

New England Fishery Management Council

SUMMARY

Monkfish Oversight Committee Meeting

Sheraton Harborside, Portsmouth, NH

March 29, 2011

One Committee member (Libby) was absent.

The primary purpose of the meeting was to review the scoping comments and Advisory Panel (AP) recommendations on Amendment 6 to the Monkfish FMP. Amendment 6 is the action in which the Councils are considering catch shares management for the monkfish fishery. In response to comments received during scoping about the impact of exempted fishery permits (exemptions to the trip limit) issued to vessels engaged in cooperative research under the Research Days at Sea (DAS) Set Aside program (RSA), the meeting agenda also included a review of PDT analysis of the RSA program. The Committee will report to the Councils at their April meeting.

The staff presented a summary of the scoping comments on Amendment 6. A member of the PDT presented an analysis of the impact of the exempted fishery permits on landings and gear usage over the past three years, and another member presented a summary and results of the Gulf of Maine Research Institute's monkfish cooperative research projects. Following those presentations, the chair of the AP presented the report of the AP meeting on March 9th, which included recommendations on the RSA exempted fishery program, as well as on the Amendment 6 scoping comment review.

During her presentation, the chair stated that after consideration of the public comments concerning trip limit exemptions in the RSA program, **the AP recommends that the Council write to the director of the Cooperative Research Program to request an outreach program to increase participation in the research set aside program, and also that the Councils consider converting the DAS research set aside to a quota set aside.** The Committee was provided with the *Federal Register* notice, request for comments, for two RSA exempted fishery permits for the 2011 fishing year. One of the public's concerns with the current situation regarding the trip limit exemptions is that the RSA effort is concentrated in a relatively small area in Southern New England, and the EFP's result effectively in a quota amounting to about 10% of the SNE catch target, although the RSA DAS are pooled from vessels throughout the range of the fishery. The purpose for the outreach letter request is to broaden vessel participation and distribute the effort over a wider area to mitigate some of the effort-concentration impacts.

Since any changes to the RSA program other than to the exempted fishery permit conditions would require regulatory action by the Councils (i.e., a framework or amendment), the Committee did not take any action to propose such changes at this time. Furthermore, if Amendment 6 proceeds to develop a catch shares management program for the monkfish fishery, the RSA program would have to be revised to be consistent with the new approach, since DAS and possibly trip limits would no longer be a component of the plan. Since the comment period

on the 2011 exempted fishery permit proposals ends before the two Councils have their meetings, Committee members agreed that individually they could respond to the request for comments if they were so inclined.

The Committee then proceeded to discuss Amendment 6, in the context of the public comments and AP recommendations. Those recommendations included that the Councils consider separating the management approaches in the two management areas, and also the possibility of creating independent FMPs for the two areas.

Consensus

To direct the staff/PDT to prepare a white paper outlining the issues and considerations in (a) having separate and different fishing rules in the two management areas, and (b) having two separate and independent FMP's with the NEFMC having the sole authority over the northern area and the MAFMC having sole authority over the southern area.

Comments on this proposal included:

- Consideration should be made for vessels that fish in both areas over the course of the year, during individual trips, or year-to-year, including any catch history used as a basis for allocation
- The location and impact of the current boundary line should be re-evaluated
- The legal and biological aspects of this proposal need to be discussed, including the potential outcome of research into the stock structure that may definitively establish a single-stock condition, or a two-stock condition with stock boundary that is different than the current management area boundary.

The Committee then considered the list of issues with the current management plan that was developed by the AP, as follows:

- 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

One Committee member stated that for vessels in groundfish sectors, the maintenance of a groundfish DAS system simply to facilitate monkfish DAS usage, is an administrative burden for both NMFS and for vessel owners, especially in the northern area. The Committee suggested adding the following to the list of issues:

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

On the issue of latent effort, Committee members questioned the definition, and suggested that there may be different categories of latent effort, which pose different risks to the management of the fishery. They agreed that the subject of latent effort be discussed in the white paper, including proposed definitions or types of latent effort and their implications for management. One member noted that while some limited access vessels may not be currently directing their effort on monkfish, they all qualified for a permit based on their monkfish effort during the qualification period. Several public commenters suggested that vessel owners consider all circumstances in their decisions whether to direct on monkfish in any given year, and that those circumstances change over time, for example, the abundance and availability of alternative fisheries.

One Committee member commented that another problem with the management of the monkfish fishery is that vessels that reach their monkfish trip limit have to move and shift effort elsewhere, resulting in the inability to fully utilize available catch of other species, such as grey sole or dabs that are caught along with monkfish on directed tows. In some cases, this situation results in substantial monkfish discards.

The Committee then proceeded to discuss the problems experienced by the Category H vessels. These vessels are constrained geographically and temporally by a combination of Monkfish FMP rules, state regulations and turtle protection closures, as well as by the seasonal availability of monkfish in that area. The AP chair noted that those fishermen supported catch shares because they felt it would enable them to fully utilize their monkfish resource within the other constraints. Another commenter responded that their view has since change as they learned about the trip limit overage provision in Amendment 5, and that they no longer support catch shares management.

Committee members suggested that the issues outlined above could form the basis of a set of goals and objectives that may be recommended to the Councils for Amendment 6.

The meeting adjourned about 3 pm.