

4.2 Alternatives considered but rejected

The Monkfish Committee considered the following alternatives during the development of this amendment, but did not recommend them to the Councils for consideration for the reasons discussed.

4.2.1 Single-stock management

In response to scientific inquiry at stock assessment workshops, the Committee considered a single stock approach to monkfish management. The most recent SARC (SARC 34) commented that, while some scientific information suggests there is a single stock throughout the northeast, other information supports the current two-stock approach, and the evidence overall is inconclusive. The SARC noted that the choice of management units is independent of the number of assessment units, but that if it is managed as a single unit (thereby reducing the complexity of the FMP) there is the potential to overfish one stock, if in fact multiple stocks are contained in the management unit. In recognition of this advice, and of the significantly different characteristics of the monkfish fisheries between the two areas, the Committee recommended taking no action on this proposal and retaining the current two-stock assessment and management approach.

4.2.2 Individual vessel quotas

The process described in Section 4.1.1.1.4 for allocating individual shares of a pool of DAS for the directed fishery could also be applied to allocations of individual vessel quotas. The process of calculating shares would be done as in the Individual DAS alternative, except that baseline shares would be based on pounds landed on directed trips during the baseline period applied to the total landings by contributing (directed) trips. Expected total catch under incidental catch limits would be calculated and deducted from the TAC to determine the total catch available for the individual vessel quotas. As with the individual DAS alternative, quota shares could be leased or sold, with a cap placed on the total share any single vessel could hold in a given year. For enforcement purposes under this option, on trips where vessels would be fishing under their individual quota, the vessel would still be required to call in and identify the trip as a directed trip. The call-in would facilitate quota monitoring and minimum mesh size regulation enforcement. On trips where the vessel does not call in, the incidental catch limits would apply. The Committee's recommendation to not consider this alternative in Amendment 2 is based on members' concerns that developing an IVQ proposal would risk delaying the amendment due to the proposal's complexity, controversy and resource requirements (to fully develop the alternatives).

4.2.3 Measures to protect sea turtle/gillnet interactions

The Councils originally considered including in this amendment specific measures to address Goal VI, and specifically the immediate problem of sea turtle catches in the large mesh gillnet fishery south of 38°N. NMFS Protected Resources Division, which has been working with the Plan Development Team toward development of alternative measures, informed the Monkfish Committee that there are no known gear modifications that would be expected to minimize the number or severity of sea turtle interactions with monkfish gillnet gear, and that the analysis of sea surface temperature data (which is essential to developing time/area based measures) is not ready for application to management measures. The Councils are addressing this interaction in this amendment by including actions to address interactions with protected species in the list of actions that can be taken under the framework adjustment process (Section 4.1.7). With this in place, when the temperature data analysis is completed and alternative time/area closure alternatives are

developed, or when gear-based alternatives become available, the Councils can consider the alternatives in a streamlined process rather than the more time-consuming amendment process. The Councils note here that the experimental fishery incentives outlined in Section 4.1.10 will help promote research into minimizing fishery interactions with protected species.

4.2.4 Modification of permit qualification for south of 38° N

The Committee considered the following options, but following September, 2002 scoping hearings and further analysis it is recommending they not be considered in the amendment. All of these alternatives would have allowed substantially more vessels into the limited access program than the alternatives being considered. (Alternative numbers refer to the alternative number in the original list under consideration by the Committee.)

Alternative 3: Qualify vessels for monkfish limited access permits which landed the qualifying amounts specified in the original FMP during the four year period prior to June 15, 1998.

Alternative 4: Qualify vessels for monkfish limited access permits which landed the qualifying amounts specified in the original FMP during the four year period prior to June 15, 1997.

Alternative 7: Qualify vessels for monkfish limited access permits which landed the qualifying amounts specified in the original FMP between March 15 - June 15 during the four year period prior to June 15, 1998.

Alternative 8: Qualify vessels for monkfish limited access permits which landed the qualifying amounts specified in the original FMP between March 15 - June 15 during the four year period prior to prior to June 15, 1997.

4.2.5 DAS Counting

The Councils considered three options that would have modified how the first day, or partial days are counted under the monkfish-only DAS system. If monkfish DAS are not separated from multispecies or scallop DAS on Category C and D vessels, then it would be impracticable to count the first day of a trip differently across plans where the DAS are used simultaneously.

4.2.5.1 Alternative 1, Option 3a - One landing per calendar day

This option would continue to use the current method of counting actual time between call-in and call-out, but would limit each vessel to only one landing at the per-day trip limit for each calendar day.

4.2.5.2 Alternative 1, Option 3b - Count partial days as a 24-hour DAS

This option would count DAS in whole day increments. A vessel on a trip less than 24 hours would have 24 hours deducted from its DAS allocation, and a vessel on a trip longer than one day would have 24 hours deducted from its allocation for the final day of the trip even if the only a partial day was used.

4.2.5.3 Alternative 1, Option 3c - Count first day as 24-hour DAS

This option would count the first day of a trip as 24 hours against the vessel allocation, even if the trip were less than one day. On trips over 24 hours, the time counted against the allocation would

be actual time between call-in and call-out. In other words, any partial day used at the end of a multi-day trip would be counted as actual time used.

4.2.5.4 Alternative 1, Option 3d - No action alternative

Under the current method of counting DAS, vessels other than gillnet vessels are charged actual time between call-in and call-out against their DAS allocation. Vessels can land a per-day trip limit of monkfish for any partial days of a trip. Gillnet vessels are charged a minimum of fifteen hours for trips over three hours, but actual time used for trips less than three hours. A gillnet vessel can land a per-day trip limit for either a trip less than three hours or a trip that charges 15 hours against the DAS allocation. This is the Committee's recommendation for a preferred alternative.

4.2.6 EFH Alternative 6 (Tilefish HAPC Closure)

This option proposed closing the Tilefish HAPC to monkfish fishing since tilefish has been defined as a species with EFH vulnerable to bottom mobile tending gear according to the Gear Effects Workshop (2001), and later approved by the New England Fishery Management Council (Appendix II). According to the spatial locations of the directed monkfish otter trawl trips from 1999 and 2001, a significant portion of them are within the tilefish HAPC. Since this area has been defined as important EFH for tilefish, this option would have prevented monkfish fishing in this area.

While recognizing that the Gear Effects Workshop (2001) indicated that tilefish EFH is vulnerable to bottom-trawling, recent information concludes that there is no evidence of trawling's negative impacts on tilefish habitat (Able and Muzeni, 2002). This recent information also supports the agency's decision upheld in court under *NRDC v. Evans*, (*Civ.No.CV9453-RMB*). While recognizing the protection to tilefish and other EFH that closing the Tilefish HAPC would afford, the Councils determined that including this alternative would be inconsistent with the Court's decision.

EFH Alternative 6 -Option 1: Closed to trawl gear only (on a monkfish DAS)

EFH Alternative 6 -Option 1: Closed to all gears on a monkfish DAS (trawl and gillnets)