

## NEW ENGLAND FISHERY MANAGEMENT COUNCIL

### Monkfish Status Sheet

#### I. STATUS

- A. Meetings: The Committee has not met since the last Council meeting. The Scientific and Statistical Committee (SSC) met on August 20<sup>th</sup> to review PDT analyses, and finalize its recommendation on Allowable Biological Catch (ABC).
- B. Amendment 6: In Amendment 6, the Councils are considering adopting catch shares management for the monkfish fishery, as well as modifications to the current management system, including a days-at-sea leasing program. The Council approved Amendment 6 Goals and Objectives at its November, 2011 meeting. The Committee and Advisory Panel are in the process of developing a range of alternatives for public hearings, including modifications to the current management system, a days-at-sea leasing option, sector management and individually transferrable quotas (ITQs). Based on discussions at the April NEFMC meeting, the Committee considered, but took no action pending input from the Advisory Panel, on whether to remove ITQs from further consideration in the amendment.
- C. Updated Assessment and Specifications for the 2014-2016 fishing years (Framework 8): The Council initiated Framework 8 at its June meeting to implement revised specifications of DAS and trip limits for FY2014-2016. At this meeting, the Council will consider approving a range of alternatives for modifications to the specification of trip limits and DAS and a proposed revision to the area boundary for the permit category H fishery. At its May 29-30 meeting, the Committee approved a number of motions outlining the options it wants the PDT to analyze for consideration in Framework 8 based on updated catch information. Pending approval of final action by both the NEFMC and MAFMC in November and December, respectively, Framework 8 will be implemented near the start of the 2014 fishing year. In the interim, current specifications will remain in effect, in accordance with the FMP regulations.
- D. 2013 Emergency Action: On February 25, 2013, NMFS published a proposed rule and request for comments (*78 Federal Register 12708*) in response to a request by the NEFMC that the agency take emergency action to alleviate the substantial social and economic harm to groundfish and monkfish fisheries and associated fishing communities anticipated under severe reductions in 2013 catch limits for some important groundfish stocks in the northern management area. The intent of the Council in making the request was to provide additional fishing opportunities to affected vessels while simultaneously achieving full utilization of the monkfish catch targets. The Council's original request, reflected in the proposed rule, was to eliminate the monkfish trip limits while a vessel is fishing on a groundfish DAS in the Northern Management Area (NMA), but NMFS, in consideration of comments received and its analysis of potential impacts of such an action, announced on April 16<sup>th</sup> that it would be removing the trip limit only while a vessel is on a monkfish DAS. At its April 23-25 meeting the NEFMC voted to request that NMFS reconsider its decision and modify the action to implement the trip limits currently applicable to vessels fishing on a monkfish DAS to all vessels fishing on a groundfish DAS in the

NMA. On April 30, NMFS published an emergency temporary rule implementing the emergency action as announced with the following changes from the proposed rule: both sector and non-sector vessels fishing on a monkfish DAS (not a groundfish DAS) are exempt from monkfish trip limits in the NMA, (*78 Federal Register 25214*) This rule is in effect for 185 days and will expire on October 27, 2013, unless extended, or modified by NMFS through the end of the fishing year, April 30, 2014. NMFS' consideration of modification and/or extension is pending

## **II. COUNCIL ACTION**

**Motion:** Consider approving a range of alternatives for analysis and further consideration in Framework Adjustment 8 to the Monkfish FMP to implement revised specifications of DAS and trip limits for FY2014-2016, and other modifications to the current management plan, including changes to the boundary of permit Category H fishery.

## **III. INFORMATION**

1. September 3, 2013 memo from the SSC to Thomas Nies - Review of monkfish biological reference points and interim ABC control rule and develop updated recommendations to Council
2. Draft Framework 8 Range of Alternatives for consideration and approval



## New England Fishery Management Council

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Ernest F. Stockwell III, *Acting Chairman* | Thomas A. Nies, *Executive Director*

**To:** Tom Nies, Executive Director  
**From:** Scientific and Statistical Committee  
**Date:** September 3, 2013

**Subject: Review of monkfish biological reference points and interim acceptable biological catch (ABC) control rule and develop updated recommendations to Council**

The SSC met on May 16, 2013 to address the following terms of reference (TORs):

- 1) Review information provided by the Monkfish Plan Development Team (PDT) in response to request from the SSC.
- 2) Specify OFLs and develop ABC recommendations for both the northern and southern management areas for fishing years 2014-2016. ABC recommendations should be provided under the current control rule and under any new control rule that the SSC might recommend.

The SSC considered the following documents in its deliberations:

1. Monkfish PDT Responses to SSC Questions (Memo to SSC, July 31, 2013)
2. SSC Report on Monkfish ABCs May 2013 (Memo from SSC to Council re biological reference points and interim ABC control rule, May 29, 2013)
3. Monkfish PDT Recommendations on OFL ABC (Memo to the SSC, April 30, 2013)
4. Monkfish Assessment Update 2013 (pre-publication copy)
5. SSC Report on Monkfish - September 2010 (Memo from the SSC to Council Ex. Dir.)

During its May 16, 2013 meeting, the SSC determined that additional analyses and alternatives were needed before ABC and OFL advice for monkfish could be provided. Specifically, the SSC requested that:

- OFL/ABC options be developed after applying adjustments for retrospective bias, per the advice of the peer review panel.
- ABC options (be) developed using alternative values of  $F_{ABC}$  such as  $75\%F_{MAX}$ ,  $F_{40\%MSP}$ , and others that the PDT would like to propose.

The first request was made due to concerns among the SSC about the inconsistency inherent in using fishing mortality values from the assessment time series that had not been adjusted for retrospective bias in combination with biomass estimates that had been adjusted, at least in the terminal year. The second request above was made in light of warnings from the PDT that retrospective adjustments of that type are beyond the scope of work typically conducted after the conclusion of an assessment process and might not be possible. The SSC was therefore looking for approaches that used fishing mortality values estimated independently of the assessment model.

The PDT attempted to address both requests from the SSC, and the SSC wishes to express its gratitude for those efforts. Ultimately, the PDT could not provide alternatives based on

retrospective-adjusted fishing mortality values due to analytical difficulties detailed in the PDT report to the SSC (document #1 above).

The SSC considered the alternatives provided by the PDT that utilized fishing mortality rates estimated independent of the assessment model (75% of the  $F_{MSY}$  proxy and  $F_{40\%MSP}$ ). However, the SSC concluded that these  $F$  estimates are too dependent upon age-based life history parameters (growth, mortality, maturation) that are too uncertain in light of difficulties with ageing monkfish.

In the report to the Council following the May 16, 2013 meeting, the SSC expressed interest in also considering status quo ABCs for the two monkfish management areas. Ultimately, the SSC concluded that status quo ABCs of 7,592mt for northern management area and 12,316mt for the southern management area represent the best advice the SSC can provide at this stage. This advice is based in part on the concerns and analytical difficulties inherent in the other options presented by the PDT, as discussed above.

Furthermore, despite its uncertainties, the assessment suggests that both stocks are above the biomass targets, fishing mortality is below  $F_{Max}$ , and survey trends are stable or increasing. Those outcomes give confidence in the status of the stock, and suggest that drastic reductions in catch are not warranted. Conversely, retrospective patterns persist in both assessment models, recent recruitment rates have been lower than average, and the uncertainties in age-based demographic parameters alluded to above all raise concerns about our perception of the stock. Those concerns suggest that drastic increases in catch are also not warranted. Status quo ABCs balance these conflicting considerations.

The SSC recommends that OFL for both monkfish stocks be set using the  $F_{threshold}$  values estimated in the assessment update applied to the 2014 exploitable biomass projected from the terminal year of the assessment (i.e., option 2 under “ABC Control rule” in Tables 2a and 2b document #1 above). This gives values of 17,805mt for the northern stock and 23,204mt for the southern stock. The SSC felt it was appropriate to use the existing control rule to calculate OFL, but not ABC, because the OFL calculation does not use fishing mortality rates estimated from the assessment model. This means that the inconsistency created by using biomass values adjusted for retrospective bias and fishing mortality rates that are not adjusted is not a concern.

The SSC discussed whether a new benchmark assessment for monkfish is warranted, and concluded that a benchmark should only be conducted after new research into ageing of monkfish being led by Dr. Graham Sherwood at the Gulf of Maine Research Institute and Crista Bank at UMass-Dartmouth, in collaboration with SSC member Dr. Jon Grabowski of Northeastern University, has been completed and peer-reviewed. The SSC reached this conclusion because the severity of concerns over likely ageing errors means that any other changes to the assessment are not warranted until this primary concern is addressed.

Finally, the SSC briefly discussed the merits of the existing ABC control rule for monkfish, especially in light of the recommendation to retain status quo ABCs and therefore not apply the control rule to the outcomes of the assessment update. The control rule was intended to be an interim or ad hoc approach for a data-poor resource until improvements in the assessment, notably improved age data, could be implemented. However, questions have been raised about the rationale for the control rule, especially the large difference in  $F_{ABC}$  value and resulting catch advice for the two stocks that do not seem to be consistent with the status of each. The SSC was not able to have a

thorough discussion along these lines with the time at hand, but recommends that time be dedicated for such a discussion, especially if new age information results in a major change to the assessment approach or outcomes.

#### Summary of recommendations

- 1. Acceptable biological catch (ABC) for the two monkfish stocks remains at the status quo levels of 7,592mt for the northern stock and 12,316mt for the southern stock.**
- 2. The overfishing limits (OFL) for the two monkfish stocks are updated to 17,805mt for the northern stock and 23,204mt for the southern stock.**
- 3. The accuracy of age estimates for monkfish remains the most significant concern, and a new benchmark assessment should be conducted when and if new information comes to light that changes our perception of the life history of the species.**
- 4. The rationale for the ABC control rule currently in place, originally intended as an interim approach, should be revisited and possibly revised.**

## **Monkfish FMP**

### **Draft range of alternatives for consideration in Framework Adjustment 8**

**Sept. 26, 2013**

#### **SMA Specifications Alternatives:**

**SMA Alternative 1 No Action:** 28DAS, Trip limits (tail wt. per DAS) 550lbs. (permit categories A &C) lbs.and450 lbs. (permit categories B, D&H)  
*Results in catch observed in 2011-12 does not achieve OY (the ACT)*

**SMA Alternative 2:** modify trip limit to account for tail-whole weight conversion correction- tail weight trip limits of 610lbs. (permit categories A &C) and 500 lbs. (permit categories B, D&H); adjust DAS accordingly

**SMA Alternative 3:** Maintain current trip limits (550 lbs. for permit categories A &C, and450 lbs. for permit categories B, D &H) and adjust DAS to achieve the ACT.

**SMA Alternative 4:** Maintain current DAS (28) and adjust trip limits to achieve the ACT

#### **Other SMA Alternatives:**

**SMA GF/MF DAS usage Alternative1 No Action:** Vessels allocated both monkfish and groundfish DAS must use groundfish DAS in combination with their monkfish DAS until their allocation of groundfish DAS is used up, at which time the vessels may use monkfish-only DAS

**SMA GF/MF DAS usage Alternative 2:** Vessels allocated both monkfish and groundfish DAS can use monkfish-only DAS (in excess of allocated groundfish DAS) at any time until the allocation of groundfish DAS equals the remaining monkfish DAS, at which time, the vessel must use both monkfish and groundfish DAS in combination

**Permit Category H fishery Boundary Alternative 1- No Action:** vessels issued a monkfish category H permit may only fish on a monkfish DAS south of 38°40' N Lat.

**Permit Category H fishery Boundary Alternative 2;** move the permit category H boundary to correspond to the SMA/NMA boundary line

#### **NMA Specifications Alternatives:**

**NMA Alternative 1-** No Action: 40 DAS, Trip limits (tail wt. per DAS)  
1,250lbs. (permit categories A & C) and 600 lbs. (permit categories B & D).  
*Results in catch observed in 2011-12 does not achieve OY (the ACT)*

**NMA Alternative 2** -maintain the status quo possession limits of 1,250 lbs.  
(permit categories A & C) and 600 lbs. (permit categories B, & D) and adjust  
the NMA DAS to achieve ACT

**NMA Incidental Limit Alternative 1 –No action**      The incidental limit  
for monkfish when a vessel is on a groundfish, but not a monkfish DAS in the  
NMA is up to 25% (tail weight basis) of the total weight of fish on board, not  
to exceed 300 lbs. (tail wt. per DAS)

**NMA Incidental Limit Alternative 2-** Increase the monkfish incidental limit  
while on a groundfish but not a monkfish DAS in the NMA to 600 lbs. (permit  
categories A & C) and 500 lbs. (permit categories B, & D), tail weight 6 per  
DAS, and eliminate the maximum of 25% of total weight of fish on board

#4

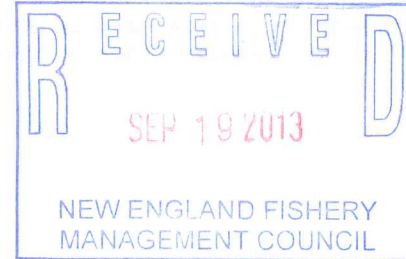
**ASSOCIATED FISHERIES OF MAINE**

PO Box 287, South Berwick, ME 03908

September 18, 2013

Mr. Terry Stockwell, Acting Chair  
New England Fishery Management Council

VIA ELECTRONIC MAIL



Dear Terry:

The Emergency Action for monkfish will expire in October unless renewed by the NMFS for an additional six months.

I write to urge the Council to reiterate to the NMFS the recommendation made by a strong majority (13-2) at your April plenary session:

*The Council requests that the NMFS expedite modification of the final rule for the monkfish Emergency Action to increase the monkfish possession limit while fishing on a **groundfish** day at sea as follows: 600 lbs. (tailweight) per groundfish DAS for category D vessels and 1200 lbs (tailweight) per groundfish DAS for category C vessels in the NFMA only. (See attached correspondence from the Council to the NMFS.)*

It is important to note that the draft Framework Adjustment 8 includes an alternative, which was unanimously approved by the Monkfish Committee, to increase the monkfish possession limit while fishing on a groundfish DAS. While the Committee's recommendation differs from the Council's Emergency Action request with respect to the poundage increase, the intent to increase the possession limit while fishing on a groundfish DAS is the same.

The Council's monkfish Emergency Action recommendation was intended to provide economic relief from the restrictive groundfish regulations. To date, none of the Council's groundfish mitigation recommendations have been implemented by the NMFS and therefore there has been no economic relief for the industry.

Sincerely,

*M. Raymond*

Maggie Raymond



#13



New England Fishery Management Council

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C.M. "Rip" Cunningham, Jr., *Chairman* | Thomas A. Nies, *Executive Director*

May 28, 2013

Mr. John Bullard  
Regional Administrator, Northeast Region  
National Marine Fisheries Service  
55 Great Republic Drive  
Gloucester, MA 01930

Dear John:

As you are aware, in consideration of NMFS' decision regarding the monkfish emergency action, to remove the monkfish trip limits while a vessel is on a **monkfish** day-at-sea (DAS) in the Northern Management Area (NMA), the Council voted (13/2/0) on April 25 the following motion:

*the Council requests the NMFS to expedite modification of the final rule on the monkfish Emergency Action to increase the monkfish possession limit while fishing on a **groundfish** DAS as follows: 600 lbs. (tail weight) per groundfish DAS for Category D vessels and 1,250 lbs. (tail weight) per groundfish DAS for Category C vessels in the NFMA only.*

This request revises the Council's original request to eliminate the monkfish trip limit for sector vessels fishing on a groundfish DAS in the northern area, an alternative that was considered but not adopted in the Emergency Action. The current request differs from the initial one in that it would not allow unlimited landings of monkfish on all groundfish DAS trips, but would apply current monkfish DAS trip limits on those trips.

The purpose of this request is to provide economic relief from restrictive groundfish regulations for vessels landing both monkfish and groundfish. As explained in earlier correspondence, the Northeast Multispecies Fishery is facing reduced Annual Catch Limits in FY 2013 for several key stocks. The most restrictive quotas are for the key stocks of Gulf of Maine cod and Georges Bank cod and will result in large reductions in revenue on groundfish fishing trips. Framework (FW) 48 suggested that revenue declines could be on the order of 40-60% from FY 2012, and several alternatives in FW 48 attempt to partially mitigate revenue losses.

The expected revenue declines are large enough that changes should not be limited to groundfish regulations. The requested emergency modification to the monkfish trip limit could increase the revenues on groundfish trips and provide a small measure of relief.

Concerns over this request might include the possibility of causing overfishing in either the Northern or Southern Management Areas (SMA) and a possible shift in monkfish fishing effort from the northern area to the southern area. In terms of potential overfishing, only 54% of the NMA target total allowable landings (TAL) and 45% of the SMA target TAL were landed in fishing year 2012 so substantially more monkfish could be landed without exceeding the TALs and would come closer to achieving optimum yield from the fishery. Since Emergency Action is limited to six-months, any action can be evaluated over this relatively short interval to make sure it does not cause the TALs to be exceeded.

In terms of vessels possibly shifting effort to the SMA, the Council believes this is not a significant concern. Historically, the majority of vessels that fish in the NMA have not used their DAS allocations (in either area) because it is not profitable for them to do so. The lower monkfish trip limits in the SMA vessels make it even less economically feasible for NMA vessels, particularly trawlers, to use their DAS in the SMA. The Council's Monkfish PDT, however, stated that the potential for an effort shift is a valid concern but cannot be quantified or projected with any acceptable degree of precision. If the Council's request is approved, effort should be closely monitored to detect any large-scale shifts so that the action can be modified if necessary.

In approving the motion requesting Emergency Action, Council members considered public comment that the current Emergency Action rule would not achieve its intended purpose of alleviating the financial impact of 2013 groundfish quota cuts because the monkfish incidental limit applicable when a vessel is on a groundfish DAS constrains the ability of the fleet to land the full amount of the monkfish annual landings target.

If you have any questions, about this request, please contact me.

Sincerely,



Thomas A. Nies  
Executive Director

cc: Dr. Christopher Moore, MAFMC Executive Director



# NORTHEAST SEAFOOD COALITION

September 12, 2013

Mr. John K. Bullard, Regional Administrator  
National Marine Fisheries Service  
55 Great Republic Drive  
Gloucester, MA 01930



Dear Mr. Bullard,

On 11 March 2013, the Northeast Seafood Coalition submitted comments to the proposed rule to implement an emergency action for the monkfish fishery (please see enclosure). You will recall the intention of the emergency action is to help mitigate adverse economic and social harm resulting from substantial across-the-board groundfish Annual Catch Limit (ACL) reductions by providing additional fishing opportunities.

In the March letter, NSC supported efforts to liberalize existing monkfish input controls in the Northern Fishery Management Area. Based on input from stakeholders, NSC recommended increasing allocated monkfish DAS for Monkfish Category C and D permits. This recommendation was based on the fact that the daily possession limit had not been the constraining factor for C and D monkfish vessels. Instead, the constraint had been on the number of limited access monkfish days allocated. NSC and its stakeholders felt these recommendations, along with others noted in the submitted comments, would appropriately achieve the emergency action's intended purpose: more fishing opportunities for vessels affected by groundfish ACL reductions.

Our members and their Northeast Fishery Sector organizations are in the midst of a crisis that will continue now for many years. Groundfish-dependent businesses and communities need all possible mitigating opportunities to survive the low ACLs. We strongly urge you to reconsider the implemented emergency action to reflect the recommendations of the NSC. We believe these recommendations will provide more fishing opportunities for vessels, and in turn will provide desperately needed economic mitigation to the fleet.

Sincerely,

Jacqueline Odell  
Executive Director

cc Tom Nies, New England Fishery Management Council Executive Director  
Phillip Haring, New England Fishery Management Council Monkfish Plan Coordinator  
Tom Dempsey, New England Fishery Management Council Monkfish Oversight Committee Chair  
Douglas Christel, National Marine Fisheries Service Fishery Policy Analyst

Enclosure

# NORTHEAST SEAFOOD COALITION

March 11, 2013

John Bullard  
Regional Administrator  
National Marine Fisheries Service  
55 Great Republic Drive  
Gloucester, MA 01930

Dear John,

The Northeast Seafood Coalition (NSC) submits the following comments for the proposed rule to implement a temporary emergency action for the monkfish fishery.

NSC supports the effort to liberalize the existing monkfish input controls in the Northern Fishery Management Area (NFMA) for the purpose of mitigating the adverse economic impacts of the annual catch reductions for key groundfish stocks. However, to accomplish this goal, NSC offers the following recommendations to provide necessary fishing opportunities to vessels affected by the reductions without resulting in overfishing monkfish within the NFMA.

- For Monkfish Category C and D Permits, increase the number of allocated monkfish DAS from 40 DAS to 60 DAS.
- For Monkfish Category E Permits increase the proportion of total fish on board for monkfish (tail weight) from up to 25% of the total weight of fish onboard to up to 50% of the total weight of the fish onboard.
- Maintain the existing possession limit on all Monkfish Permit Categories.
- Allow for a running clock provision for Monkfish Category C and D Permits. Such a provision would allow monkfish caught on a trip which is in excess of the possession limit to be landed and covered by the appropriate number of days. (Note: the intent of this provision is to continue to charge monkfish DAS for the entire trip by days absent (as it is currently) plus any additional days necessary to cover an overage.)

NSC's recommendations set forth above are intended to provide opportunities for the NFMA while minimizing any unintended consequences to the resource. Furthermore, modifications made in the NFMA should not inadvertently increase fishing effort in the Southern Fishery Management Area.

Thank you for your consideration,

*Jackie Odell*

Jackie Odell  
Executive Director