



New England Fishery Management Council

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

MEETING SUMMARY

Monkfish Committee

Warwick, RI and via webinar

November 29, 2022

The Monkfish Committee (Committee) met on November 29, 2022, in person and via webinar at 10:00 AM to 1) receive the *Monkfish Advisory Panel (AP) report* on their November 28 meeting, 2) receive an update on and recommend final preferred alternatives for *Framework Adjustment 13 to the Monkfish Fishery Management Plan (FW13)* specifications and management measures, 3) make any final recommendations on the *2023 Council Priorities regarding Monkfish*, and 4) discuss other business.

MEETING ATTENDANCE: Ms. Elizabeth Etrie (Chair), Mr. Peter Hughes (Vice Chair), Mr. Pete Christopher (GARFO), Mr. Dan Farnham, Mr. Matt Gates, Mr. Eric Hansen, Mr. Dewey Hemilright, Mr. Scott Olszewski, Mr. John Pappalardo, Mr. Paul Risi, Mr. Alan Tracy, and Ms. Kelly Whitmore. Monkfish Advisory Panel (AP): Mr. Greg DiDomenico (Chair); Council staff: Dr. Rachel Feeney (Plan Development Team (PDT) Chair), Ms. Jenny Couture, Mr. Chris Kellogg, Ms. Janice Plante, Mr. Tom Nies; MAFMC staff: Mr. Jason Didden. Council Chair Mr. Eric Reid. GARFO staff: Mr. Mitch McDonald, Mr. Spencer Talmage. Two other AP members, and about 15 other people attended.

KEY OUTCOMES:

- On Framework Adjustment 13
 - The Committee recommended rejected all alternatives in Action 1 (specifications) and Action 2 (effort controls), then recommended remanding the recommendations of the Scientific and Statistical Committee (SSC) for acceptable biological catches (ABCs) back to the SSC.
 - For Action 3 (monkfish gillnet mesh size), the Committee recommended Alternative 2 Option B (12" minimum mesh size) with a delayed implementation to Fishing Year (FY) 2026.

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

The Chair introduced the Committee, welcomed attendees, and sought approval of the agenda. There were no agenda changes. Staff reviewed the timeline for 2022 monkfish work and FY 2022 fishery performance based on monthly in-season quota monitoring.

AGENDA ITEM #2: ADVISORY PANEL REPORT

The AP Chair briefed the Committee on the outcomes of the November 28 AP meeting. On Framework Adjustment 13, the AP recommended status quo specifications, no action for effort controls, and to increase the monkfish minimum mesh to 12", requesting that implementation be delayed to FY 2026. The AP also recommended remanding the 2022 monkfish management track assessment. On 2023 Council management priorities regarding monkfish, the AP recommended prioritizing formation of a working group to ensure the RSA and other research is being used in the assessment process; addressing the sturgeon bycatch reduction recommendations; evaluating whether the current management system provides enough flexibility for the fishery; and exploring managing winter skate and monkfish in one

Fishery Management Plan. The AP also recommended not developing fishery models for predicting how the fishery may respond to effort control. Rather, the AP recommends relying on AP input rather than on models of the fishery. The AP wanted a future Monkfish RSA program priority to be to develop research to address science shortfalls in current assessments and provide funding needed for alternative model development and exploration. Finally, the AP recommended that the monkfish research track assessment be earlier than the current schedule (2027). The AP did not have a quorum through its entire meeting (see AP meeting summary).

The AP Chair noted that much of the AP meeting was focused on AP member concerns about reliance on the Ismooth approach to develop monkfish catch advice, an approach that uses results of the NMFS bottom trawl survey and fishery catch. The Chair reported that advisors feel that monkfish are abundant, but in the fall, have moved away from areas where the trawl survey is conducted. Particularly in the south, monkfish fishing has been occurring after Thanksgiving, later than the survey. Advisory Panel members also noted that the directed fishery primarily uses gillnets and was concerned that the survey uses trawl gear, so may not be catching monkfish as well. AP members were concerned about how long it has been since there was a reliable assessment. See AP meeting summary for other concerns and questions.

AGENDA ITEM #3: FRAMEWORK ADJUSTMENT 13

2022 Management Track Assessment and SSC recommendations

Staff provided an overview of the 2022 monkfish management track assessment, as updated from the preliminary reports at the August 30 Committee meeting (survey trends were reported) and the September NEFMC and MAFMC meetings (preliminary assessment and peer review were reported). Staff then presented an overview of the recommendations of the Scientific and Statistical Committee (SSC) on setting the overfishing limits, acceptable biological catches, and discard deductions.

Committee members asked several questions and shared concerns about the scope of data used to set catch advice, the choice of the Ismooth approach for developing catch advice and related uncertainties, and the reductions in catch that would be needed under the ABCs recommended by the SSC. In the North, a 34% reduction from the current ABC and a 21% reduction from FY 2021 catch. In the South, a 69% reduction from current ABC and a 29% reduction from FY 2021 catch. Staff addressed many questions regarding the assessment and SSC recommendations, reiterating that use of the Ismooth approach was first used in 2016 when the analytical assessment failed. Staff reviewed the history of how ABCs have been set since that time (see staff presentations since [March 2022](#), particularly [September NEFMC meeting](#)) Committee. A Committee member asked when recruitment could be used to predict discards. Staff indicated that would potentially come after recruitment is used in the assessment. The Committee reiterated several questions asked by the Advisory Panel such as how recent catch impacts ABC determination. Staff clarified that a basic theory of Ismooth is that biomass is impacted by removals (catch); if the survey is trending downwards, then removals should be lowered from what they have recently been. It was clarified that the spring 2022 survey data were used, and the SSC operates by consensus (potentially with minority positions articulated) rather than by motions. The NEFMC Chair asked if fishery catch-per-unit-effort (CPUE) had been calculated and analyzed as an abundance trend. It may fill in some of the information gaps. Staff noted that this is not in the assessment report, but the NEFSC could be asked if this has been calculated.

Public Comment:

- **Ted Platz (AP member, monkfish gillnet fisherman, RI):** Assessments used the SCALE model until it was rejected. He recalled the fishery being in decline in 1990s but was rebuilt in 2010. Landings and effort were increasing from 2005 to 2015. He feels there is not a biomass issue, but economic issues. There is no early fall fishery because there is no fish then. He feels the survey index contradicts what fishermen know about fishery from 2005 to 2015. He is concerned about a pending fishery collapse. There were no problems until it was decided to use Ismooth. The index

implies that the trawl survey catches one monkfish one out of every three tows, which does not reflect how many monkfish are in the ocean.

- **Greg DiDomenico (AP Chair, NJ):** Asked if the SSC and PDT specifically considered the Legault, et al paper as it applied to monkfish when the ABC was developed.

Staff noted that a co-author of the paper is on the PDT, the SSC was provided a link to the paper (which was an assessment document), and three co-authors were present during the SSC meeting (one sits on the SSC).

- **Drew Minkiewicz (Fisheries Survival Fund):** Asked if data in the assessment report from the “NMFS scallop survey” is the Federal survey, noting that it has limited coverage (e.g., not on the Mid-Atlantic Bight), or if the RSA-funded survey data are also used. He also asked if the fishery achieved the catch target year after year and the survey stays the same, would ABC decrease.

Staff confirmed that the data in the report are just from the NMFS scallop survey. Staff reiterated that the SSC set the Ismooth catch advice to be the annual catch target (survey multiplier * recent catch = new ACT), so under that example, no, the ACT and ABC would be the same.

- **Dr. Emerson Hasbrouck (Cornell Cooperative Extension Program):** Like at the AP meeting, shared the results of his monkfish Research-Set-Aside (RSA) projects that showed there is a single genetic stock across the coast. He asked why this result is not being incorporated into management and why the Councils are still managing monkfish as two separate stocks).

Staff reiterated that that the Councils manage stocks as defined by assessments and that research such as this could be incorporated into the next research track assessment in 2027.

- **James Dopkin (AP member, monkfish gillnet fisherman, NJ):** Asked if the Ismooth approach includes fishery effort.

Staff clarified that it does not. The following questions were developed throughout the meeting, which would be better addressed by the NEFSC or SSC rather than Council staff.

Questions more related to the assessment

- How do the other data presented in the assessment (e.g., ASMFC shrimp survey, NMFS scallop) compare with the results of the Ismooth approach that relies on the NMFS bottom trawl survey index and fishery catch? Are they consistent? Contradictory? Inconclusive?
- When the Ismooth approach was originally adopted during the 2016 assessment, what was the rationale for determining it is appropriate? The Legault et al manuscript states “Therefore, care is needed when trying to generalize these results across stocks that may have different life histories, exploitation histories, and without unreported catches or increases in *M*.” What specific traits about monkfish make it an appropriate candidate for using the Ismooth approach?
- In the Ismooth approach, the index is scaled to the time series mean. Does that time series begin with the beginning of the trawl survey (1963 fall, 1968 spring) or is there a set window of time that shifts forward each assessment? What is the impact of this scaling on the survey multipliers? Can a figure be provided that provides the entire time series of the trawl survey index with the LOESS-smooth line?
- Fishermen are indicating (hearing more from gillnetters in the south) that their fall fishing is starting later in the season, after Thanksgiving because the monkfish are not present earlier. Because the trawl survey is earlier, could it be missing monkfish? Fishermen are concerned that the sonar activity from wind development and/or climate change are moving monkfish away from their traditional fishing areas.
- What information is there on the catchability of monkfish in the survey?
- What is the potential for other assessment approaches and data to be considered?
 - Has a fishery CPUE been calculated and/or can that be provided in assessments?

- Is it possible to create a monkfish index using the industry-funded scallop survey?
- Has there been consideration of CPUE assessment approaches, like is done for tilefish?

Questions more related to the SSC recommendations

- Would the status quo specifications prevent overfishing? Did the SSC decide on this?
- Does the SSC have the latitude to consider other data not provided in the assessment (e.g., scallop industry dredge survey, fishery CPUE)?

Action 1 specifications

Staff then presented the range of Framework 13 alternatives and the preliminary impacts analysis. There were no preliminary questions from the Committee.

Public Comment:

- **Maggie Raymond (industry member, ME):** Asked for the rationale for the range of alternatives for reducing the incidental possession limits by 20% and 40%. Asked if there were alternatives regarding reducing discards in the southern area. Asked if a combination of DAS and possession limit reduction options were selected, could less restrictive options be selected that are in the document.

Staff clarified that this range bounds the 30% reduction in Total Allowable Landings under the SSC's recommended ABCs. Staff noted that the NEFMC decided in June 2022 to not have alternatives regarding reducing southern discards in this action. Staff clarified that, yes, a combination of less restrictive options could be selected.

The Committee discussed the Council's policy on when a remand of an ABC back to the SSC is appropriate and the decision process for joint action. GARFO clarified that NMFS cannot approve the status quo specifications, as they are higher than the SSC-recommended values. GARFO also clarified that without specifications, the ACL would be 0 mt and any catch would be deducted as an accountability measure from a future ACT. GARFO also clarified scenarios where the Regional Administrator could use its authority to implement specifications without Council action. GARFO expects to clarify the process further at the NEFMC meeting. Committee members discussed ideas for how to remand to the ABC. It was noted that the SSC is not an assessment body but uses assessment results to develop catch recommendations. Committee members wondered if a remand would allow enough time to have specifications in place for an on-time start of the fishing year.

Public Comment:

- **Greg DiDomenico:** Asked for clarification on if the MAFMC needs to review the Terms of Reference (TOR) that the NEFMC SSC is provided when developing ABCs.

The NEFMC Executive Director and NOAA General Counsel clarified that the Council with the administrative lead (New England for monkfish, Mid-Atlantic for spiny dogfish) sets the TOR, and that the TORs used in this case were standard. General Counsel spoke to the decision process and will offer more clarifications at the NEFMC meeting. Several Committee members were hesitant to make final recommendations, with the number of outstanding questions.

- **Maggie Raymond:** Urged the Committee to recommend the SSC-recommended ABCs for one-year and ask the SSC to reconsider the ABC for years 2 and 3. This would ensure that some amount of catch would be allowed come May and not completely disrupt the fishery.

GARFO staff confirmed that setting specifications for one year for monkfish is possible.

Motion #1 (Tracy/Hemilright): For Action 1 (FY 2023-2025 Specifications), the Committee recommends that the Council select Alternative 2 (Status Quo) as preferred.

Rationale: Based on discussions during SSC, AP, and today’s Committee meeting, the SSC recommendation would create drastic reductions. There are unanswered questions about the assessment and procedures that need to be answered.

Motion to substitute (Hughes/Risi): For Action 1 (FY 2023-2025 Specifications), the Committee recommends that all Action 1 alternatives be moved to Considered but Rejected.

Rationale: Originally thought there would be an increase in specifications, not a decline. Ismooth does not allow for estimation of reference points. Alternative 2 (status quo) is not an approvable option by GARFO (above the SSC recommendation), and Alternative 3 would suppress the fishery substantially. There is no statement or analysis that says Alternative 2 would lead to overfishing.

Elizabeth “Libby” Etrie, Chair	No vote	Dewey Hemilright	No
Peter Hughes, Vice Chair	Yes	Scott Olszewski	No
Pete Christopher	No	John Pappalardo	Yes
Dan Farnham	Yes	Paul Risi	Yes
Matt Gates	Yes	Alan Tracy	No
Eric Hansen	Yes	Kelly Whitmore	Yes

The motion to substitute carried 7/4/0.

Main motion (Hughes/Risi): For Action 1 (FY 2023-2025 Specifications), the Committee recommends that the Council that all Action 1 alternatives be moved to Considered but Rejected.

Elizabeth “Libby” Etrie, Chair	No vote	Dewey Hemilright	Yes
Peter Hughes, Vice Chair	Yes	Scott Olszewski	No
Pete Christopher	No	John Pappalardo	Yes
Dan Farnham	Yes	Paul Risi	Yes
Matt Gates	Yes	Alan Tracy	No
Eric Hansen	Yes	Kelly Whitmore	Yes

The main motion carried 8/3/0.

Discussion of the motion: Many of the previously stated questions and concerns were reiterated.

Public Comment (throughout above Motion 1 discussion):

- **Maggie Raymond:** Reminded that the Council remanded the witch flounder ABC. It took a lot of time and effort and only resulted in a 100 mt increase of quota. She urged the Committee to identify specific criteria for a remand. She did not support either the original motion or motion to substitute as it would likely disrupt the fishery more if regulations were not in place.
- **James Dopkin:** Noted that Ismooth was acceptable in prior years but now it is a bad predictor. He felt that the SSC did their job, but the inputs are off. He recommended status quo specifications.
- **Liam Sullivan (monkfish fisherman, RI):** Felt that fishermen will suffer under the SSC’s recommendation. He is concerned about flaws being carried throughout the whole process.
- **Ted Platz:** Felt that this is a lose-lose scenario. There is a healthy fishery now but a bad assessment. He supported the motion to substitute. He did not want to cave to what he felt was bad science.
- **Kevin Sullivan (monkfish fisherman, RI):** Agreed with Liam. He is seeing a lot of monkfish. There are fewer boats and costs are way up. He feels the fishery cannot take these hits.
- **Greg DiDomenico:** Supported the motion to substitute.

Action 2 Effort Controls

The Chair called for comments and motions for selecting alternatives for effort controls. There were none.

Action 3 Monkfish Gillnet Mesh

The Chair then called for comments and motions for selecting alternatives for gillnet mesh.

Motion #2 (Farnham/Gates): For Action 3 (Gillnet Mesh), the Committee recommends that the Council select Alternative 2, Option B (12” minimum) as preferred. The Committee recommends revising Alternative 2 to have the implementation of this measure delayed until FY 2026 (i.e., not FY 2025 as stated in the Framework).

Rationale: Most fishermen use the larger mesh already and the delayed implementation would lessen the impact of the cost to replace gear.

Public Comment:

- **Ted Platz:** Most fishermen replace their gillnets every five to six years.

Elizabeth “Libby” Etrie, Chair	No vote	Dewey Hemilright	No vote
Peter Hughes, Vice Chair	Yes	Scott Olszewski	Yes
Pete Christopher	Yes	John Pappalardo	Yes
Dan Farnham	Yes	Paul Risi	Yes
Matt Gates	Yes	Alan Tracy	Yes
Eric Hansen	Yes	Kelly Whitmore	Yes

The motion carried 10/0/0.

Action 2 Effort Controls

The Chair again called for comments and motions for selecting alternatives for effort controls. A Committee member was concerned that if effort control alternatives remained in the document, then GARFO could have the latitude to choose one if the Councils did not take action.

Motion #3 (Hughes/Farnham): For Action 2 (Effort Controls), the Committee recommends that all Action 2 alternatives be moved to Considered but Rejected.

Rationale: Originally thought there would be an increase in specifications, not a decline. Ismooth does not allow for estimation of reference points. Alternative 2 (status quo) is not an approvable option by GARFO (above the SSC recommendation), and Alternative 3 would suppress the fishery substantially. There is no statement or analysis that says Alternative 2 would lead to overfishing.

Public Comment:

- **Maggie Raymond:** Did not support rejecting all the alternatives in Actions 1 and 2. Doing so only removes the Council from having input in management.
- **Greg DiDomenico:** Supported the motion.
- **Ted Platz:** Supported the motion.

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

The motion carried 7/2/2.

Action 1 Specifications

Motion #4 (Hughes/Gates): The Committee believes the Ismooth model has deficiencies and may be unsuitable to the monkfish fishery and we would ask that the SSC reevaluate the FY 2023-2025 ABC recommendation.

Rationale: The index-based methods paper (Legault, et al.) and the paper’s peer reviews cautioned against over-generalizing the results without considering the specific life history and catch history of monkfish and maybe that is an error or omission.

Discussion on the Motion: NEFMC Chair Reid cautioned that the SSC does not have much latitude to reevaluate the assessment and urged that specific criteria be developed that meets the Council’s policy. Some of the above concerns and questions were reiterated about the original decision to use Ismooth in 2016 and if the SSC considered the work of the Index-Based Methods Working Group report and peer review reports.

Public Comment:

- **Greg DiDomenico:** Concerned that the MAFMC was not consulted on the TOR for the SSC.

The Committee Chair noted that General Counsel indicated earlier in the meeting that this was not an issue.

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

The motion carried 10/0/1.

Staff indicated that the questions raised by the Committee would be raised prior to the NEFMC Meeting.

AGENDA ITEM #3: 2023 COUNCIL MANAGEMENT PRIORITIES

Staff reviewed the draft 2023 priorities and recent PDT and AP recommendations to consider in making final recommendations on what the Council should work on next year regarding monkfish, including any ranking of priorities.

A Committee member asked if FW13 should be on the priority list. Staff noted that if the Council agrees to remand the ABC, then work on this action will certainly continue into 2023 and need to be on the priority list. A Committee member suggested that monkfish have a CPUE-based assessment. Staff clarified that this idea would not be a Council task. A Committee member asked what happens to the research recommendations of assessment peer reviews. Staff clarified that they can be listed on the Council’s priority list, but such lists help the NEFSC to design work to improve research track assessments. There were no motions or consensus statements.

AGENDA ITEM #4: OTHER BUSINESS

No other business.

The meeting adjourned at 5:15 pm.