



## New England Fishery Management Council

50 WATER STREET | NEWBURYPORT, MASSACHUSETTS 01950 | PHONE 978 465 0492 | FAX 978 465 3116

E.F. "Terry" Stockwell III, *Chairman* | Thomas A. Nies, *Executive Director*

### MEETING SUMMARY

#### Recreational Advisory Panel

DoubleTree by Hilton, Danvers, MA

November 17, 2015

The Recreational Advisory Panel (RAP) met on November 17, 2015 in Danvers, Massachusetts to discuss: (1) recommendations to the Groundfish Committee on measures in Framework Adjustment 55 (FW55), an action to set specifications for all stocks in the Northeast Multispecies (groundfish) Fishery Management Plan (FMP) for FY 2016 – FY 2018 including US/CA stocks for FY 2016 and other management measures, (2) recommendations to the Groundfish Committee for FY 2016 Gulf of Maine (GOM) cod and GOM haddock recreational measures, (3) recommendations to the Groundfish Committee for 2016 Council priorities, (4) develop recommendations to the Groundfish Committee on GARFO's Recreational Fisheries Regional Implementation Plan, and (5) other business as necessary.

**MEETING ATTENDANCE:** Mr. Barry Gibson (Chair), Mr. Patrick Paquette (Vice Chair), Mr. Michael Sosik Jr., Mr. Jonathan Sterritt, Mr. Kevin Twombly, Mr. Tom DePersia, Mr. Jason Colby, Mr. Tim Tower, Mr. Donald Swanson, Mr. Peter Gawne, Mr. Mark Godfroy, Mr. Michael Pierdinock, Mr. Frank Blount (Groundfish Committee Chair, NEFMC), Dr. Jamie Cournane, Mr. Jonathon Peros (NEFMC Staff), Mr. Mark Grant, Ms. Moira Kelly (NMFS GARFO), Mr. Scott Steinback (NEFSC/SSB). In addition, approximately 10 members of the public attended.

**SUPPORTING DOCUMENTATION:** Discussions were aided by the following documents:

1. Meeting memo- Chairman Blount to RAP, November 10, 2015
2. Agenda
3. Framework Adjustment 55
  - a. Draft Action Plan for FW 55, November 10, 2015
  - b. Draft Framework Adjustment 55 Alternatives, November 10, 2015
  - c. Stock Assessment Update of 20 Northeast Groundfish Stocks through 2014, including the peer review reports for each stock (NEFSC, October 2015)
  - d. PDT memo to SSC and CC the Groundfish Committee re Groundfish ABCs and OFLs for FY 2016- FY 2018, October 9, 2015
  - e. FW 55 Presentation
4. Recreational Measures in the Gulf of Maine for FY 2016
  - a. Recreational Catch Summary, NEFSC, November 2, 2015
  - b. FY 2016 Simulations, NEFSC, November 2, 2015
  - c. Recreational Measures Presentation (NEFSC)
5. Priorities: Presentation: Discussion of Possible Council Priorities for 2016
6. FY 2014 Final Year-End Groundfish Catch Report, GARFO
7. Recreational Fisheries Regional Implementation Plan

- a. Letter from GARFO soliciting input, October 1, 2015
  - b. Regional Recreational Fisheries Action Agenda 2014-2015, March, 2014
8. Electronic VTR brief, July, 2015
9. Recreational Advisory Panel meeting summary, January 22, 2015
10. Correspondence

***KEY OUTCOMES:***

- The RAP developed recommendations to the Groundfish Committee on measures in FW 55.
- The RAP developed recommendations to the Groundfish Committee on recreational management measures for GOM cod and GOM haddock for FY 2016.
- The RAP developed recommendations to the Groundfish Committee on priorities for 2016.
- The RAP developed recommendations to the Groundfish Committee on GARFO's Recreational Fisheries Regional Implementation Plan.

**The meeting began at 9:34 am.**

The Chair began the meeting by introducing the agenda, and asked the RAP and members of the audience to introduce themselves. The agenda was reorganized to discuss eVTRs after priorities.

***Framework Adjustment 55- Specifications FY 2016- FY 2018 and management measures***

Dr. Courneane provided an overview of the sections in FW 55 of interest to the recreational fishery. Within the likely range of alternatives, status determination criteria, annual catch limits, and changes to the GOM cod protection measures would impact the recreational fishery. Council staff explained increased uncertainty in some of the assessments, with seven assessments exhibiting a retrospective pattern. Based on the SSC's OFL and ABC recommendations, FY 2016 recreational sub-ACL would increase for both GOM (+30%) and GOM haddock (+149%). Staff explained that the measure in Section 4.3.3 would modify the GOM cod protection measures to return the authority to change the recreational measures to the regional administrator. No other provisions of the GOM cod protection measures would change.

***Questions of clarification:***

RAP members asked a question of clarification regarding the process for rejecting an assessment and how that decision links to setting bag limits, especially in the case of Georges Bank cod and Atlantic halibut. Staff explained that there will not be a direct link between assessment models and management advice. An alternative approach, to the model-based approach, to recommending catch limits was considered.

**Motion 1: Paquette/DePersia**

The RAP recommends to the Groundfish Committee Option 2 (Change in authority to modify GOM recreational possession limits) in Section 4.3.3 (Modification to the GOM cod protection measures).

*Rationale:* With an increasing GOM cod ACL, the flexibility and ability to adjust measures within the same year is important.

*Discussion on the motion:* RAP members discussed that this provision would remove the zero possession of cod restriction put in place in FW 53. Since FW 55 sets the quota for the next three years, the provision would allow GARFO to once again change bag limits every year, after consulting with the Council.

Motion 1 **carried** 10/0/1.

The RAP discussed whether or not it should weigh in on the proposed recreational sub-ACLs and ACLs for other stocks. A RAP member felt that the GOM winter flounder ACL should not increase and was interested in keeping the quotas constant from FY 2015.

**Motion 2:** Colby/Swanson

The RAP recommends to the Groundfish Committee that the GOM winter flounder FY 2016- FY 2018 ABCs remain at the quota specified for FY 2015 which is 510 mt.

*Rationale:* The RAP feels that there are no compelling reasons to increase to the quota, especially given that the overfished status of the stock is unknown and low quota utilization. Given the experience in the recreational fleet, especially around the Boston area, there was been a lack of increase in the availability of GOM winter flounder. The stock appeared to be increasing a few years prior, but the RAP feels that recent declines are evident. This stock is important to the recreational fleet and the RAP is concerned about this stock, as it is one of the few available to recreational anglers in the Gulf of Maine. The RAP notes that total catches have been well below the quota in recent years (see Fig 13 in Doc 3d- *PDT memo to SSC and CC the Groundfish Committee re Groundfish ABCs and OFLs for FY 2016- FY 2018, October 9, 2015*).

*Discussion on the motion:* A RAP member indicated that a couple of hundred for-hire vessels target winter flounder, and the availability of the stock is down. The member further indicated that the commercial fleet is not catching its quota and that winter flounder is one of the few fish that is available to the recreational fishery.

Motion 2 **carried** 11/0/0.

**Motion 3:** Twombly/Colby

The RAP recommends that the Groundfish Committee select the revised GOM cod and GOM haddock ACLs for FY 2016-FY 2018 (Option 2/Section 4.1.2.2 Revised Annual Catch Limit Specifications in Section 4.1.2 Annual Catch Limits).

*Rationale:* FY 2015 management measures negatively impacted the GOM fisheries. The RAP feels that any increase in these Gulf of Maine sub-ACLs will help restore and provide relief for GOM recreational fisheries.

*Discussion on the motion:* The RAP wanted clarification as to how MRIP data is used in assessment. Staff clarified that recreational catch estimates are a data stream used in the GOM cod and GOM haddock assessments.

Motion 3 **carried** 10/0/1.

**Management Measures for Gulf of Maine fisheries for FY 2016**

Mr. Scott Steinback presented information on the past fishing year for recreational fisheries in the Gulf of Maine and projected catch of GOM cod and GOM haddock by the fishery under different management scenarios for FY 2016. MRIP data was presented for angler trips, kept catch, released fish, and removals for GOM cod and GOM haddock. Angler trips declined 46% between FY 2014 and FY 2015. The number of cod removals fell by 89% over the same time period. Estimates of haddock catch also declined,

with removals falling by 53% from 646 mt to 301 mt. Catches of GOM cod and GOM haddock were broken out by fishing mode (i.e., headboat, charter, private). There were declines in effort and catch across all modes for both species. Tables 4 and 5 in the document describe catch by wave and by mode, while Table 8 describes the declines of the number of trips targeting cod and haddock by mode. Overall, the number of trips (irrespective of target species) fell for head, charter, and private anglers. The number of shore trips increased by 22%.

Figure 1 described catch by length for haddock. 5% of the total haddock mortality is from haddock that are 17" or less in the data (i.e., non-compliance). 22% of angler trips that caught a haddock retained more than the possession limit of 3 fish. 27% of the haddock landings (in numbers) were from retained fish above the possession limit, and 12% of total haddock mortality (in weight) were from fish retained above the possession limit.

#### ***Questions/discussion on the presentation:***

The RAP expressed concerns about how data is collected on compliance. The RAP explained that, for example, a party boat with 10 passengers can possess 30 haddock (with a bag limit of 3). However, the RAP noted a potential disconnect between being under the possession limit while at sea (3 anglers catch 10 fish each) and when those 3 anglers are in the parking lot with 10 fish each and that they may share fish. The RAP was concerned that the sampler would quantify this as non-compliance.

Another RAP member was concerned about double or triple counting in the dataset. He indicated that he caught the same cod over and over again, as these were tagged, and not seeing signs of recruitment.

The RAP expressed general concerns about MRIP sampling design, including who is interviewed and when the interviews are conducted. A RAP member explained that MRIP interviewers are asking captains and crew for catch information in addition to the customers that are interviewed in the parking lot, and was concerned about the way this might impact the catch estimates. Mr. Matt Ayer from MA DMF explained that MRIP sampling is by time interval (6 hour time blocks). For shore-side intercepts, only anglers' data are used. He further explained that there is no way for data from crew and captains to make its way into the system now, as the sampling protocol has changed from MRFSS and MRIP. Another RAP member argued that the actual angler has no clue to what was caught. The anglers are only giving estimates. One RAP member felt that the boat captains and crew have better data. Another RAP member indicated that some of the best data that is generated comes from the NH Fish and Game ride along program. He thought that no one is intercepting head boats at the shore in NH and that party boats are only sampled by samplers that ride along.

Some RAP members questioned the angler effort estimates presented. One RAP member noted that fuel sales at marinas are down and that this indicated that effort was not as high as indicated in the summary tables. Another RAP member noted concerns that some trips used in the analysis are combination trips of shark, cod, and haddock, but the data is binned into a haddock and cod trip.

Another RAP member felt the PSEs on MRIP are too high to use the data reliably. He further argued that the problem is with the MRIP system, the system needs to be fixed, and the basis for the numbers are wrong. Mr. Steinback explained that MRIP data is considered preliminary for some time after it is released. He encouraged the group to look at the data and get in touch with the MRIP program if something does not appear accurate. He noted that in June of 2015 that the 2013 and 2014 estimates were revised. He also explained that a new data collection approach is on the horizon for shore and private boat modes in 2017. In addition, mail survey and telephone surveys are being done simultaneously. So far, effort is reported higher on the mail survey than on the phone survey, and effort is likely to go up in 2017. This does not appear to have a big effect cod and haddock for the shore mode. A RAP member expressed concern about how dramatic changes in private angler effort will impact the recreational catch data streams used in the stock assessments.

Mr. Steinback also explained that VTRs are used as part of effort for groundfish data by MRIP.

Mr. Steinback continued his presentation of the bioeconomic model. He explained that the revised bioeconomic model uses data from a 2014 angler survey with GOM anglers. The model was not designed to handle going from 9 fish to 0. He walked through the model explaining it is hard to figure out how accurate the model has been. He explained that it is difficult to model, recognizing that MRIP estimates can change year to year and can be difficult to know how well predictions are performing. In the re-estimate of FY 2015 projections, he updated the MRIP data, updated the biological data, used a new bio-economic model, and needed to make some assumptions about compliance and angler behavior. Using the new assessment projections, he evaluated how status quo and alternative measures affect mortality. He described the outcomes of each model run. The variables that change within the model are bag limit, minimum size, and fishing seasons. A total of 33 scenarios were run, which included combinations of haddock and cod bag limits, changes in the minimum size for GOM cod, and the open season for each fish. The model assumes that trips fishing in 2016 will be similar to those trips that fished in 2015. However, the ACLs have increased for haddock and cod. Scenarios indicated in green appear to be viable options for consideration – those that achieve but not exceed the sub-ACL for both stocks while spreading out the fishing season and considering geographic variability in the recreational fishery.

The RAP continued their discussion after breaking for lunch.

The RAP felt that estimates of effort were too high. There was interest in a complete season in the GOM for haddock, and a question as to why this was not examined. Some indicated an interest in unlimited haddock. Some wanted to see May open for both cod and haddock.

The RAP broke the discussion into various parts. First, the discussion began with a proposal for unlimited haddock, which was supported by some of the scenarios run with the bioeconomic model. One member indicated that a lot of this haddock is based on 2 year classes and was concerned about the risk of having no limit on haddock if the assessment is incorrect. One member of the RAP felt that there is a philosophical difference between “no limit” and “unlimited” and that the term “no limit” should be used. One member noted that it would be irresponsible to have “no limit” on haddock. Some members of the RAP felt that only “no limit” on haddock was the way forward for the fishery. Another RAP member was concerned that placing a limit on haddock would reduce effort unnecessary.

Mr. Steinback indicated that the model is likely to underestimate catch and mortality.

Mr. Rip Cunningham, explained through public comment, that there is a perception problem with “no limit” and that the RAP should consider the perception by some, including Council members that they may be overreaching by going from a 3 fish bag limit for haddock in FY 2015 to “no limit” in FY 2016.

The RAP was split on the issue of “no limit” for haddock. Another member preferred an extended season rather than having “no limit” on haddock. Another member felt the quotas were too high. Another RAP member wanted to consider opening wave 5 (September and October) for cod with a 1 fish bag limit. This scenario was not run.

After the discussion, the RAP passed a series of motions.

#### **Motion 4:** Sterrit/Swanson

The RAP recommends to the Groundfish Committee that the FY 2016 GOM haddock bag limit be 15 fish, with all seasons open (except in wave 2- March and April- in which only Apr 15-30 would be open), and a 17 in minimum size.

*Rationale:* The RAP reviewed viable options for GOM haddock that would allow for no limit on possession and under all scenarios the GOM haddock sub-ACL is not expected to be achieved. However,

the RAP feels that placing a bag limit on GOM haddock would be important for the recreational fishery because it would allow for increased access to the stock, while reducing the likelihood of the sub-ACL being exceeded if fishing effort increases in FY 2016. The RAP reviewed the range of options provided to develop this option.

*Discussion on the motion:* Although the management scenarios presented indicated that removing the bag limit on haddock was a possibility, several RAP members indicated that there is a lot of uncertainty with the model runs and that a bag limit is needed to be precautionary. Others speculated that in FY 2016 that anglers trips would increase in frequency and duration. Some members would prefer all of April to be open to haddock fishing. Others felt a 15 fish bag limit was too low, especially when compared with the commercial fishery catches of haddock.

Motion 4 **carried** 6/5/0.

#### **Motion 5:** Paquette/Tower

The RAP recommends to the Groundfish Committee that all of wave 2 (March- April) be open for GOM haddock if possible.

*Rationale:* The RAP would like to see as much of wave 2 (March and April) open as possible for GOM haddock. The RAP would like to see this as an option, but the data going into the model does not include March and April 1-15. The RAP also expressed some concern that without the analysis they do not know if the sub-ACLs would be exceeded for GOM haddock and GOM cod.

*Discussion on the motion:* One member felt that GOM cod measures should be discussed concurrently or at least before the GOM haddock measures. Another member expressed that even keeping one cod was too many and that he was more interested in a longer season for GOM haddock, which would lead to more trips. Another member indicated that 2018 is the earliest time that data will be available to use for all of April to see if cod is on the right track, should April re-open in 2017.

Motion 5 **failed** due to a lack of majority 4/4/3.

#### **Motion 6:** Tower/Sterrit

The RAP recommends to the Groundfish Committee for FY 2016 GOM cod that the bag limit be one cod, with a minimum size of 24 inches, and waves 5 (September-October) and 6 (November-December) open.

*Rationale:* Early months are spawning time for GOM cod. Wave 3 (May and June) is more uncertain and could exceed the ACL.

*Discussion on the motion:* One member explained that cod are spawning during wave 2 (March and April) which should remain closed. Another member indicated that a 24" cod would be a prize. Other RAP members indicated that they would prefer that wave 3 (May and June) be open, based on their geographic location and clients. Mr. Steinback indicated that although the scenarios presented did not estimate catch if wave 6 (November and December) was open, the expectation was that cod mortality would be much lower than if wave 3 (May and June) was open to cod fishing. Another member was interested in what the model results would indicate for projected cod mortality if 2 fish could be kept in wave 5 (September and October).

Motion 6 **carried** 5/4/2.

#### **Motion 7:** Paquette/Sosik

The RAP would like to see an analysis for options for GOM cod to see if 2 or more fish could be kept with a size limit of 24 inches, and waves 5 (September-October) and 6 (November-December) open.

*Rationale:* The analysis presented did not include these options, but the RAP would like to see them sent to the Council.

*Discussion on the motion:* There were the options for no limit on haddock and 1 cod in the spring/summer. This would provide more information for the Council. Some RAP members wanted to work with the information that was available to them that day.

Motion 7 **failed** 1/6/4.

After a brief discussion, the RAP decided to reconsider a previous motion (Motion 6) on cod measures. Someone from the prevailing side brought the motion forward for consideration.

**Motion 8:** Gawne/Paquette

To reconsider **Motion 6**.

Motion 8 to reconsider **carried** 7/4/0.

**Motion 9:** Gawne/Colby

To amend **Motion 6** as the RAP recommends to the Groundfish Committee the FY 2016 GOM cod bag limit be one cod, with a minimum size of 24 inches, and wave 4 (July - August) open.

*Rationale:* Keeping one cod in the summer is what recreational anglers think is important.

Motion to amend **carried** 7/3/1.

**Motion 10:** The main motion as amended:

The RAP recommends to the Groundfish Committee the FY 2016 GOM cod bag limit be one cod, with a minimum size of 24 inches, and wave 4 (July - August) open.

*Rationale:* This would provide some protection for spawning fish and be a better conservation alternative than opening wave 3.

*Discussion on the motion:* A RAP member indicated that most people he talks to want to fish in wave 3 (May and June), but the numbers do not look good for projected cod mortality.

Motion 10 **carried** 10/0/0.

#### **Recommendations to the Groundfish Committee for 2016 Priorities**

Dr. Courneau provided an overview of past priorities discussion for the RAP to consider while developing recommendations to the Groundfish Committee on 2016 priorities. Staff noted that due to time constraints in 2014 the RAP did not have an opportunity to discuss priorities for 2015.

#### **Questions:**

The RAP was interested in continuing discussions on improving the recreational management measures process. A RAP member thanked the Council and NMFS staff for holding the RAP meeting much earlier than in previous years. Others agreed that it helped for the purposes of business planning. Another RAP

member indicated the earlier the better for holding meetings, as clients are already interested in booking for next season.

With respect to regulations, one member indicated that he wanted to see party/charter and private angler regulations separated in the Gulf of Maine by mode. He argued that the quality of the party/charter data is better than that for the private angler, and by being grouped together with the private angler the party/charter component of the fishery suffers.

Another member indicated that he was open to exploring limited entry, but not at the expense of separating the recreational quota.

Another member was concerned that recreational discards were not considered in the allocation of GOM cod and haddock, and if they were it may alter the split of the quota between commercial and recreational – presumably in favor of the recreational component.

The RAP then passed a series of motions based on this discussion.

#### **Motion 11: Tower/Sterritt**

The RAP requests that the Groundfish Committee recommend to the Council for 2016 priorities that the allocation of GOM cod and GOM haddock be revisited.

*Rationale:* Recreational discards were not considered in the allocation of GOM cod and GOM haddock. Discard mortality estimates are being used in recreational catch projections to determine potential accountability measures (AMs). The RAP recommends that this concern be considered when implementing AMs. See Amendment 16 for how the allocation was determined, based on recreational landings (not discards).

Motion 11 **carried** 10/0/0.

#### **Motion 12: DePersia/Twombly**

The RAP requests that the Groundfish Committee recommend to the Council for 2016 priorities that limited access for party/charter be considered.

*Rationale:* The RAP has raised this issue for several years and is interested in exploring the concept.

*Discussion on the motion:* The RAP members representing private anglers were concerned as to how this change may impact them and their access to groundfish species, by creating a special program for party/charter. In addition, the RAP member argued that the problem is not that there are too many boats – so why would limited access/entry be necessary. Another RAP member speculated that limited access would increase accountability in the party/charter sector. Another RAP member felt that the current regulations were hindering his business and having an allocation for party/charter would allow for more flexibility – like the commercial sector has.

Motion 12 **carried** 7/3/0.

#### **Motion 13: Paquette/Pierdinock**

The RAP continues to protest the method in which the sub-ACL is calculated, that began with the 2014 assessments and had no NEPA process.

*Rationale:* The RAP is concerned about how the ACL is being monitored relative to how the sub-ACL was established. The monitoring calculation is the issue. This motion is also in specific reference to Motion 3.

Motion 13 **carried** 9/0/0.

### **Electronic Vessel Trip Reports**

Mr. Rip Cunningham, former Council chair, explained that the issue of eVTRs was just coming up when he left the Council. Mr. Cunningham explained that a lot of research has gone on since that time, including work by EDF and others. The goal of using eVTRs is to improve timeliness and accuracy of data. He explained that ACCSP has developed a mobile application called eTrips. In addition, he elaborated that approximately some 2 dozen programs are looking into this along the coast. The concept is to have a coordinated program. Mr. Cunningham explained that eVTR allows for easier submission of catch reports. The pilot projects are examining if using eVTRs provide for better data.

Mr. Pierdinock of the Stellwagen Bank Charter Boat Association (SBCBA) was concerned that the information collected via eVTRs. He stated that the SBCBA would support eVTRs as long as the data is consistent with what is presently required on existing paper VTRs. He expressed concern that some organizations (e.g., NGOs) are pushing their own eVTRs that would include confidential coordinate data. The SBCBA does not want to make public information not required by NOAA for fishery management and that would be considered confidential. Furthermore, Mr. Pierdinock argued that the ability for paper VTRs should be maintained for those that prefer them (i.e., eVTRs would be voluntary).

### **GARFO's Recreational Implementation Plan and Recommendations to the Groundfish Committee**

While the draft plan was not available at the time of the meeting, Regional Office staff, Mr. Mark Grant and Ms. Moira Kelly provided an overview of the plan for discussion.

### **Discussion:**

Generally, the RAP commented that NOAA should expand their work on recreational issues in the Northeast. The advisors requested more recreational representation on the Council. The advisors felt that NOAA does not recognize the importance of recreational fisheries in the region. Examples were provided by advisors of NOAA leadership excluding recreational interests from fisheries meetings, lack of groundfish disaster funds flowing to the party/charter fleet, and lack of equal treatment by NOAA of using resources for groundfish fishery work (i.e., that NOAA places emphasis on the commercial fishery). The advisors offered some suggestions on how to address their concerns including providing more staff resources to work on recreational issues important for management of the fishery (e.g., Gulf of Maine cod and haddock recreational fisheries bioeconomic model), move toward stability in regulations (e.g., based on recent experience with lack of stability in Gulf of Maine haddock measures for year to year) to allow for business planning, investigation of MRIP data including its uncertainties and limitations with respect to management of the fishery (e.g., concerns about using MRIP data for quota management), and experiments to reduce release mortality and improve catch handling techniques. The RAP recognized recent efforts by GARFO and NEFSC staff to consider recreational issues in the region and expressed their support that those efforts continue in the coming years.

**The meeting adjourned at 4:42 pm.**