



## New England Fishery Management Council

50 WATER STREET | NEWBURYPORT, MASSACHUSETTS 01950 | PHONE 978 465 0492 | FAX 978 465 3116

John F. Quinn, J.D., Ph.D., *Chairman* | Thomas A. Nies, *Executive Director*

### MEETING SUMMARY

#### Skate Advisory Panel (no quorum)

Webinar

September 10, 2020

The Skate Advisory Panel (AP) met on September 10, 2020 at 8:30 AM via webinar to: review the 2020 Northeast Skate Complex Annual Monitoring Report for FY 2019 and discuss recent fishery performance; review Skate Committee work on developing problem statements, goals, and objectives for Amendment 5; develop recommendations for 2021 Council management priorities regarding the Northeast Skate Complex FMP and for addressing Executive Order 13921 on Promoting American Seafood Competitiveness and Economic Growth; and other business.

**MEETING ATTENDANCE:** John Whiteside (Chair), Jeff Kneebone, Greg Mataronas, William McCann, Dan Nordstrom, Ted Platz; Jennifer Couture, Rachel Feeney (PDT Chair), Lou Goodreau, Chris Kellogg, and Janice Plante (NEFMC staff); Cynthia Ferrio (GARFO staff). In addition, about twelve members of the public attended.

The AP meeting did not have a quorum (six of 13 AP members present).

#### **KEY OUTCOMES:**

- AP members developed a consensus statement on Amendment 5 noting that they are generally comfortable with the problem statement, goals, and objectives that were developed by the Skate Committee at their August 6 meeting.
- AP members developed a consensus statement on the Executive Order and 2021 Council priorities.
- AP members discussed Skate Advisor attendance, the size of the AP, and the possibility of structuring meetings focused on wing and bait topics separately.

#### **AGENDA ITEM #1: SKATE UPDATES AND OUTLOOK**

Staff briefly updated AP members on the timeline of current skate management priorities of the Council. There were no comments from the AP or public.

#### **AGENDA ITEM #2: 2020 NORTHEAST SKATE COMPLEX ANNUAL MONITORING REPORT FOR FY 2019 AND FY2020 FISHERY PERFORMANCE**

Staff presented an overview of the 2020 Skate Annual Monitoring Report (AMR) for FY 2019 and the performance of FY 2020 to date. The AMR includes stock status updates, fishery landings, discards, accountability measures, other fishery management plans (FMPs) that may impact skate, skate research updates which focused on thorny skate, and Plan Development Team (PDT) recommendations. Little

skate stock status was not updated, because only one leg of the spring survey was complete due to COVID-19; only thorny skate remains overfished.

In past years, the fishery data included only landings relative to total allowable landings (TAL) and the total catch. Included this year are additional catch components, explanation on the quota monitoring process, and descriptions on what is included and excluded in in-season monitoring and year-end annual catch limit accounting. Also, changes to other FMPs impacting skates were expanded to include Mid-Atlantic fisheries.

Regarding FY 2020 performance, AP members shared that skate wing prices did not decline compared to other species, though the bait price dropped due to reduced demand. The skate fishery is starting to get back to normal after the start of the pandemic caused a decrease in demand and drop in price.

### ***AGENDA ITEM #3: AMENDMENT 5***

Staff reviewed the three motions for the problem statements and goals and the tabled motion for types of measures that could achieve the goals developed by the Skate Committee on August 6. Since the June Council meeting, the PDT made small updates to the Discussion Document including PDT comments on the Skate FMP goal and objectives, definition of Federal and state landings, FY 2018 revenue by gear type and by species, and a summary of the analysis of potential landings under FY 2020 possession limits. The Skate Committee met in the afternoon to further develop A5 motions and input from the AP. AP members developed feedback for the Skate Committee on its motions.

### **CONSENSUS STATEMENT (NO QUORUM):**

The Skate Advisors present are generally comfortable with the problem statement, goals and objectives that were developed by the Skate Committee at their August 6 meeting, but made the following points:

- General comments
  - Though landing limits have increased recently, there is still a concern that incidental limits could be triggered in future if limits are lowered again.
  - The objectives appear to mostly apply to the wing fishery. It would be helpful to clarify the Committee's intent on whether they apply to wing or bait.
  - The Council could consider holding separate meetings for input from the wing and bait fisheries. We hesitate to comment on the fishery we are not involved with.
- Comments on Specific Objectives
  - Objective 1 – Support the idea of the intermediate trigger, but do not make it too low (~75%, perhaps the incidental trigger could be increased with that).
  - Objective 2 - If limited access is developed for wing, keep the permit tiers simple. Maybe just developed a LA permit, then develop tiers in a future action if needed. The bait fishery is more vulnerable to potential effort coming in, so LA should be developed as well, starting with the ideas that the AP developed in 2019.
  - Objective 3 – Making sub-TALs for different fishery components might get complicated. Keep it simple.
  - Objective 4 – Understand the need for improved data but concerned about developing electronic monitoring through this action.
  - Objective 5 – If LA is developed, it might no longer be possible to drop and add the permit. This action may exclude people, which is not our intent. This might be tough to accomplish.
  - Objective 6 – Skates is usually a bycatch fishery (for wings). Concern that any gear restrictions could negatively impact other fisheries, such as on directed monkfish gillnet trips (increasing the gillnet mesh size to 12" might be amenable though).

**Discussion on the Consensus Statement:** An AP member suggested that because there is not a risk to trigger the incidental limits in this fishing year that now is the time to discuss potential solutions to prevent this problem in the future. There is a desire to prevent a deluge of fishermen from participating in the fishery to avoid triggering the incidental limit. Another member suggested waiting to see what happens to the fishery performance with this year's TAL increases. A few members had concerns with some of the types of measures to achieve goals, especially gear restrictions that could reduce bycatch and what that means for other fisheries, particularly monkfish. A minimum mesh size of 12 inches would not have much resistance by fishermen. There was also concern over having several qualification criteria and tiers and noted the simpler the better for developing a limited access program.

Several AP members were unclear whether the types of measures would apply to the wing and bait fisheries because the fisheries operate differently. Advisers prefer to comment on the fishery in which they are most knowledgeable. Advisers thought an intermediate trigger would be beneficial to slow down landings. One adviser noted that fishermen are adding and dropping skate permits for a reason and for their business operations. A limited access skate permit could be created in this action and in a subsequent action qualification criteria and tiers could be further discussed.

AP members started to discuss how to structure meetings differently to focus on one skate fishery at a time to be more efficient and not waste each other's time. Discussion was postponed to Other Business.

**Public Comment:**

- James Fletcher (United National Fisherman's Association) – advocated for total use of all fish caught by all fishermen to avoid waste.

***AGENDA ITEM #4: COUNCIL PRIORITIES REGARDING SKATES***

Staff provided an overview of the Executive Order 13921 on Promoting American Seafood Competitiveness and Economic Growth (issued in May 2020) and potential 2021 Council management priorities, noting a quick turnaround time for finalizing priorities, likely at the end of October.

**CONSENSUS STATEMENT (NO QUORUM):**

- On Executive Order:
  - We are limited by the size of our vessels. The horsepower and length restrictions are outdated and compromise safety and efficiency (inshore fishermen would prefer a 55' boat). We cannot land all the skates we catch because of the vessel restrictions. Removing or raising those limits would improve efficiency (e.g., would allow for more room in the vessel to participate in more fisheries). We are already constrained by catch limits, so there would not be a conservation concern.
- On 2021 Council priorities:
  - Support continuing to develop Amendment 5.
  - Support continuing to create annual monitoring reports.
  - On thorny skate rebuilding, more research is needed (life history) to understand why the biomass in the Gulf of Maine has stayed low. Given timelines associated with obtaining funding, conducting work, and applying results to management, such research should be prioritized to maximize recovery of the stock by 2028.
  - Discard mortality rates for several species and gear types are assumed based on just one research project. Given the level of discards, this topic needs more work, particularly on thorny skate discard mortality in gillnet and longline fisheries.
  - Could consider developing an RSA program for winter skate to help improve the science.

**Discussion on the Consensus Statement:** Staff noted that total catch relative to the ACL (Table 2 in AMR) is not regularly posted on GARFO's website and the AP Chair said this would be helpful to do. Several advisers wanted to remove the horsepower and vessel length regulations because these regulations compromise safety and reduce profitability because there is not enough room on vessels for the skate bodies. AP members noted that regulating vessels is not necessary because fishermen are still fishing under catch limits.

**Public Comment:** James Fletcher (United National Fisherman's Association) – strongly urged adding total use of all fish caught by all fishermen to the Executive Order priorities.

***AGENDA ITEM #5: OTHER BUSINESS***

The AP members discussed membership and the potential for holding separate meetings for the wing and bait fisheries to be more efficient and engaged in a particular fishery but did not pursue this further because this would exacerbate the ability to have quorum. The Skate Committee Chair gave insight on AP membership and the potential for slowly reducing the size of the AP over time based on attendance and engagement through the AP member application process.

Comments of AP members present include:

- Besides considering attendance, also consider the level of engagement in discussion. There has been good engagement of the members who do attend this AP.
- Consider reducing the size of the AP when memberships are renewed next time.
- Consider structuring meetings to focus on wing and bait topics separately, though concerned about losing a quorum during a meeting.

**Public Comment:** James Fletcher – recommended sending notices either the night or day before to remind advisors of meetings.

The Skate AP meeting adjourned at about 11:30 am.