

## **New England Fishery Management Council**

### **SUMMARY**

Monkfish Oversight Committee Meeting  
Best Western Wynwood, Portsmouth, NH  
**June 1, 2011**

One Committee member (Cunningham) was absent.

The primary purpose of the meeting was to review the Plan Development Team's (PDT) white paper on issues and considerations in separating the management of the two monkfish areas and develop recommendations on Amendment 6 for Councils' consideration at their June meetings. Amendment 6 is the action in which the Councils are considering catch shares management for the monkfish fishery. In response to the recent Management Review Report, NMFS requested an opportunity to discuss and take comments from committee members on the Strategic Plan for Cooperative Research 2011-2014. The Committee also reviewed the monkfish cooperative research priorities for the upcoming 2012 solicitation for proposals.

The staff presented the PDT's white paper. The main conclusions of the paper are:

- The weight of current scientific evidence suggests a single stock in U.S. waters, or, if more than one stock, mixing is likely extensive
- There are no legal impediments to managing a single stock as two separate units, either with different rules within one FMP or as two FMPs, but the Councils would need to coordinate management between the two areas, and also provide sufficient justification to NMFS that the separation is consistent with MSA National Standards.
- A substantial number of vessels currently catch monkfish in both areas, either as a directed fishery or incidentally in the same year. The Councils will need to consider how to address the operational aspects of vessels that rely on access to both areas. Since many groundfish stock areas overlap the two monkfish areas, the Councils will also need to consider how to accommodate groundfish sector vessels with ACE for those trans-boundary stocks.

The paper also outlined a number of other considerations with regard to vessel operations, administrative/enforcement matters, allocation and socio-economic factors.

Committee members initially discussed the issues and difficulties related to the management of a single stock under two FMPs. Several members stated early in the discussion that they could not support splitting the FMP; one noted that the NEFMC's efforts in recent years has been to devise ways to combine FMPs, especially in light of the movement toward ecosystems management. While managing the stock under one FMP with different sets of rules for the two areas presents some challenges, several commenters noted that such an approach is already done in groundfish, with the sector and common pool fisheries, and that the monkfish plan already has separate reference points and ACLs for the two areas. Regarding fishing in two areas on the same trip, one committee member noted that in the groundfish plan there are 5 stock areas and vessels can fish multiple areas on the same trip, so having two areas in monkfish should not present an obstacle to managing trans-boundary fishing.

A member of the public suggested that there should be a referendum in the Southern Management Area (SMA) to gauge the feelings of the industry regarding catch shares. He also stated that landings data may be an issue when used for individual allocations, and that vessels with history in the SMA might be disadvantaged under a history-based allocation system due to the more restrictive rules there. Another commenter stated that if individuals were provided their allocation prior to any referendum, they would be better able to decide whether they supported an individual allocation system.

The chair re-introduced the list of problem areas developed by the Advisory Panel (AP), and amended by the Committee, as the basis for developing a set of goals and objectives for Amendment 6. The AP list included:

- Latent effort
- Lack of continuous supply to processors
- Wasteful discards
- Inefficient vessel operation
- Lack of flexibility
- Geographic restrictions for permit Category H vessels (vessels limited to fishing off the Virginia/North Carolina coast.)

At the March 29 meeting, the Committee added to the list the following:

- Coordination of management regimes within geographic areas
- Full utilization of catch targets, and
- Protected species interactions.

A committee member suggested that a provision in Amendment 5 ameliorated much of the discard problem. Others responded that there are a number of other discard problems that need to be addressed, including the limitations presented by the incidental limit for groundfish sector vessels. Sector vessels that bump up against the incidental limit while fishing for some groundfish species must either discard the monkfish or leave the area and forego their ability to catch the ACE for the groundfish species. One member suggested that a goal of Amendment 6 could be “to achieve optimum yield or the ACL for other species.” Another member stated that he has been getting a lot of correspondence about the interaction between the skate fishery and the monkfish fishery, and that a substantial number of skates are being discarded by monkfish vessels.

At this point, the chair entertained a motion to formalize the discussion.

### **Motion**

To accept the AP list of problems as a problem statement for setting goals and objectives and to add that monkfish catch limits may be preventing full utilization of other species' ACLs (Odlin/Avila)

It was noted that the Committee had previously discussed the AP list and had added several items to the list, therefore:

### **Motion perfect by friendly amendment**

To accept the AP list of problems as modified by the committee as a problem statement for setting goals and objectives and to add that monkfish catch limits may be preventing full utilization of other species' ACLs

Several Committee members commented that the bullet list of problems lacked specificity. One asked, "what is meant by 'latent effort'?" Another questioned the details (where, when, why and how much) of the "excessive discards" item. Members then suggested that the PDT be tasked with substantiating and describing the details of the problems identified in the list. The AP chair offered to engage the AP in further describing the issues, as a way of guiding the PDT analysis.

### **Motion to substitute**

To task the PDT to develop problem statements based on the list of issues identified by the AP as modified by the committee. The PDT should develop the problem statements based on committee discussion and further input from the AP. The problem statements should be developed for the next committee meeting with the intent that the committee will develop goals and objectives in time to present to the full NEFMC at the September or November meeting. (Grout/Preble, **motion to substitute passed unanimously**)

### **Substitute motion passed unanimously.**

Following the lunch break the Committee heard the following:

### **Motion**

Recommend to the Councils that they do not split the FMP into two FMPs (Preble/Berg)

The maker of the motion explained that the NEFMC has spent five years trying to reduce the complexity of FMPs, and needs to consolidate rather than subdivide FMPs as a move toward ecosystem FMPs. This view, he noted, does not preclude the Councils' ability to manage the fishery differently in the two areas. Secondly, he noted that it is uncertain but likely that we are managing a single stock, or at least substantial movement between areas, which would complicate the management under two FMPs.

Commenters who supported the motion said that the coordination of management under two FMPs would be a greater problem than if the fishery were managed under one FMP, even with different rules. They also said that vessels that fish in both areas would be disproportionately impacted by being managed by two FMPs; some vessels travel seasonally between the two areas, and some fish the two areas on the same trip. One Committee member who opposed the motion said the joint plan would be unwieldy, while managing the two areas under separate FMPs would

be simpler. A couple of members of the public felt the motion was premature, and that the MAFMC should have an opportunity to discuss both alternatives before deciding. One Committee member noted that this a motion to not do something, and it should probably be reworded as a positive recommendation.

**Motion perfected by friendly amendment**

Recommend to the Councils that they manage the monkfish fishery under a single FMP  
**(motion passed 8-2)**

The Committee then embarked on a discussion to further specify and define the problem of “latent effort”. One Committee member noted that in groundfish sectors, only a portion of the vessels are active, and the monkfish permits on the inactive vessels are “latent” permits, which could be activated from year to year. Another source of latent effort is with the permits that have been bought by permit banks.

Committee members also discussed other ways to identify latent permits, such as those that haven’t landed monkfish in the past five years or since the inception of the FMP. Some vessels, they noted, haven’t landed any fish in recent times. Another approach would be those vessels that haven’t used a monkfish DAS over a period of time. The Committee generally concurred with the NMFS staff who suggested looking at the break points or inflection points in various permit and effort data as a way of specifying the scope and magnitude of latent effort.

The Committee then heard a presentation by NEFSC staff on the Strategic Plan for Cooperative Research 2011-2014. The item was on the agenda as a follow-up to one of the recommendations of the recent Management Review. Committee members had no substantial comments at this meeting, but will have another opportunity at the NEFMC June meeting. The Committee also made no changes to the monkfish cooperative research program priorities for 2012.