



New England Fishery Management Council

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

## MEETING SUMMARY

### Monkfish Advisory Panel – no quorum

Boston, hybrid

August 30, 2022

The Monkfish Advisory Panel (AP) met on August 30, 2022, in person and via webinar at 8:30 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 *2023 Council Priorities regarding Monkfish*, and 4) other business.

**MEETING ATTENDANCE:** Mr. Greg DiDomenico (AP Chair), Mr. Greg Mataronas, Mr. Ted Platz, and Mr. Chris Rainone. Council staff: Dr. Rachel Feeney (Plan Development Team (PDT) Chair), Ms. Jenny Couture, and Mr. Chris Kellogg. Council: Monkfish Committee Chair (Ms. Elizabeth Etrie), nine other Committee members, and Mr. Eric Hansen, a new Council member. MAFMC staff: Mr. Jason Didden. About five other people attended.

The AP did not have a quorum.

#### **KEY OUTCOMES (NO QUORUM):**

- On the fishery performance report, there were no further suggestions for revisions.
- On Framework Adjustment 13 effort control alternatives (Action 2), recommended:
  - Considering No Action as the most restrictive for effort controls in the southern area and
  - Removing Alternatives 4 and 5 (50% increase in incidental trip limits and 25% increase in limited access trip limits with DAS flexibility adjustments and only increases to incidental and limited access trip limits, respectively).
- On 2023 Council management priorities regarding monkfish, recommended addressing latent effort in the fishery which could be addressed by considering either a Day-At-Sea (DAS) leasing program or moving to a quota management system. Also recommended forming a working group to identify improvements that could be made to the monkfish Research-Set-Aside (RSA) program.
- Under other business, the AP Chair noted that he plans to step down from the AP once his term ends later this year.

#### **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 and Fishing Year 2022 fishery performance based on monthly in-season quota monitoring.

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

Council staff presented new and updated parts of the draft fishery performance report, including adding clarifying language to stock status, describing methods for calculating catch, updating data to include FY 2021, adding new data on discards by gear type and monthly price per pound information, and adding

clarifying footnotes. These changes were based on reviews done by the Monkfish Committee on May 26, by the Scientific and Statistical Committee (SSC) in July. The report will be finalized for the September Council meeting.

**Discussion:** The AP Chair appreciated the update and thought the report was valuable. There was no further input from AP members on revising the report.

### ***AGENDA ITEM #3: FRAMEWORK ADJUSTMENT 13***

#### ***Specifications***

Staff reviewed the development of 2023-2025 specifications including acceptable biological catch (ABC) setting and flowchart with a preview of the assessment results (i.e., likely decline in survey indices) and potential implications for specifications. Staff also reviewed alternatives for effort controls (i.e., possession limits and DAS) and gillnet mesh size and asked for input on the range of alternatives if the assessment results in either an increase or decrease in ABCs.

**Discussion:** A MAFMC staff member further explained the impact of applying the multiplier from the stock assessment to the recent catch versus the recent ABC. If applied to the ABC, then this may or may not be limiting to the fishery, however, if applied to recent catch, then it is likely that fisheries in both management areas would be impacted.

An adviser asked how discards from the scallop industry are included in the stock assessment process. Staff explained that the discards are removed from the ABC before setting the Total Allowable Landings (TAL). The SSC will determine expected discards and which discard method is the best predictor of future discards, which will be used in FW13. The AP Chair also asked if the current assessment could analyze the potential spatial and temporal shifts of the monkfish resource. The current assessment is a management track assessment, which is more of a data update, so this type of work would need to be included in a research track assessment which is more comprehensive.

#### ***Effort Controls***

Regarding effort controls, staff presented preliminary impact analyses including estimated increases in number of DAS used and monkfish landings by allowing an additional DAS overage adjustment and relaxing the DAS use restriction in the southern management area. Staff also presented an exploratory analysis of landings data to better understand the implications of increasing limited access possession limits.

**Discussion:** Regarding alternatives, AP members were reassured that the No Action option is included within FW13. A few advisers were concerned over increasing trip limits and DAS allocations given the potential for lower ABCs, concerns over North Atlantic right whales and Atlantic sturgeon if more gear is in the water for a longer time, the magnitude of latent effort in the fishery, and the high bycatch rate in the scallop fishery. These advisers were against increasing the incidental trip limits because they were unaware of many vessels constrained by the limit and one adviser was concerned that increasing trip limits for limited access permits might incentivize other fishermen to start fishing on their latent permits. One member advocated for quota management to help reduce concerns over longer soak times and potential increases in fishery interactions with protected resources. He noted that the skate trip limits are restricting the monkfish fishery especially in the fall and that the analysis in the FW13 document does not account for this. Monkfish fishermen are only able to avoid skates further offshore certain times of the year, thus, the seasonality part of their fishing operations need to be considered along with market constraints. One adviser recommended increasing DAS by a smaller amount versus lifting the restriction in the southern area to allow full use of the 45.2 DAS.

The Monkfish Committee Chair recommended AP members think about alternatives if status quo ABC is not an option and if the ABC is lower than in previous fishing years. An adviser stated he was comfortable with no action as the lower end of possible effort controls, given he sees a high abundance of

monkfish on the water, which sometimes does not match the findings from the Northeast Fisheries Science Center. He did not want a decrease in trip limits or DAS allocation and wanted the maximum increase in incidental trip limits to be 15%, though he preferred no increase. This was echoed by another adviser. The MAFMC staff member reiterated that the assessment results and the extent to which the fishery could be limited could vary widely based upon how the SSC applies the multiplier (whether to the recent ABC or the recent catch). The outcome of this determination could impact the range of alternatives in the FW13 document. Another adviser stated he was not interested in quota-based management and did not want anything more restrictive than no action. He was interested in including alternatives that created more flexibility especially in the southern area given the issue with hitting the skate trip limits and protected resource interactions if gear is left in the water for longer duration.

An adviser reiterated his concern over latent fishing effort adding to the uncertainty in the fishery and preventing him from being a proponent of increased trip limits for limited access permits. Another adviser noted that he used to worry about latent fishing effort but not anymore given there has been a steep decline in effort where many Southern New England vessels are selling their vessels and struggling to sell their permits. The real issue is the skate trip limits which are inhibiting monkfish landings. Another adviser commented that he does not see people entering the fishery either and that latent effort should be addressed at some point in the future.

**Consensus Statement #1 (no quorum):** For Action 3 (Effort Controls), the AP members present are comfortable with No Action for effort controls in the southern area as the most restrictive alternative and recommend that Alternatives 4 and 5 do not need to be considered.

*Rationale:* Increasing possession limits will not help increase flexibility because skate limits are limiting.

**Discussion of the consensus statement:** There was no other discussion on the consensus statement.

#### Gillnet Mesh Size

Regarding gillnet mesh size, staff presented the alternatives and preliminary analysis in the discussion document on potentially increasing gillnet mesh size from 10” to either 11” or 12”.

**Discussion:** A few advisers noted that they already use 12” mesh and that they are not interested in increasing the minimum mesh size that could impact other fisheries, namely the skate bait fishery. Most of the directed fishery already uses the larger mesh size to help target monkfish and reduce bycatch. The two-year implementation period will allow for fishermen using smaller gear to upgrade.

**Consensus Statement #2 (no quorum):** For Action 3 (Gillnet Mesh Size), the AP members present reiterated support for the prior AP consensus statement, supporting 12” mesh with two-year delayed implementation. The AP also supports increasing the mesh size for use of Monkfish DAS as written in the alternatives.

**Discussion of the consensus statement:** There was no other discussion on the consensus statement.

#### **AGENDA ITEM #4: 2023 COUNCIL MANAGEMENT PRIORITIES**

Staff presented progress on the 2022 priorities and the PDT recommendations for 2023 including corresponding rationale. Staff gave an overview of NOAA Fisheries draft *Action Plan to Reduce Atlantic Sturgeon Bycatch in Federal Large Mesh Gillnet Fisheries*, which the AP could include consideration of actions recommended in the action plan for what the Council should work on in 2023.

**Discussion:** Regarding Atlantic sturgeon, an advisor emphasized the need to consider the impact of 20” diameter when evaluating bycatch reduction for low profile nets and tie-downs.

Regarding priorities, one member mentioned that an Individual Transferable Quota (ITQ) or Individual Fishing Quota (IFQ) system could help remove latent permits. AP members had a brief discussion on the existing control date, which was established for consideration of catch shares in Amendment 6 in May 2012. The Monkfish Committee Chair commented that a control date gives notice to the public that the Council is considering an action that may change or limit effort in some way; the Council would need to decide if the existing control date would be used or if a new one would be established, though she noted that control dates are tied to specific actions to avoid becoming stale, which was the case for the skate bait and wing fisheries (established in 2009 and 2014, respectively).

An adviser suggested a DAS leasing program that would help address latent fishing. This would allow for market forces to drive DAS availability and cost while management could focus on changes to trip limits. He would prefer a quota-based system instead of leasing to help fishermen, the ecosystem, and the complexity of the management system given the main issue is the depressed price, not availability of monkfish.

Regarding the Monkfish RSA program, members agreed that improvements need to be made to the program (mostly economic incentives) before a Request for Proposals is issued.

**Consensus Statement #3 (no quorum):** The AP members present recommend the following as 2023 management priorities:

- Consider measures that would address latent effort in the fishery. Consider updating the control date that was established in May 2012 during development of Amendment 6.
- Consider one of these changes (would address latency and would require a control date):
  - A DAS leasing program that would allow markets to drive DAS availability and cost.
  - Moving to a quota management program to increase profitability, flexibility, and efficiency (eliminate the DAS program).
- Form a work group of fishermen, NOAA and Council staff, Monkfish Committee members, etc. on the Monkfish RSA program to identify potential improvements.

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

#### ***AGENDA ITEM #5: OTHER BUSINESS***

The AP Chair stated that once his term ends at the end of this year, he will be stepping down from his service. Staff thanked him and all AP members for serving and gave a reminder that today was the deadline for applying for service on APs in 2023-2025.

The meeting adjourned at 11:30 am.