ms. Robin Frede, Mr. Chris Kellogg, Ms. Janice Plante; NMFS GARFO staff: Mr. Spencer Talmage; MAFMC staff: Mr. Jason Didden. Council Chair Mr. Eric Reid and about five other people attended.

### **KEY OUTCOMES:**

- On the draft monkfish fishery performance report, the Committee offered ideas for clarifications, particularly on the history of the use of gear types in the monkfish fishery.
- On Framework Adjustment 13, Committee:
  - Developed effort control alternatives that would increase use of the southern area Total Allowable Landings.
  - Developed alternatives that would increase gillnet mesh up to 12" to reduce discards.
  - Passed no motions regarding Vessel Monitoring System requirements.
  - Recommended against developing alternatives that would constrain the scallop dredge fishery at this time, preferring to focus on the alternatives identified above that aim to reduce discards.
- On updating the research priorities related to monkfish, the Committee recommended a minor clarification to the 5-year research priorities recommended 2023-2024 Research-Set-Aside priorities.

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

The Committee Chair introduced the Committee, welcomed attendees, and sought approval of the agenda. There were no agenda changes. An item for other business was to discuss the [draft Action Plan](#) to Reduce Atlantic Sturgeon Bycatch in Federal Large-Mesh Gillnet Fisheries. Staff reviewed the timeline for 2022 Council priorities for monkfish work. All priorities are generally on track as reported to the Committee in March. There were no comments on the timeline.

### **AGENDA ITEM #2: MONKFISH ADVISORY PANEL REPORT OF MAY 4 MEETING**

Advisory Panel Chair Mr. Greg DiDomenico reported on the May 4 AP meeting. The AP developed input for the fishery performance report (e.g., factors influencing the fishery, suggestions for improvements). On FW13, the AP recommended developing alternatives for increasing the Days-At-Sea (DAS)

allocations and possession limits, allowing more flexibility in DAS use, increasing gillnet mesh size to 12". The AP recommended against developing alternatives that would require the Vessel Monitoring System (VMS) for the federal monkfish fishery or constrain the scallop dredge fishery in response to the Council priority for reducing Southern Fishery Management Area (SFMA) discards. Finally, the AP recommended updates for the 2022-2026 Council research priorities related to monkfish and for the 2023-2024 Monkfish Research-Set-Aside program.

**Discussion:** A Committee asked about the need to reduce right whale interactions for the gillnet fishery, and the AP Chair clarified that there is a need to reduce risk based on the current take reduction processes. A Committee member asked why the flexibility to use three DAS on a trip was removed (during 2019 rulemaking). The AP Chair noted there may have been enforcement concerns and this has had substantial negative impact on flexibility. The Committee Chair noted this would be discussed by the Committee.

A Committee member noted a few cautions by the AP to consider outcomes of the 2022 assessment when developing FW13 and asked about the timeline for this action. Staff noted that the assessment peer review falls mid-September with the Council meeting the following week and encouraged developing a range of alternatives to draw from based on the assessment outcomes.

**Public Comment:**

- **James Dopkin, monkfish gillnet fishermen, NJ:** Clarified that some monkfish permitted vessels must use VMS because of having groundfish permits. Vessels that do not have a VMS requirement were able to call in a trip further ahead of time than the VMS vessels. The rule change was to make the timing of declaring trips consistent across permit categories.

***AGENDA ITEM #3: DRAFT 2022 MONKFISH FISHERY PERFORMANCE REPORT***

Council staff reviewed the *Draft 2022 Monkfish Fishery Performance Report*, including background information on the status of the monkfish fishery and recent fishery data. The draft report will be reviewed by the Scientific and Statistical Committee on June 7 and will be finalized prior to the September NEFMC meeting. Key points in the report were noted. For fishery data: as of 2013, monkfish was not overfished and overfishing was not occurring and that stock status will be updated in 2022, there is substantial latent effort in the fishery, recent discards are lowering, catch has been at or near catch limits, use of the Northern Total Allowable Landings (TAL) has been high, revenue has declined. AP members noted in the report that revenue declines are due largely to market losses, fishing costs are increasing, it is difficult to find qualified captains and crew because wages are not competitive with shoreside industries, there are concerns about wind energy and measures to reduce risk of protected species interaction, and current effort controls are creating inefficiencies.

**Discussion:** Committee members noted the shift in gear type used in the SFMA, from primarily trawl through the mid-1990s to gillnets ever since. A Committee member from New Jersey noted that northern vessels began landing whole fish in Mid-Atlantic ports in the mid-1990s when the Korean market for whole fish opened. Another Committee member clarified that the fishery had been a deep-water trawl fishery, but when possession limits were imposed in the late 1990s to help rebuild the stocks, gillnet fishing became more efficient. It was noted that gillnet-caught monkfish fetch a higher price in market than trawl-caught monkfish. The Committee Chair asked if the report has accomplished the intended purpose; there were no concerns shared by the Committee about the report. A Committee member requested that in future, not for this report, it would be helpful to know more about the degree of latency in the fishery. For example, for the inactive permits today, how long they have been inactive.

***AGENDA ITEM #4: FRAMEWORK ADJUSTMENT 13***

Staff reviewed progress on FW13 and the updated discussion document, starting with a brief update on specifications. Outcomes of the May 24 Assessment Oversight Panel meeting were noted: the assessment will again use the Plan B Smooth approach with some improvements to data treatment (e.g., using

consistent definitions of northern and southern areas for landings and discards) and consideration of discard mortality assumptions based on recent research. A Level 2 assessment is planned. The PDT will use assessment outcomes to develop potential catch recommendations for the SSC to consider mid-October. The PDT is currently analyzing alternate discard deduction methods. There were no comments on specifications.

### Effort Controls

Regarding effort controls, staff provided data on possession limits and DAS usage, PDT input on potential effort control adjustments, and a preliminary analysis of how a 5% increase in SFMA possession limits may increase use of the TAL.

**Discussion:** A Committee member suggested considering no longer using DAS to manage the southern area, but to rely just on trip limits, as the southern fishery is less connected with the groundfish fishery, and this could help increase landings and reduce discards. Staff noted that DAS was developed in the groundfish fishery to address bycatch issues, to be able to land legal sized fish. Other Committee member supported reevaluating how the permitting of the fishery and effort controls could be streamlined to improve efficiency. GARFO staff note that the current DAS system helps the groundfish and monkfish harmonize (more than incidental monkfish landings need a monkfish DAS) and that there is groundfish fishing in the southern area, so there would need to be thought on how the fisheries would operate together.

### **Public Comment:**

- **Greg DiDomenico, monkfish dealer/processor, NJ:** Moving away from the use of DAS to manage the monkfish fishery could be a potential future action, but there are too many details that would need to be worked out to fit this into FW13.
- **James Dopkin:** Fishermen are very used to the DAS system. Should focus on flexibility in possession limits and DAS use than making larger changes to managing the fishery.

The Committee Chair asked that the Committee clarify the issues that adjusting effort controls would help resolve and what alternatives should be considered. The Committee then developed consensus statement #1, using language from the March Committee meeting as a starting point. Committee members noted the PDT recommendation to consider additional flexibility in effort controls and an intend to focus adjustments in the SFMA rather than in the north.

### **Public Comment:**

- **Greg DiDomenico:** Adjustments should be considered for the directed and incidental fisheries.

The Committee further developed the statement.

**Consensus Statement #1:** The Committee recommends the following as a problem statement that effort control alternatives would address:

*Monkfish quota use has been low in the SFMA. Adjusting DAS allocations and/or possession limits may help optimize landings. In addition, there are discards that could be turned into landings in the incidental fishery. Effort control alternatives will focus on the SFMA in this action.*

The Committee then focused on identifying alternatives that could address the problem and developed this statement. While the Committee considered specific percentages for increasing possession limits (within 5-20%), the Committee considered multiple approaches to achieving a goal for optimizing landings. A Committee member asked why there is a restriction on DAS use in the SFMA. Staff clarified that that restriction has been in place for a long time, perhaps since the original FMP. The rationale in the record is unclear, but likely due to concerns about rebuilding monkfish in the SFMA.

**Consensus Statement #2:** The Committee recommends the following for effort control alternatives. Ideally, options would help optimize landings at 90% of TAL.

- Allow for the declaration and use of additional DAS, up to three, for a trip which would otherwise be charged a single DAS. Such a trip would be subject to a trip limit equal to the trip limit for a single day multiplied by the number of DAS which were declared and used.
- To remove the restriction on DAS use in the SFMA (currently, 46 are allocated, permits receive 45.2 due to RSA deduction, but only 37 can be used).
- Increase incidental limits for vessels not under a DAS program, options to include an increase of up to 50%.
- To optimize at 90% of TAL, after above adjustments, increasing possession limits in the SFMA by percentages and applicable to all limited access permits.

*Rationale:* This would help the fishery be more flexible and reduce discards. Optimizing at 90% of TAL use would better prevent exceeding TAL rather than optimizing at 100%.

### Gillnet Mesh Size

Regarding gillnet mesh size, staff presented the information in the discussion document on potentially increasing gillnet mesh size from 10” to 12” and the AP support for this idea but delaying implementation until 2025 to reduce the economic burden of replacing gear. The Committee Chair asked that the Committee clarify the issues that increasing mesh size would help resolve and what alternatives should be considered. A Committee member asked how many vessels are using 10” mesh. Staff clarified that the PDT analysis so far has been on a trip level, noting 95% of gillnet trips in FY2018 used 12” mesh. Upon questioning, the AP Chair noted the AP input that the gillnet fishery is generally easier with larger mesh, the change in marketable fish is substantial with every inch difference in mesh, and larger monkfish fetch higher prices. A Committee member cautioned that impacts on other fisheries like skates should be considered. Another Committee member asked if this issue had been raised during Skate Amendment 5 scoping. Staff indicated that there were very few comments on gillnet mesh during that scoping, but there was support among skate advisors for a mesh increase. Another Committee member noted that some fishermen are using 11” gear at certain times of year and supported a range of alternatives up to 12”.

**Consensus Statement #3:** The Committee recommends including two alternatives that would require an 11” or 12” minimum mesh for gillnets in the exemption areas where 10” is required currently. The implementation of the larger mesh alternative would be delayed until FY 2025 (i.e., two years from implementation) so that the industry can adjust more smoothly.

*Rationale:* This would help reduce discards of small monkfish and skates and promote sustainability. This would reinforce the benefits of using larger mesh (12” is already widespread in the industry) and would ensure that any new entrants also use gear that better promotes sustainability.

### Vessel Monitoring System

Regarding Vessel Monitoring System requirements, staff presented the information in the discussion document, noting that some Category C and D permit vessels do not have a VMS requirement (if the groundfish or scallop permit has been dropped), in addition to the A and B permit vessels. The AP recommendation against developing alternatives was noted. A Committee member asked if there was a code within VMS to indicate that a vessel is going to the shipyard and not fishing for the year. GARFO staff clarified that yes, there are VMS exemptions for powering down. The Committee Chair asked that the Committee clarify the issues that expanding VMS requirements would help resolve and what alternatives should be considered. Committee member wanted to hear from the Office of Law Enforcement on whether there has been enforcement issues that VMS would help resolve. Staff reiterated that the Office was asked, and although the Office noted the general benefits of VMS (e.g., enforcing

areas fished), no examples of violations were cited where VMS would have facilitated enforcement. Committee members noted the benefits of increased positional data (e.g., identifying fishing areas relative to offshore energy development, right whale interaction risk reduction) but were concerned about the additional costs to the industry.

- 1. Motion (Tracy/Hemilright):** The Committee recommends against developing alternatives that would broaden the VMS requirements for the monkfish fishery.

*Rationale:* There is not a clear and present need for VMS, and that weighed with the costs does not provide sufficient justification for moving forward with alternatives. There are known concerns about the feasibility (e.g., space issues) and costs of VMS for small vessels that would need to install the units. There has been no clear articulation of a problem that would be addressed by requiring VMS for segments that do not have this requirement by other permits. There are enforcement benefits to VMS, but there have been no specific enforcement concerns raised for this fishery segment.

Elizabeth "Libby" Etrie, Chair	No vote	Scott Olszewski	No
Peter Hughes, Vice Chair	No	John Pappalardo	No
Pete Christopher	Abstain	Paul Risi	No
Dan Farnham	No	David Stormer	No
Matt Gates	No	Alan Tracy	Yes
Dewey Hemilright	Yes	Kelly Whitmore	No

Motion #1 **failed** on a roll call vote (2/8/1).

With this motion failing, this topic remains in FW13, yet there is no problem statement or alternatives identified yet. At the June Council meeting, Committee members wanted to hear from the Office of Law Enforcement directly. The Committee Chair noted that three of four MAFMC Committee members would not be at the table and urged the Committee to work on this issue at the Committee level, though would ask the Council Chair if a Committee of the Whole would be appropriate in June.

### Southern Area Discards

Regarding reducing southern area discards, staff presented the information in the discussion document and a memo from the Scallop PDT Chair regarding scallop effort and interactions with monkfish. Though scallop landings have been decreasing and the fishery is moving northward, much of the scallop access areas on Georges Bank are in the monkfish SFMA, so will continue to interact with SFMA monkfish. The AP recommendation against developing alternatives that would constrain the scallop fishery was noted. The Committee Chair asked that the Committee be more specific on the problem of "unnecessary waste and mortality of monkfish" (identified by the Committee in March) and what alternatives should be considered, noting that the discussion thus far has primarily focused on scallop dredges, though the PDT developed other ideas in the discussion document. Committee members noted that perceptions about dredge discard mortality may be changing with the assessment.

**Consensus Statement #4:** Regarding reducing discards in the southern area, the Committee recommends against developing alternatives that would constrain the scallop dredge fishery at this time. The other measures that the Committee has recommended (adjustments to effort controls, increasing gillnet mesh) would help reduce discards, and the Committee does not recommend other alternatives at this time.

*Rationale:* The Committee would prefer to wait for the results of the 2022 monkfish assessment (updating discard data and considering discard mortality assumptions) and feels that the scallop fishery is moving northward; discarding in the southern area is likely to become less of an issue into the future.

*Note:* Alan Tracey and Paul Risi were away from the meeting during development of this statement.

***AGENDA ITEM #5: RESEARCH PRIORITIES***

Staff noted that the AP accepted the PDT recommendations for 2022-2026 Council research priorities related to monkfish and presented the PDT and AP recommendations for 2023-2024 Monkfish Research-Set-Aside program priorities. The Committee Chair asked for any last recommendations for revisions to the 2022-2026 priorities. A Committee member noted that #30 should change from “Develop guidance rejecting stock assessments” to “Develop guidance for when stock assessments are rejected”, which the Committee accepted. The Committee then developed RSA priority recommendations, considering PDT and AP input. The Committee agree with the PDT recommendation to focus on improving life history information at this time, which would lead to research on stock structure in the future.

**Consensus statement #5:** The Committee recommends the following as priorities for the 2023-2024 Monkfish Research-Set-Aside program. These are not listed in priority order.

1. Research on monkfish life history focusing on: (a) age and growth, (b) longevity, (c) reproduction and (d) natural mortality
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).

*Note:* Paul Risi was away from the meeting during development of this statement.

***AGENDA ITEM #6: OTHER BUSINESS***

GARFO staff noted the release that morning of the Draft Action Plan to Reduce Atlantic Sturgeon Bycatch in Federal Large-Mesh Gillnet Fisheries. GARFO is accepting comments on the draft plan through the summer. The Plan presents a literature review and a suite of recommendations intended to reduce bycatch of Atlantic sturgeon in federal large-mesh gillnet fisheries by 2024, though a quantitative goal for reductions is not specified. Council staff asked if the Council is expected to initiate an action in 2022. GARFO staff indicated no, but there should be an action in 2023 to reduce interactions by 2024. Council staff noted that this will be on the June Council agenda and the Council could consider developing comments.

No other business was discussed. The meeting adjourned at 4:30 pm.