



New England Fishery Management Council

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

## MEETING SUMMARY

### Monkfish Committee

Boston, MA and hybrid

August 30, 2022

The Monkfish Committee met on August 30, 2022, in person and via webinar at 1:00 PM to 1) receive the *Monkfish Advisory Panel (AP) report* on their August 30 meeting and give input on 2) the *2022 Monkfish Fishery Performance Report*, 3) the *Framework Adjustment 13 to the Monkfish Fishery Management Plan (FW13)*, 4) the *2023 Council Priorities regarding monkfish*, and 5) other business.

**MEETING ATTENDANCE:** Ms. Elizabeth Etrie (Chair), 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) and Ms. Jenny Couture; MAFMC staff: Mr. Jason Didden. Council Chair Mr. Eric Reid, incoming Council member Mr. Eric Hansen, two AP members, and about eight other people attended.

#### **KEY OUTCOMES:**

- On the fishery performance report, the Committee did not have further input.
- On Framework Adjustment 13, the Committee recommended:
  - Revising and simplifying the effort control alternatives.
  - Tasking the PDT to develop alternatives that would lower DAS and possession limits if the status quo effort controls are unlikely to keep the fishery within the new ABCs/ACLs.
  - Applying the increase in gillnet mesh size to trips using a Monkfish DAS.
- On 2023 Council management priorities regarding monkfish, the Committee recommended accepting the PDT and AP recommendations and added analyses to help understand the fishery and outcomes of potential management actions (e.g., effort controls) and updating the AP-PDT fishery performance report.

#### **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. Staff presented the timeline for 2022 Council priorities for monkfish work. All priorities are generally on track as reported to the Committee in May. There were no comments on the timeline. Staff presented Fishing Year 2022 fishery performance based on monthly in-season quota monitoring.

#### **AGENDA ITEM #2: MONKFISH ADVISORY PANEL REPORT OF AUGUST 30 MEETING**

Advisory Panel Chair Mr. Greg DiDomenico reported on the August 30 morning AP meeting (no quorum). The AP members present had no further input on the fishery performance report. On FW13 Action 2 (effort controls), members recommended No Action as the most restrictive effort controls and recommended 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). Recommended 2023 Council management priorities related to monkfish include addressing latent effort in the fishery which could be addressed by considering either a Day-At-Sea leasing program or moving to a quota management system and forming a working group to identify improvements that could be made to the monkfish Research-Set-Aside (RSA) program. The AP Chair noted that he plans to step down from the AP once his term ends later this year.

**Discussion:** A Committee member asked if AP members commented on whether to include Atlantic sturgeon bycatch reduction measures. The AP Chair noted that this was an oversight.

### ***AGENDA ITEM #3: 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 of the Monkfish Committee on May 26 and by the Scientific and Statistical Committee in July. The report will be finalized prior to the September NEFMC meeting.

**Discussion:** A Committee member asked about the decline in revenue in Table 10 and was interested in understanding the revenue and price data broken down by whole weight, tail weight, and livers given each disposition receive different prices.

Another member asked how the unknown stock status works in management, specifically use of best available science. Staff explained the origins of the unknown stock status determination starting in 2016 (based upon poor understanding of monkfish aging) and that given the uncertainty, the SSC has been more conservative in ABC determination as a result. There are only trawl survey indices, not biological reference points, thus it is not possible to do a quantitative assessment unless a research track assessment identifies an appropriate model. It is worth noting that a 3% buffer is included when setting the Acceptable Catch Target to help account for the lack of quantitative assessment.

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

#### ***Specifications***

Staff presented the development of 2023-2025 specifications including acceptable biological catch (ABC) setting and flowchart with a preview of the assessment results (i.e., recent survey indices are trending downwards) and potential implications for specifications. Staff presented effort control alternatives (i.e., possession limits and DAS) and gillnet mesh size and asked if the Committee was comfortable with the range of alternatives if the assessment results in either an increase or decrease in ABCs.

**Discussion:** A Committee member asked whether the potential lowering of the scallop discard mortality rates would offset any decline in the survey indices. Staff noted that the assessment is including the new discard mortality rate research as part of the process, though, reiterated that the magnitude of any decline in the ABC is dependent upon whether the survey indices multiplier is applied to the recent ABC or recent catch. If based on the recent catch, the lower discard mortality rate will lower recent catch, which will also lower the ABC. If the scalar is applied to the recent ABC, then the discard mortality rate is more independent and not likely to compound any decreases in the ABC.

#### ***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 area. Staff also presented an exploratory analysis of landings data to better understand the implications of increasing limited access possession limits.

**Discussion:** A Committee member asked about the difference between preloading DAS and what is being proposed now. Staff explained that the current alternatives allow for additional DAS' worth of monkfish to be landed per trip if there is any overage. One adviser further explained that the original preloading provision allowed fishermen to declare additional DAS before they leave the dock in anticipation that a certain amount of monkfish DAS' worth of fish will be caught. Fishermen are charged for the amount of DAS they declared prior to fishing whether or not they harvest that amount of fish. Another adviser stated that there are different applications for these DAS flexibilities. In the Southern New England inshore fishery, preloading DAS is more of a gamble given skate trip limits are limiting how much monkfish fishermen can catch. Fishermen can go further offshore to target monkfish during times of the year when skates are not present and take advantage of the DAS overage provision, though this is only seasonal. Staff clarified that the preloading was allowed only for vessels declaring trips via the Interactive Voice Response System, not the Vessel Monitoring System.

One Committee member noted that AP members present were not interested in increasing the incidental catch limit, while another member commented that 16% of non-dredge trips are hitting against the incidental trip limit and would benefit from an increase to turn more discards into landings. An incoming Council member asked how incidental landings would affect the total allowable landings (TAL) for the directed fishery. All landings are included in the total TAL for each management area, thus, if there is an increase in incidental landings then that would mean there would be less available TAL for the directed fishery. Another member asked if most landings in the southern area are from gillnet (for which staff answered yes) and if so, then more consideration should be given to the directed gillnet fishery which would be most impacted if the ABCs decline. One Committee member thought it would be helpful to have the PDT develop alternatives that minimize any negative impacts to the fishery if ABCs are lowered. Another member did not think possession limits should be increased if the survey indices are declining.

One member asked if the Committee could pick and choose between the various alternatives. Staff reminded the Committee that they requested bundled effort controls during their last meeting.

Regarding the actual percent increases in trip limits, if the Council selects percent increases not already analyzed and included in the document, then the impacts would not necessarily be known (especially for percent increases above those analyzed in the document), which may delay implementation.

1. **Motion (Pappalardo/Hughes):** Revise and simplify the alternatives in Action 2 (Effort Controls) to have: 1) No Action, 2) increase DAS overage adjustment, 3) remove DAS use restriction in the SFMA, 4) increase incidental possession limits by 25%, and 5) increase limited access possession limits by 25%. These alternatives will stand-alone, so the Council can choose any combination of the alternatives.

*Rationale:* This revision balances creating more flexibility for the Council and opportunity for all modes of the fishery while not having full information on the status of the resource currently.

#### **Public Comment:**

- **Ted Platz, southern area monkfish fishermen, monkfish adviser:** Would prefer no action instead of an increase of 25% in both limited access and incidental trip limits given the price is likely to crash with an influx of landings. 25% is a big percent increase for this fishery with a small, diminishing market.

A Committee member asked Mr. Platz if he was interested in DAS flexibility for which he noted concerns about additional effort and potential for increased protected resources interactions. Another member asked staff if the Council could select less than 25% during final action; staff commented that yes, this is possible, however, the impacts would not have been analyzed in the document.

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

Motion #1 carried on a roll call vote (11/0/0).

**Additional Discussion on Effort Controls:** A few Committee members were concerned about the range of alternatives in the document and what happens if the stock assessment indicates a decline in the resource. The GARFO Committee member stated that depending on the magnitude of the potential decline in survey indices, there could be a smaller ABC that is still manageable to the fishery. It was noted that stock status is unlikely to change from unknown (e.g., to overfished with overfishing occurring, triggering the need for a rebuilding plan), given the assessment is not considering use of models (just updating survey indices).

**Consensus Statement #1:** For Action 2 (Effort Controls), if the status quo effort controls are unlikely to keep the fishery within the new ABC/ACL that is recommended by the SSC in October, task the PDT to develop alternatives that would lower DAS and/or possession limits.

*Rationale:* The Committee is mindful of what is unknown at this point and the timeline for decision-making in Framework Adjustment 13 (final action expected in December). The Committee would like to be proactive and have alternatives to consider in November and stand on-time for final action in December.

**Discussion of the consensus statement:** No other discussion on the consensus statement.

#### *Gillnet Mesh Size*

Regarding gillnet mesh size, staff presented alternatives and preliminary analyses on potentially increasing gillnet mesh size from 10” to either 11” or 12”, asking the Committee if the intention is to apply the increase in minimum mesh size to certain exemption areas or only when using a Monkfish DAS.

**Discussion:** A Committee member asked about the species caught from vessels using < 11” mesh and whether this was primarily black seabass bycatch. Staff shared that some skate fishermen out of Chatham, MA are using this mesh but would be fine using the larger mesh if there is a two-year implementation delay. Another member asked whether the 12” mesh would be limiting when targeting skates in certain exemption areas. Staff commented that the Committee initially focused the alternatives on exemption areas, but the PDT is recommending focusing on trips using a Monkfish DAS to not impact other fisheries operating in the same exemption areas (i.e., skate bait fishery).

**Consensus Statement #2:** The intent of Action 3 (Monkfish Gillnet Mesh Size) is to apply the increase in mesh size to trips using a Monkfish DAS, as written by the PDT.

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

#### **AGENDA ITEM #5: 2023 COUNCIL MANAGEMENT PRIORITIES**

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

**Discussion:** On the sturgeon action plan, the GARFO Committee representative clarified that the Council is not restricted to the bycatch reduction measures included in the plan (i.e., the plan is not prescriptive).

A few members supported the AP's and PDT's recommended priorities and thought they should be kept separate to retain the original language. The Committee Chair requested that the PDT determine the feasibility of developing a regression model to predict landings as a function of effort controls before the priorities discussion during the December Council meeting to help inform that meeting. A few other members thought an economic analysis of the fishery would help given one of the major issues in the fishery is market conditions and that distinguishing issues between the management areas would be helpful (beyond what is included within the fishery performance report).

A Committee member asked how a DAS leasing program would address latent effort in the fishery. The AP member who proposed the idea spoke about his previous work with another adviser where they proposed to NOAA that each permit would have an allocation that would be leasable to other vessels, depending upon the level of DAS use (e.g., each permit would retain their rights to fish and use their allocated DAS but inactive vessels would not be permitted to lease). He mentioned that this would help lease DAS between his two vessels, thereby reducing costs.

There was interest in completing the fishery performance report in the future, though it was unclear the frequency at which this would be done. The Committee plans to further discuss this during the September Council meeting.

**Consensus Statement #3:** The Committee recommends the following monkfish priorities for 2023 (not in priority order):

1. Review recommendations from the Research-Set-Aside (RSA) program review and develop improvements to the Monkfish RSA program. Consider use of RSA DAS and whether additional flexibility is warranted (e.g., flip to a directed RSA DAS while at sea).
2. Form a work group of fishermen, NOAA and Council staff, Monkfish Committee members, etc. to discuss the Monkfish RSA program and identify potential improvements.
3. Address monkfish recommendations in the NOAA Fisheries Action Plan to Reduce Atlantic Sturgeon Bycatch in Federal Large Mesh Gillnet Fisheries.
4. Address latent effort in the fishery; consider 1) developing a DAS leasing program that would allow markets to drive DAS availability and cost, or 2) moving to a quota management program to increase profitability, flexibility, and efficiency (eliminate the DAS program). Consider updating the control date that was established in May 2012 during development of Amendment 6.
5. Develop a model that would help predict how changing effort controls would impact the monkfish fishery.
6. Develop an economic analysis of the monkfish fishery to help understand the fishery and the outcomes of potential management actions, include further defining the distinctions between the northern and southern fisheries.
7. Update AP-PDT monkfish fishery performance report.

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

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

The Committee Chair asked members alert staff and the Chair going forward whether they plan to attend meetings in person or virtual to help with meeting prep. The meeting adjourned at 4:30 pm.