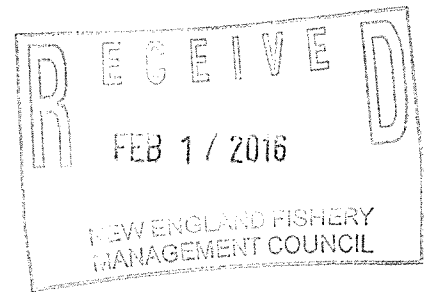


# Written Scoping Comments Regarding Limited Access

From Alec Jolman



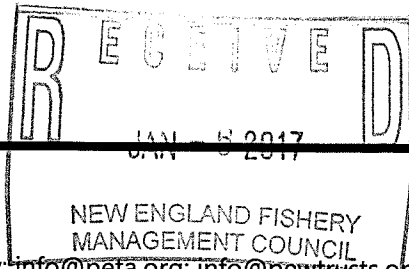
**Comments:**

In respects to the biophysical impacts, I believe the issue has been carefully considered. By recognizing that with other fisheries that have been overfished, and thus having stricter regulations, could bring in an influx of new fishermen to the skate fishery that could be detrimental. As the fishery is currently open access, anyone can harvest skate which can put the current populations at increased risk of overfishing. The New England Fishery Management Council has done a good job at using that risk as a call to action to address the issue before it becomes a bigger problem. Also considered was that each skate species could not be covered under a blanket permit or catch limit. What might be sustainable for one species, could perhaps not be sustainable for all species. By addressing each species individually if the proposed permit and catch limit system is put into place, many negative impacts will be avoided.

In regards to the social and cultural impacts, I believe that the cultural impact has been considered but not in depth. The culture in the area may be a deterrent for people to actually pursue the fish at all as a game species. In addition, a large influx of skate fishermen to smaller towns could drastically change the social and cultural norms of the area. This could easily occur in areas where the skate population is naturally high, as fishermen would be attracted to the area like moths to a flame. If the skate fishery becomes successful that could increase the amount of people who wish to live around that area which could negatively change the social aspect of the shoreline. The longstanding cultures and traditions of those small towns could be forever changed by these skate fishermen.

When considering the economic impacts presented by the proposed rule change I believe they have done a good job in dealing with these issues. By ensuring that the local skate fishermen who have been in the business for a while the permits instead of handing them out to every new skate fisherman coming into the area they are making sure that these local fishermen will still be able to support themselves. Also, by beginning to regulate this fishery they are making sure that the skate fishery will continue to be productive decades into the future. The influx of money from requiring fishermen to obtain licenses to pursue skate will also be of great benefit in helping to provide the funds necessary to regulate this fishery.

**Sherie Goutier**



**From:** Jean Public <jeanpublic1@yahoo.com>  
**Sent:** Thursday, January 05, 2017 5:09 PM  
**To:** comments; vicepresident@whitehouse.gov; info@peta.org; info@pewtrusts.org; americanvoices@mail.house.gov; informtion@sierraclub.org  
**Subject:** Re: public comment on federal register cut fishing quotas by 50%

this is teh same private agency that caused cod to be lost forever. these people dont know how to stop taking or overtaking so tha tthe species are lost. then when they are gone, they want general taxpayers to be taxed and gouged to "restore". we are sick of this scenario. i see no reason why we have any organizition called an "org making quotas on any fish species. we need to put this back into govt agencies and we need to cut the quotas being taken by 50%. this commetn is for the public record please receipt. jean publiee jeanpublic1@yahoo.com

[Federal Register Volume 82, Number 2 (Wednesday, January 4, 2017)]  
[Notices]  
[Pages 825-827]  
From the Federal Register Online via the Government Publishing Office [[www.gpo.gov](http://www.gpo.gov)]  
[FR Doc No: 2016-31864]

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

RIN 0648-XF094

Fisheries of the Northeastern United States; Northeast Skate Complex Fishery; Notice of Intent To Prepare an Environmental Impact Statement; Scoping Process; Request for Comments

AGENCY: National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

ACTION: Notice of intent to prepare a draft environmental impact statement and initiate scoping process; request for comments.

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SUMMARY: The New England Fishery Management Council announces its intent to prepare, in cooperation with NMFS, a draft environmental impact statement consistent with the National Environmental Policy Act. A draft environmental impact statement may be necessary to provide analytic support for Amendment 5 to the Northeast Skate Complex Fishery Management Plan. This notice alerts the interested public of the scoping process for a potential draft environmental impact statement and outlines opportunity for public participation in that process.

DATES: Written and electronic scoping comments must be received on or

before March 6, 2017.

ADDRESSES: Written scoping comments on Amendment 5 may be sent by any of the following methods:

Email to the following address: [comments@nefmc.org](mailto:comments@nefmc.org);

Mail to Thomas A. Nies, Executive Director, New England Fishery Management Council, 50 Water Street, Mill 2, Newburyport, MA 01950; or

Fax to (978) 465-3116.

Requests for copies of the Amendment 5 scoping document and

[[Page 826]]

other information should be directed to Thomas A. Nies, Executive Director, New England Fishery Management Council, 50 Water Street, Mill 2, Newburyport, MA 01950, telephone (978) 465-0492.

The scoping document is accessible electronically via the Internet at <http://www.nefmc.org>.

FOR FURTHER INFORMATION CONTACT: Thomas A. Nies, Executive Director, New England Fishery Management Council, (978) 465-0492.

#### SUPPLEMENTARY INFORMATION:

##### Background

The New England Fishery Management Council, working through its public participatory committee and meeting processes, anticipates the development of an amendment that may require an environmental impact statement (EIS) to meet applicable criteria in the Council on Environmental Quality regulations and guidance for implementing the National Environmental Policy Act (NEPA). Amendment 5 will consider limited access to the skate (bait and non-bait) fishery.

The Northeast Skate Complex is comprised of seven species (barndoor, clearnose, little, rosette, smooth, thorny, and winter skate), managed as a single unit along the east coast from Maine to Cape Hatteras, NC. The skate bait fishery primarily targets little skate, with a small component of winter skate catch. The non-bait fishery, including the wing fishery, primarily targets winter skate.

Following the first skate stock assessment in 1999, the Northeast Skate Complex Fishery Management Plan was adopted in 2003. Amendment 3 established an annual catch limit and annual catch target for the skate complex, total allowable landings for the skate bait and non-bait fisheries, seasonal quotas for the bait fishery, new possession limits, and in-season possession limit triggers.

The skate fishery is an open access fishery--any vessel may join or leave the fishery at any time. Skate fishermen are concerned that increasingly strict regulations in other fisheries--particularly in the Northeast Multispecies (groundfish) fishery where several stocks are overfished and subject to strict catch restrictions--might cause these fishermen to switch their fishing effort onto skates. An increase in effort in the skate fishery could cause the fishery to harvest its catch limit in a shorter time period, trigger reduced skate trip limits, or have other negative economic impacts on current participants since developing skate markets could be negatively impacted by a flood of product.

A control date for the bait fishery was established on July 30, 2009 (74 FR 37977). A control date for the non-bait fishery was established on March 31, 2014 (79 FR 18002). The control dates may be used as a reference date for future management measures related to such rulemaking.

The Council has initiated the development of this amendment to

address three issues:

Limited access qualification criteria that would determine whether vessels may target skate. These criteria may differ by stock or management area and may treat older history differently than newer history;

Limited access permit conditions (transfers, ownership caps, 'history' permits, etc.); and

Permit categories and associated measures.

The amendment's objective would be to establish qualification criteria for skate (bait and non-bait 'wing') fishing permits and possibly different qualification criteria or catch limits for each fishery, considering how they operate differently. For example, in the wing fishery, it may be desirable to have different permit tiers that distinguish between skate vessels that currently target skate, historically targeted, and/or vessels that catch and land small quantities. Qualification criteria might include several factors such as, but not limited to, the time period vessels have participated in the fishery (possibly using the control dates established for this fishery), historic levels of landings, and dependency on the fishery.

The Council may consider limiting access to the skate (bait and non-bait) fishery in a manner that may affect individual permit holder access to skates depending on the qualification criteria and other permit conditions developed. Based on individual fishing history, a vessel that has targeted skate may be distinguished differently from a vessel that caught and landed skates while fishing for other species. Landing limits for qualifiers and non-qualifiers could therefore be more consistent with the type of fishing that these vessels conduct in order to minimize discarding and economic effects. For example, the bait skate fishery currently requires a letter of authorization, but has substantially larger landing limits than the wing fishery. Some historic participants in the Northeast Skate Complex fisheries also may desire limited access privileges (a catch share program, for example).

Following the scoping period, the Council and its Skate Committee will identify the specific goals and objectives of the amendment and develop alternatives to meet the purpose and need of the action. With input from its committees and the public, the Council would select a range of alternatives to implement limited access in the skate fishery.

#### Public Comment

All persons affected by or otherwise interested in Northeast skate management are invited to comment on the scope and significance of issues to be analyzed by submitting written comments (see ADDRESSES) or by attending one of the six scoping meetings for this amendment. Scoping consists of identifying the range of actions, alternatives, and impacts to be considered. At this time in the process, the Council believes that the alternatives considered in Amendment 5 should include limited access to the skate fishery. After the scoping process is completed, the Council will begin development of Amendment 5 and, if necessary, will prepare a draft EIS to analyze the impacts of the range of alternatives under consideration. Impacts may be direct, individual, or cumulative.

The Council will hold public hearings to receive comments on the draft amendment and on the analysis of its impacts presented in the draft EIS. In addition to soliciting comment on this notice, the public will have the opportunity to comment on the measures and alternatives being considered by the Council through public meetings and public comment periods consistent with NEPA, the Magnuson-Stevens Fishery Conservation and Management Act, and the Administrative Procedure Act. Any amendment developed and approved by the Council would have to be approved and implemented by NMFS.

The Council will take and discuss scoping comments on this

amendment at the public meetings listed in Table 1.

[[Page 827]]

Table 1--Amendment 5 Public Scoping Meeting Information

Meeting date and time	Meeting location
Portsmouth, NH, Tuesday, January 24, 2017, 5:00 p.m. (or immediately following the Council Meeting).	Sheraton Harborside Hotel, 250 Market Street, Portsmouth, NH 03801 04101, Telephone: (603) 431-2300.
Via Webinar, Tuesday, January 31, 2017, 6:00-8:00 p.m. <a href="https://global.gotomeeting.com/join/194149773">https://global.gotomeeting.com/join/194149773</a>	Webinar Hearing, Register to participate: 194149773, Call in info: Toll: +1 (646) 749-3122, Access Code: 194-149-773.
Buzzards Bay, MA, Tuesday, February 7, 2017, 6:00 p.m.-8:00 p.m.	Mass Maritime, 101 Academy Drive, Buzzards Bay, MA 02532, Telephone: (508) 830-5000.
Narragansett, RI, Thursday, February 9, 2017, 6:00 p.m.-8:00 p.m.	Graduate School of Oceanography, Coastal Institute Building--Hazard Room, 215 S Ferry Rd, Narragansett, RI 02882, Telephone: (401) 874-6222.
Montauk, NY, Wednesday, February 15, 2017, 6:00 p.m.-8:00 p.m.	Montauk Playhouse Community Center Foundation, Inc., 240 Edgemere St., Montauk, New York 11954, Telephone: (631) 668-1124.
Cape May, NJ, Thursday, February 16, 2017, 6:00 p.m.-8:00 p.m.	Grand Hotel of Cape May, 1045 Beach Avenue, Cape May, NJ 08204, Telephone: (609) 884-5611.

A scoping document with additional background information is available on the Council's Web site at <http://www.nefmc.org/management-plans/skates> or may be obtained by contacting the Council. Additional information on the scoping meetings can be accessed online at <http://www.nefmc.org/>.

Special Accommodations

The meetings are accessible to people with physical disabilities. Requests for sign language interpretation or other auxiliary aids should be directed to Thomas A. Nies (see ADDRESSES) at least five days prior to each meeting date.

Authority: 16 U.S.C. 1801 et seq.

Dated: December 29, 2016.

Alan D. Risenhoover,  
Director, Office of Sustainable Fisheries, National Marine Fisheries Service.

[FR Doc. 2016-31864 Filed 1-3-17; 8:45 am]

BILLING CODE 3510-22-P

## Woneta Cloutier

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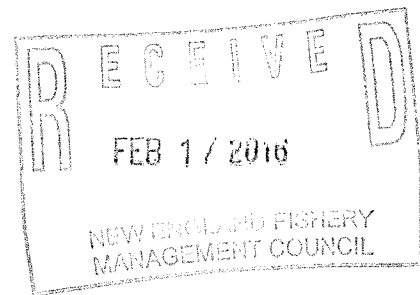
**From:** Jessica Hartges <hartgesj@mail.gvsu.edu>  
**Sent:** Friday, February 17, 2017 1:25 PM  
**To:** comments  
**Subject:** Fisheries of the Northeastern United States; Northeast Skate Complex Fishery comment

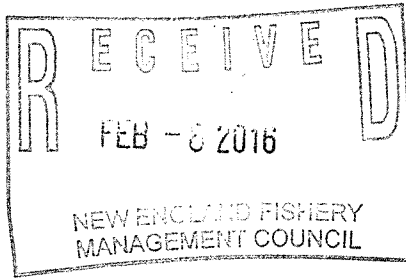
Regarding the Northeast Skate Complex Fishery,

We urge the council to consider the impact that is made by allowing vessels to freely join and leave the skate fishery. We recommend limiting access and issuing permits to prevent the overfishing of skate. This will guarantee the chance of maintaining a healthy skate population, and protect current skate fisherman as they will be able to maintain sufficient harvest levels.

Thank you,

Kyle Eden, Tom Peterson, Jessica Hartges





**COMMONWEALTH of VIRGINIA**

**DEPARTMENT OF ENVIRONMENTAL QUALITY**

Street address: 629 East Main Street, Richmond, Virginia 23219

Mailing address: P.O. Box 1105, Richmond, Virginia 2321 8

[www.deq.virginia.gov](http://www.deq.virginia.gov)

Molly Joseph Ward  
Secretary of Natural Resources

David K. Paylor  
Director

(804) 698-4000  
1-800-592-5482

January 18, 2017

Thomas A. Nies, Executive  
Director, New England Fishery  
Management Council, 50 Water Street,  
Mill 2, Newburyport, MA 01950  
Via email: [comments@nefmc.org](mailto:comments@nefmc.org)

RE: Northeast Skate Complex Fishery, Virginia Scoping Comment

Mr. Nies:

This letter is in response to the scoping request for the above-referenced project.

As you may know, the Department of Environmental Quality, through its Office of Environmental Impact Review (DEQ-OEIR), is responsible for coordinating Virginia's review of federal environmental documents prepared pursuant to the National Environmental Policy Act (NEPA) and responding to appropriate federal officials on behalf of the Commonwealth. Similarly, DEQ-OEIR coordinates Virginia's review of federal consistency documents prepared pursuant to the Coastal Zone Management Act which applies to all federal activities which are reasonably likely to affect any land or water use or natural resources of Virginia's designated coastal resources management area must be consistent with the enforceable policies Virginia Coastal Zone Management (CZM) Program.

**DOCUMENT SUBMISSIONS**

In order to ensure an effective coordinated review of the NEPA document and federal consistency documentation, notification of the NEPA document and federal consistency documentation should be sent directly to OEIR. We request that you submit one electronic to [eir@deq.virginia.gov](mailto:eir@deq.virginia.gov) (10 MB maximum) or make the documents available for download at a website, file transfer protocol (ftp) site or the VITAShare file transfer system (<https://vitashare.vita.virginia.gov>). We request that the review of these two documents be done concurrently, if possible.

The NEPA document and the federal consistency documentation (if applicable) should include U.S. Geological Survey topographic maps as part of their information. We strongly encourage you to issue shape files with the NEPA document. In addition, project details should be adequately described for the benefit of the reviewers.



## **ENVIRONMENTAL REVIEW UNDER THE NATIONAL ENVIRONMENTAL POLICY ACT: PROJECT SCOPING AND AGENCY INVOLVEMENT**

As you may know, NEPA (PL 91-190, 1969) and its implementing regulations (Title 40, *Code of Federal Regulations*, Parts 1500-1508) requires a draft and final Environmental Impact Statement (EIS) for federal activities or undertakings that are federally licensed or federally funded which will or may give rise to significant impacts upon the human environment. An EIS carries more stringent public participation requirements than an Environmental Assessment (EA) and provides more time and detail for comments and public decision-making. The possibility that an EIS may be required for the proposed project should not be overlooked in your planning for this project. Accordingly, we refer to “NEPA document” in the remainder of this letter.

While this Office does not participate in scoping efforts beyond the advice given herein, other agencies are free to provide scoping comments concerning the preparation of the NEPA document. Accordingly, we are providing notice of your scoping request to several state agencies and those localities and Planning District Commissions, including but not limited to:

### Department of Environmental Quality:

- o DEQ Regional Office\*
- o Air Division\*
- o Office of Wetlands and Stream Protection\*
- o Office of Local Government Programs\*
- o Division of Land Protection and Revitalization
- o Office of Stormwater Management\*

Department of Conservation and Recreation

Department of Health\*

Department of Agriculture and Consumer Services

Department of Game and Inland Fisheries\*

Virginia Marine Resources Commission\*

Department of Historic Resources

Department of Mines, Minerals, and Energy

Department of Forestry

Department of Transportation

Note: The agencies noted with a star (\*) administer one or more of the enforceable policies of the Virginia CZM Program.

## **FEDERAL CONSISTENCY UNDER THE COASTAL ZONE MANAGEMENT ACT**

Pursuant to the federal Coastal Zone Management Act of 1972, as amended, and its implementing regulations in Title 15, *Code of Federal Regulations*, Part 930, federal activities, including permits, licenses, and federally funded projects, located in Virginia’s Coastal Management Zone or those that can have reasonably foreseeable effects on Virginia’s coastal uses or coastal resources must be conducted in a manner which is consistent, to the maximum extent practicable, with the Virginia CZM Program.

Additional information on the Virginia’s review for federal consistency documents can be found online at  
<http://www.deq.virginia.gov/Programs/EnvironmentalImpactReview/FederalConsistencyReviews.aspx>

## DATA BASE ASSISTANCE

Below is a list of databases that may assist you in the preparation of a NEPA document:

- DEQ Online Database: Virginia Environmental Geographic Information Systems

Information on Permitted Solid Waste Management Facilities, Impaired Waters, Petroleum Releases, Registered Petroleum Facilities, Permitted Discharge (Virginia Pollution Discharge Elimination System Permits) Facilities, Resource Conservation and Recovery Act (RCRA) Sites, Water Monitoring Stations, National Wetlands Inventory:

- [www.deq.virginia.gov/ConnectWithDEQ/VEGIS.aspx](http://www.deq.virginia.gov/ConnectWithDEQ/VEGIS.aspx)

- DEQ Virginia Coastal Geospatial and Educational Mapping System (GEMS)

Virginia's coastal resource data and maps; coastal laws and policies; facts on coastal resource values; and direct links to collaborating agencies responsible for current data:

- <http://128.172.160.131/gems2/>

- DHR Data Sharing System

Survey records in the DHR inventory:

- [www.dhr.virginia.gov/archives/data\\_sharing\\_sys.htm](http://www.dhr.virginia.gov/archives/data_sharing_sys.htm)

- DCR Natural Heritage Search

Produces lists of resources that occur in specific counties, watersheds or physiographic regions:

- [www.dcr.virginia.gov/natural\\_heritage/dbsearchtool.shtml](http://www.dcr.virginia.gov/natural_heritage/dbsearchtool.shtml)

- DGIF Fish and Wildlife Information Service

Information about Virginia's Wildlife resources:

- <http://vafwis.org/fwis/>

- Environmental Protection Agency (EPA) Comprehensive Environmental Response, Compensation, and Liability Information System (CERCLIS) Database: Superfund Information Systems

Information on hazardous waste sites, potentially hazardous waste sites and remedial activities across the nation, including sites that are on the National Priorities List (NPL) or being considered for the NPL:

- [www.epa.gov/superfund/sites/cursites/index.htm](http://www.epa.gov/superfund/sites/cursites/index.htm)

- EPA RCRAInfo Search

Information on hazardous waste facilities:

- [www.epa.gov/enviro/facts/rcrainfo/search.html](http://www.epa.gov/enviro/facts/rcrainfo/search.html)

- EPA Envirofacts Database

EPA Environmental Information, including EPA-Regulated Facilities and Toxics Release Inventory Reports:

○ [www.epa.gov/enviro/index.html](http://www.epa.gov/enviro/index.html)

- EPA NEPAassist Database

Facilitates the environmental review process and project planning:

<http://nepaassisttool.epa.gov/nepaassist/entry.aspx>

If you have questions about the environmental review process and/or the federal consistency review process, please feel free to contact me (telephone (804) 698-4204 or e-mail [bettina.sullivan@deq.virginia.gov](mailto:bettina.sullivan@deq.virginia.gov)).

I hope this information is helpful to you.

Sincerely,

A handwritten signature in black ink that reads "Bettina Sullivan". The signature is written in a cursive, flowing style.

Bettina Sullivan, Program Manager  
Environmental Impact Review and  
Long-Range Priorities

## **ASSOCIATED FISHERIES OF MAINE**

PO Box 287, South Berwick, ME 03908

February 8, 2017

Mr. Tom Nies, Executive Director  
New England Fishery Management Council

VIA ELECTRONIC MAIL

Dear Tom:

### **NORTHEAST SKATE COMPLEX AMENDMENT 5 SCOPING COMMENTS**

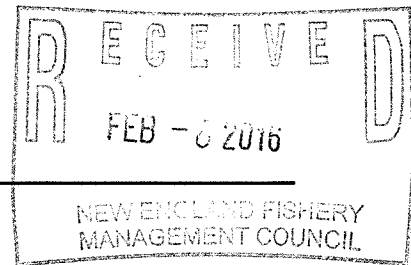
The Associated Fisheries of Maine is primarily interested in the management of the skate fishery as that fishery occurs as a component of the multispecies fishery.

The scoping document (page 7) states that the skate fisheries (food and bait) are “at risk from overcapacity”, “until access to the fishery is limited”. We typically support limited access when overcapacity is a genuine problem (or before it becomes a problem), but the scoping document does not provide evidence of the assertion that either fishery is “at risk” of overcapacity.

Table 1 (page 7) shows landings for both food and bait fisheries remaining within the total allowable landings (TAL). Even in years when landings approach the TAL, the significant management uncertainty buffer (25%) between the ACL and the ACT assures that the ACL will not be exceeded. While we would argue that the 25% management uncertainty buffer is excessive – because the high level of monitoring on multispecies vessels during the past seven years should reduce management uncertainty - the ACT as it now stands does act as a buffer to overcapacity.

Moreover, we find the expressed concern (page 5) about a shift of effort from multispecies to the skate fishery to be ironic and unacceptable given that multispecies fishermen have been required to utilize valuable days at sea to possess skate since the implementation of the skate plan. We argue that deference should be paid to the multispecies fishery utilization of skate as food. We do not support a “tiered” or “different category” approach to distinguishing between those vessels that have targeted skate versus those that have landed skate while fishing for multispecies.

The original skate plan adopted different possession limits for trip versus day boats, i.e., 10,000 pounds for day vessels and 20,000 pounds for trip vessels. More recently, the plan has equalized the possession limit for day and trip vessels. We recommend that



the Council take action in to remedy this disadvantage in possession limits by allowing a greater possession limit for trip vessels than allowed for day vessels.

Should the Council continue to pursue limited entry in the skate fishery, we fully support maintenance of the current "allocation" split of 66.5 – 33.5% between the food and bait fishery respectively.

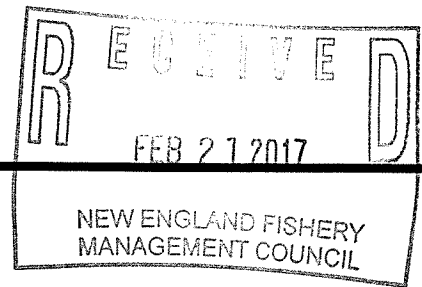
Thank you for the opportunity to provide comments on the management of the skate fishery.

Maggie Raymond

*M. Raymond*

Executive Director  
Associated Fisheries of Maine

**Sherie Goutier**



**From:** A R <clarkea1195@yahoo.com>  
**Sent:** Friday, February 17, 2017 4:12 PM  
**To:** comments  
**Subject:** NEPA Comment on Fisheries of the Northeastern United States; Northeast Skate Complex Fishery; Notice of Intent To Prepare an Environmental Impact Statement

NEPA Comment on Fisheries of the Northeastern United States; Northeast Skate Complex Fishery; Notice of Intent To Prepare an Environmental Impact Statement  
(<https://www.federalregister.gov/documents/2017/02/03/2017-02307/fisheries-of-the-northeastern-united-states-northeast-skate-complex-fishery-notice-of-intent-to>)

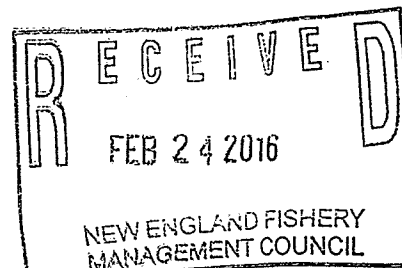
The NEPA activity and actions proposed by the New England Fishery and Management Council, in conjunction with the National Marine Fisheries Service (NMFS) to develop a fifth amendment to consider limited access to the skate fishery will have biophysical impacts, social or cultural impacts, and economic impacts. Due to these impacts, we must consider the impacts various other alternative measures could have on each of these aforementioned items. This proposed amendment could establish qualification criteria for skate fishing, both bait and non-bait permits with different qualification criteria or catch limits for each fishery. In addition to this, they could limit access to the skate fishery that may affect individual permit holder access to fishing for the skates depending on the qualification criteria and other permit conditions. Alternatives to these measures include taking no action, or taking some combination of the proposed actions for the amendment. However, with the no action alternative, catch limit will be harvested in a shorter period of time, which will trigger reduced skate trap limits, and could have other negative economic impacts on current participants due to developing skate markets experiencing negative impacts through a flood of product.

The Council addresses the social and cultural impact, as well as the economic impact, through the concern that skate fisherman have with a potential increase in efforts in the skate fishery. They stated that this could cause the fishery to harvest its catch limit in a shorter time period, trigger reduced skate trip limits, or have other negative economic impacts on current participants because the skate markets could be negatively impacted by an influx of product. They did not provide information on what the permit money would be used for. The agency also neglected to address any specific biophysical impacts. They need to address what increases or decreases in skate fishing permits will specifically do to help maintain a healthy population of skate with all of the potential for new fishing competition. Overall, the agency did not take an in depth look at the biophysical, economic, and social impacts. They focused on the social and surface level economic impact but did not address all three with any depth.

fh 2/22/17

Re: skate

**Subject:** Re: skate  
**From:** Denise Froelich <dfroelich2@optonline.net>  
**Date:** 2/22/17, 12:03 PM  
**To:** Bonnie Brady <greenfluke@optonline.net>



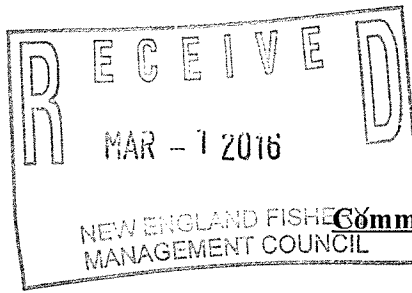
In reference to the skate comments: I believe that whatever action ~~is~~ taken that any fishery that needs the skates to prosecute itself shouldn't be restrained by this action. They should have first access to the resource. I don't want the skates to become a choke species for the sake of any fishery. For example whether it's the way it is now for monk fish with the daily poundage associated with the day at sea The two fisheries were always intertwined and they always should be. They should be managed that way.

Sent from my iPhone

On Feb 22, 2017, at 11:17 AM, Bonnie Brady <[greenfluke@optonline.net](mailto:greenfluke@optonline.net)> wrote:

[http://s3.amazonaws.com/nefmc.org/Skate Scoping-Documents Final 2.pdf](http://s3.amazonaws.com/nefmc.org/Skate%20Scoping-Documents/Final%202.pdf)

Tim Froelich  
A/V Liberty  
A/V Miss Independence  
84 Pleasant Drive  
Beverhead, NY



2/28/17

**Comments Regarding the Scoping Document  
to the Northeast Skate Complex**

Hi, my name is Dan Nordstrom and I'm an advisor to the skate committee.

I'd like to start off by saying that the participants in the skate bait fishery have no interest in catch shares for the fishery, and once the criteria's are set for the limited access permit, it would be best managed under the current structure of the FMP that is in place now. The bait skate participants to the fishery are ready to move forward and have been ready to move forward for sometime now in setting a criteria for limited access to the fishery. We would like the right to move forward in setting the criteria even if the skate wings cannot come to terms in setting their criteria to participate in the wing fishery.

With this being said the bait fishery would like to have its criteria based upon the historical participation of the applicant to bait fishery. The use of the letter of authorization or LOA is the most direct link to show who was a participant in the bait fishery. By taking on the letter of authorization the vessel would not be able to participate in the wing fishery showing a clear distinction of intent between the two fisheries.

The control date that was put in National register by the bait skate participants is a most critical part in setting up criteria and has to be used to show the historical participation to the fishery. Having the letter of authorization prior to the control date is the cleanest and easiest way to prove your historical participation in the bait fishery.

If you landed 0 pounds or 1 million while having the letter of authorization prior to the control date, it will enable you to meet the criteria to participate in the bait skate fishery category A permit.

There would be a category B permit for those who didn't meet the category A criteria. They would be able to land 4,800 pounds with letter of authorization. The criteria for the B permit would be as follows: if you landed bait skate with a LOA between the bait skate fisheries control date and the skate wing fisheries control date.

Having this limited access to the fishery while being managed under the current FMP structure, would enable there to be a year-round support and supply of bait skate to the lobster industry.

Thank you for the consideration,  
Dan Nordstrom

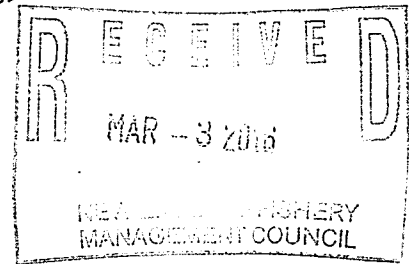
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## Woneta Cloutier

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**From:** Pol, Mike (FWE) <Mike.Pol@MassMail.State.MA.US>  
**Sent:** Friday, March 03, 2017 2:21 PM  
**To:** comments; Fiona Hogan  
**Cc:** David Chosid; David Pierce; Cate O'Keefe  
**Subject:** Northeast Skate Complex scoping comments



Dear Fiona,

David Chosid and I would like to comment on possible changes to the Northeast Skate Complex Fishery Management Plan. We are aware that current management of the skate complex provides some disincentives to use codends with large meshes (8 inches or greater) when fishing in the wings fishery, even though large meshes would likely eliminate or greatly reduce bycatch. The issue is the presumed discard rate on unobserved trips for a 6.5 inch mesh codend would be applied when using large meshes, although the actual discards would be lower.

Through the 2017 SK program, we have applied for funding for a project that would develop a straight forward, logical solution for specifically targeting skates and reducing bycatch. Specifically, we proposed to conduct a codend mesh bycatch and selectivity study, in Massachusetts Bay, expecting to reduce bycatch of weaker stocks (Atlantic cod and yellowtail, windowpane, and winter flounder), prohibited species such as thorny skates, and small, unmarketable fish, by using larger codend mesh sizes for the wings fishery. We plan to test three square-shaped codend mesh sizes: 8-in, 10-in, and 12-in, for which few bycatch and selectivity studies have been conducted for groundfish and none for skates.

If the project is successful we think a strong argument could be made to either allow for limited entry using large meshes to target skate wings in Mass Bay (as in the Southern area) or implementation of a new regulated gear type with a new assumed discard rate. In either case, reductions in groundfish catch are likely with a more directed large skate fishery.

We have yet to hear on final decisions on SK funding. We wanted to let you know about this possible research project, and its potential to help inform the Skate FMP.

Thanks,

Mike Pol and David Chosid

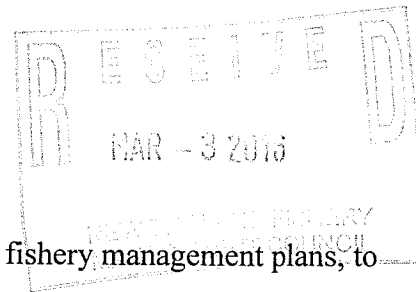
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Mike Pol  
Sr. Marine Fisheries Biologist/Program Leader  
Conservation Engineering  
Division of Marine Fisheries  
1213 Purchase St - 3rd Floor  
New Bedford, MA 02740 USA  
+1.508.990.2860 x116  
mike.pol@state.ma.us

fh 3/8/17

## Woneta Cloutier

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**From:** jcamaru5 <jcamaru5@gmail.com>  
**Sent:** Saturday, March 04, 2017 7:21 AM  
**To:** comments  
**Subject:** Skate limited access comments



To whom it may concern,

I am opposed to converting the skate management plan, or ANY additional fishery management plans, to limited access fisheries.

This has already been proven (with groundfish and scallop) to make a handful of stakeholders very well off, while leaving the majority of fishermen and any new entrants to the fishery at the mercy of market conditions that should not be part of this business.

The limited access management approach is not justifiable; it causes excessive and unnecessary financial burden on most fishermen, particularly in a fishery which is already robust.

In my opinion, as an owner operator who fishes in multiple fisheries, going to limited access hurts small businesses and provides no more protection for the species for which they are developed to protect.

Sincerely,

Jason Amaru

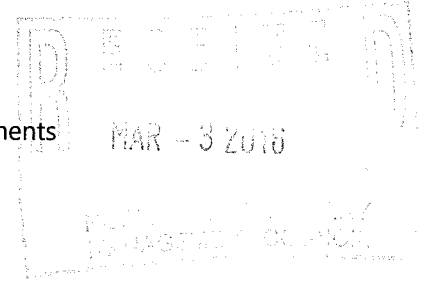
FV Joanne A III

Cape Cod

## Woneta Cloutier

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**From:** chathamgreg@comcast.net  
**Sent:** Saturday, March 04, 2017 7:59 AM  
**To:** comments  
**Subject:** Northeast Skate Complex Amendment 5 Scoping comments



To whom it may concern,

My name is Greg Connors. I am a commercial fisherman from Chatham and owner operator of the F/V Constance Sea. In 2003 my crew and I were the first in Chatham to directly target Skate wings. We fished 6 to 7 days a week and landed on average over 10,000 lbs per day from June through November. Today there are 17 directed Skate boats fishing out of Chatham alone and the daily catch limit has been reduced to 2600 lbs.

I support limiting access and creation of some version of a quota based or tiered system for the wing fishery that provides protection for the vessels that have helped to build and relied on this fishery the longest period of time. I do not support an all in or all out solution like we have in the monkfish fishery.

We have an over capacity problem in our fishery that has in the last couple of weeks reduced our daily landing limit to 500lbs per day forcing my crew and I to discard thousands of pounds of skates and move further offshore to target monkfish.

Throughout my fishing career I have watched nearly every fishery in the northeast go to limited access while mine has been managed by ratcheting down daily catch limits and remains open to new participants. I ask the council to please consider a quota or tiered system that allows for transferability.

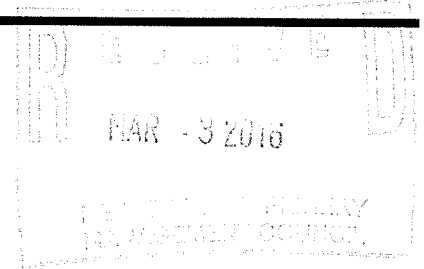
Thank you for considering my position.

Greg Connors  
F/V Constance Sea

## Woneta Cloutier

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**From:** Joanne amaru <amarujb@comcast.net>  
**Sent:** Saturday, March 04, 2017 7:33 AM  
**To:** comments  
**Subject:** Northeast skate plan scoping comments



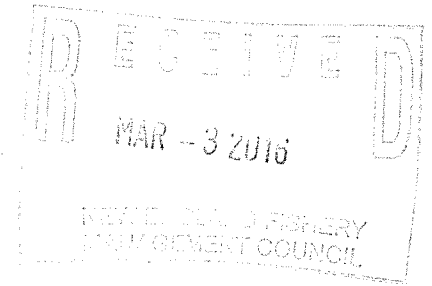
It is my belief that the current expanded population of skate stands in the way of groundfish recovery. The fishery for skate should be expanded rather than contracted to bring back the proper balance between elasmobranch species and ground fish populations.

Bill Amaru

Sent from my iPad.

Ph 3/8/17

New London Seafood Distributors, Inc.  
114 Smith Street  
New London, CT 06320  
Phone/Fax (860)442-1822



F/V Samantha Brooke II  
F/V Charlotte & Elizabeth  
F/V Mystic Way

February 27, 2017

Thomas A. Niles, Executive Director  
New England Fishery Management Council  
50 Water Street  
Newburyport ,MA 01950

Re Northeast Skate Complex Amendment 5 Scoping Comments

To whom it may concern:

We were in attendance for the scoping meeting on February 27<sup>th</sup>. Our company is a relatively new entrant into the bait skate fishery, having started in 2014. Although a newcomer to the bait fishery, we have over forty year's involvement as commercial fishermen.

The constant theme voiced at the 27<sup>th</sup> meeting was, "how could this closure have snuck up on everyone without notice and with such disastrous results". This goes for the harvesters, bait dealers, lobster and crab fishing vessels and the NMFS. Also voiced a number of times, was the confusion why the mortality rate of skates in the bait fishery was so high. It was explained by the Council presenter how the same mortality rule applies for all of the skate fisheries together. This rule should not necessarily apply, as written for the bait skate fishery. The discard mortality rate of skates in the bait fishery is minimal, yet a high discard number is assigned to the TAL. It would logically make sense for a reduction in that rate. If the bait fishery was separated from all the other groups, there could be the possibility for increasing the TAL for the bait fishery. Additionally, per your assessments of the barn door skate population being deemed rebuilt and the lack

of evidence showing the skate fishery in decline or over fished, fisherman are wondering why the need to implement a limited access permit at this time.

There was input from the bait fishery participants stating the desire to have the bait skate and wing fisheries managed separately. The suggestion for an "A" and "B" permit was put on the table with positive comments. Also there was talk of introducing a limited access permit for either permit. There has already been a control date put in place to address the issue, should there be a need to proceed.

From our years of experience in the fishing industry, when a limited access permit is implemented, it automatically inflates the "value" of said permits. Most likely, there will be a permit grab. This could potentially impact the newer participants in a negative way. The possibility of adding more financial burden on new entrants into this fishery should this occur, is very real. This would be counter productive for the industry as a whole, and not being heavily requested by participating fisherman.

As the numbers reflect, to move this fishery into a limited access category will slash the number of new participants who have come to depend on the monies received from their bait skates. As was talked about in your informational paperwork, with cutbacks on other fish species, a number of fisherman have come to depend on the revenue from the bait fishery. It is not an automatic, should you implement a limited access permit there will be any benefit to the fellows who would qualify, other than add value to their permit. It would guaranty to hurt new participants.

To help eliminate another bait shortage like we are now experiencing, if possible, we would like to have the reduction levels kick in when the quota reaches 75%, dropping the limit to 10,000# per trip until 90% filled, then drop to 4000# until filled. These measures, along with separating the two fisheries (bait skate and other skate harvesters) with their associated mortality rates, should go a long way to eliminating the need to introduce limited access permits. Having barn door skates declared rebuilt must figure into this equation in a good way also.

We would request the Council to move ahead slowly. We would not like to see an over reaction situation develop. This is a healthy fishery that needs tweaking,

not a complete overhaul. Keeping the limited access permit on a back burner, should the sustainability or over fishing become an issue, the safeguards are already in place for such an event. It is hard enough for the surviving fisherman and their families to make a living without the Council adding more burden in a healthy fishery.

Our unloading facility, our vessels, their crew and all of the support people are counting on the Council to proceed with caution. Thank you for reviewing our concerns. I am available at (860)227-7283 or e-mail at [swim@snet.net](mailto:swim@snet.net) should you have any questions or clarification.

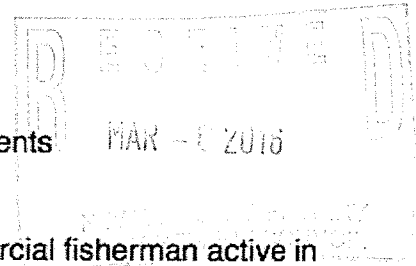
Sincerely yours,

Gary J. Yerman

Jared Bennett  
163 Holly Drive  
Chatham, MA 02659

March 3, 2017

Re: Northeast Skate Complex Amendment 5, Scoping Comments



To Whom it May Concern,

My name is Jared Bennett, and I am a full-time commercial fisherman active in the skate wing fishery. I am the owner and operator of the Fishing Vessel White Cap out of Chatham, MA. I would like to share with you some of my thoughts and concerns regarding this amendment.

Fundamentally, I do not have an argument against limited access in this fishery, but I do have a lot of concerns with how you are going about it and what is going to be considered in the process. For example, I am 27 years old and have only been a full-time owner/operator for about five years. In that short time, however, I have made a significant investment in being a part of the fishery. This includes the purchase of two permits and a 44' commercial fishing vessel. I am now faced with the possibility of these investments and my livelihood being significantly impacted by the choices made regarding this amendment.

One of the permits that I own is a Category D Monk Permit. If my skate permit is taken away, it will also affect my ability to fish during the winter. I am worried that I would not be able to fish in southern New England because of the prevalence of skates at that time of the year. There would be too much discard and not enough monks to make the trips profitable. This will effectively make me a seasonal fisherman even though I purposely invested my money in permits and a boat that would allow me to fish year-round.

I would like to see a limited access plan that is based on the most current control date possible and not heavily dependent on the permit's history. If it is not done this way, it would disadvantage me and many other fisherman in several ways. I understand the cause for concern, but the action taken should not be at the expense of fisherman that are actively fishing their permits. By setting a small landing history requirement, then you can take away the unused permits while still protecting the active fisherman's permits that may not have as robust a history. In short, someone actively fishing for skates should not lose their ability to do so. To me, this is the most fair way to address people's concerns.

As you can see, this amendment can have a huge impact on me and my ability to remain in the fishing industry. Historically, when changes in a fishery are made, it has benefited those who have been in it longest. I am one of the youngest owner/operators in town; the rest of them have been in the business as long as I've been alive. I hope you can consider the implications that this amendment will have on the sustainability of small boat fishing and the ability to get young men and women to keep our small town's heritage alive.

Respectfully,  
Jared Bennett

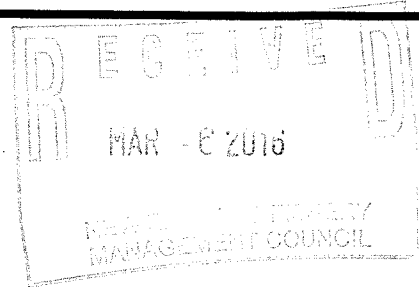
Ph 3/8/17



**Woneta Cloutier**

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**From:** Ted Platz <theoplaz@gmail.com>  
**Sent:** Monday, March 06, 2017 11:12 AM  
**To:** comments; Fiona Hogan  
**Subject:** Skate Management



To whom it may concern,

I support the establishment of limited access criteria for the winter skate fishery using the previously established control date in that FMP. Eliminating open access is essential to establishing management control in this fishery. It is a necessary first step, but it still leaves the management process a long way from being in control of effort in this fishery. Directed effort in this fishery comes through the use of either Monkfish DAS or Groundfish DAS, neither of which can be controlled by the skate committee. This is clearly a problem that needs to be addressed.

I believe a first step in having greater control in all the skate fisheries will come from breaking up the skate complex and placing each stock in a more appropriate FMP. This can be achieved without creating any new FMP's. I suggest that winter skate and barndoor skate should be moved into the monkfish FMP. This is where a large amount of the effort on winter skate takes place, and sound winter skate management is critical to stable monkfish management in the monkfish SFMA. The balance of the skate stocks can be moved into already existing FMP's based on the known range of the stock or based on the fisheries in which they show up as bycatch. Little skate can be left alone in the otherwise empty skate complex FMP. Little skate can be managed as a single stock FMP, which is precisely the type of FMP that has enjoyed the greatest level of management success in New England. Managing Little skate as a stand alone stock also makes sense since that is consistent with the way it is harvested.

Breaking up the complex will produce slightly higher harvest levels for both the winter and little skate fisheries. Both stocks are under-harvested due to the status of the other stocks in the complex. Placing the individual stocks in more appropriate FMP's will increase the likelihood that stocks with an over-fished status will get the attention they need. Attention which they are not getting in the current skate complex FMP.

Regardless of the arrangement of stocks in FMP's, winter skate is still left with the problem of over-capacity. Due to the super abundance of GF DAS, there is enough GF DAS capacity to collapse the winter skate stock in any given year should fishers decide to transfer effort into this fishery. Given that the winter skate stock is, and has been, healthy for the last ten years; it would be a fairly straight forward process to look at all the GF DAS used to target winter skate in the last 10 years and reallocate these GF DAS as skate DAS in a straight 1:1 formula. All remaining GF DAS could then be reduced to landing skate at incidental levels and winter skate effort could be managed through Monkfish DAS and Skate DAS, both of which would be under the purview of a monkfish/winter skate/barndoor skate FMP and committee.

I believe this represents the easiest and most direct way to give a committee control of both access and landing limits as a means to control effort in the winter skate fishery while continuing to manage this fishery under DAS. This easier path to elimination of the transfer of effort threat will only last as long as the stock remains healthy, thus creating the politically easy 1:1 transition of GF DAS used to target skate into skate DAS.

I support further effort control in the winter skate fishery through the establishment of a tiered landing system based on history of landings over a given time period. Control over effort in the winter skate fishery is important because it effects the ability to target two valuable species, monkfish and winter skate. This is

On 3/6/17

compounded by the fact that effort mismanagement of winter skate will lead to reducing the winter skate fishery to incidental limits at the end of the fishing year, precisely when the ex vessel price for this stock is at its peak.

I believe this approach to management will establish the necessary control in this fishery under one committee. This process will eliminate the excess capacity that exists in the current GF DAS allocation scheme, and set the fishery on a more stable course while keeping it in a DAS management approach.

Alternatively, this stock could be allocated under a ITQ or sector approach as a means to address latent effort and the potential for effort transfer into the winter skate fishery. Allocation seems to be a far easier and more permanent means by which to address all the above issues. Allocating the winter skate stock is also far more likely to result in the winter skate fishery staying open to directed effort all year long. A committee which must manage effort 1 to 3 years in advance through locked in regulations cannot hope to manage as effectively as fishermen who are managing annually adjusted allocations from month to month. For this reason, I prefer to see the winter skate resource allocated. Preferably, in an ITQ process.

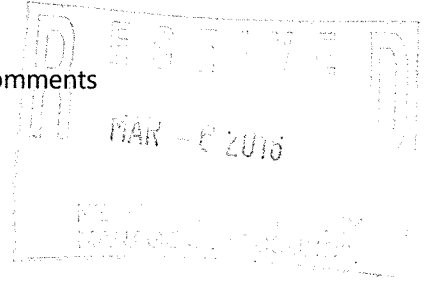
Both approaches outlined above will provide effort control and real management options to the winter skate fishery in particular and to the skate complex as a whole. While managing the skate stocks as a complex may have seemed a practical and expedient approach when it was first established, this approach no longer serves the interest of the resource, the fishers, or the managers of these stocks. Any committee which manages this or any stock must be able to more effectively control effort than can be done in the current configuration of the skate FMP. Significant change is necessary if these stocks are going to be managed effectively. These stocks are now too valuable and too important to be managed in a format that was based on simplicity and expedience rather than realistic management prerogatives.

Ted Platz  
Ocean Harvest, Inc.

## Woneta Cloutier

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**From:** Matt Linnell <johnmatthewlinnell@gmail.com>  
**Sent:** Sunday, March 05, 2017 4:58 PM  
**To:** comments  
**Subject:** N E Skate Complex Amendment Five Scoping Comments



Hello Everyone,

My name is Matt Linnell and I am a Skatewing fisherman. I am writing this email to voice my support of limited access in the Skate fishery.

In regards to Skate fishing I would like to see the bait and wing fisheries separated.

I would also like to see an ITQ based fishery, for the time period starting with when initial data was available (Skate landings) until the control date of March 2014.

A tier system is also another option, similar to the current Monk fishery. For example; a tier one permit would've had to catch 200,000.lbs of wings per year for 4 out of 5 years prior to the control date. Other tier options and incidental permits could be discussed in future committee meetings.

Could this fishery's quota be managed like the Groundfish Sector currently manages their quotas?

This would be one way to keep Skate vessels fishing through out the year, and allow vessels to trade quota.

With a ITQ or tier system the boats that have been in the Skatewing fishery since the beginning can continue to fish effectively. I have been skate fishing since 1993 and as ground fish became more and more scarce, finances dictated I focus my efforts on Skatewinging. As a result my ACE ground fish landings are low. There has been a marked increase of entrants into this fishery causing winter closures and less available quota. This situation is only getting worse, less than ten years ago the limit was 10,000.lbs (cut wings) currently it's 500lbs. It is becoming increasingly difficult for the vessels and the processors to remain viable, it's important to remember that many people on land as well as on the water depend on this fishery for their livelihood. It was hard work to build a global market for these fish as well as the infrastructure to make it a viable business. Now we are faced with the prospect of not having enough product to supply a demand that we worked hard to create. This is why I am strongly advocating for a tier or ITQ system and a separation of the bait and wing fisheries.

Thank you for your time and attention in this matter.

Sincerely,  
Matt Linnell

Ph 3/2/17

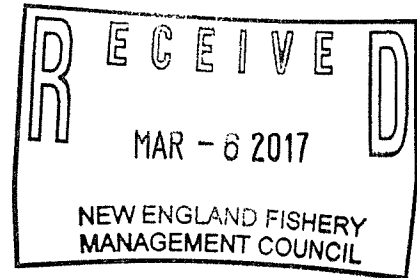
# LUND'S FISHERIES INCORPORATED



Phone: (609) 884 - 7600 Fax: (609) 884 - 0664 [lundsfish@lundsfish.com](mailto:lundsfish@lundsfish.com)  
997 Ocean Drive, Cape May, New Jersey 08204, U.S.A.  
Email to: [jreichle@lundsfish.com](mailto:jreichle@lundsfish.com)

March 6, 2017

Executive Director Tom Nies  
New England Fishery Management Council  
50 Water Street, Mill #2  
Newburyport, MA 01950  
By email: [comments@nefmc.org](mailto:comments@nefmc.org)  
**RE: Northeast Skate Complex Amendment 5 Scoping Comments**



Dear Executive Director Nies:

On behalf of the 250 employees of our family-owned, vertically-integrated seafood processing facility and the crew (and their families) working on the company-owned and independently-owned commercial fishing vessels from our dock here in the Port of Cape May, I thank you for the opportunity to provide comments on the skate limited access scoping process. We handle both bait and food skates as part of our domestic and international business.

Our comments respond to the Council's request for input on the following issues identified in the scoping document:

- We support the Council moving ahead to limit access to manage capacity in the skate complex;
- We believe that the control date for bait skates (July 30, 2009) is stale and should be renewed by the Council as early as when it meets again in April. While we support limiting access to the fishery, we need to ensure that existing suppliers can stay in the fishery, which may be accomplished by establishing a new control date this spring. We are not advocating for a change in the wing fishery control date as it is reasonably current;
- We believe qualification criteria should be based upon permit history and, to the extent the data is available, we would support evaluating history in the two skate fisheries separately. Also, we understand that aggregated species reporting began in 1994 and that species-specific reporting began in 2003. Fishing history during these two time periods should also be separately evaluated since tiered history, perhaps weighting the time periods differently, could be a reasonable outcome;
- We can support various mechanisms being considered to allow new entrants into the fishery, but the value of existing permit holders' permits should not be diminished;
- We believe that a tiered permitting system should be analyzed, to reflect various levels of fishing history in order to qualify for a skate permit; each of which could authorize different allowable levels of harvest (similar to the tiered system in the herring fishery). We support the creation of incidental catch permits, in order to restrict the potential for skates to be discarded by vessels not qualifying for a moratorium permit and look forward to working with the Council in this process.

With best regards, *Jeff Reichle*, President

*fn 3/8/17*