



New England Fishery Management Council

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Daniel Salerno, *Acting Chair* | Cate O'Keefe, PhD, *Executive Director*

MEMORANDUM

DATE: August 11, 2025
TO: Scientific and Statistical Committee (SSC)
FROM: Cate O'Keefe, Executive Director
SUBJECT: **Terms of Reference – Overfishing limits (OFL) and acceptable biological catch (ABC) for the Northeast skate complex for fishing years (FY) 2026 to 2030**

TERMS OF REFERENCE

- A. Consider the results of the Northeast Fisheries Science Center's (NEFSC) 2025 Data Update for the Northeast skate complex and information provided by the Council's Skate Plan Development Team (PDT).
- B. Recommend an OFL and ABC for the Northeast skate complex for FY 2026 – 2030 (defaults for 2028 - 2030) that will prevent overfishing, meet the management objective to rebuild thorny skate, are consistent with the Council's skate ABC control rule and thorny skate rebuilding plan, and consider the Council's Risk Policy Statement and Concept.

BACKGROUND

ABC control rule

The ABC control rule for the Northeast Skate Complex, established through Amendment 3 (2009) is:

The skate ABC is the median ratio of catch/biomass of each of the seven skate species multiplied by its three-year moving average stratified mean biomass (weight/tow) for skates, summed over the seven skate species in the management unit. This method is considered an interim proxy for an ABC until an OFL and its uncertainty can be quantified.

The control rule for setting the Northeast Skate Complex ABC uses the median catch/biomass ratio. The biomass estimate is based on the three-year moving average of stratified mean biomass derived from Northeast Fisheries Science Center trawl survey data.

In their February 11, 2009, report, the SSC concluded that an OFL “cannot be determined, because overfishing reference points are survey proxies, and estimates of fishing mortality or fishing mortality reference points are not available. Therefore, the method of determining ABC should be considered an interim proxy until an OFL and its uncertainty can be quantified, and supplemental management actions will continue to be required for individual skate species that are overfished or for which overfishing is occurring.”

Assessments and data updates

In September 2023, a management track assessment for skates was peer reviewed. The assessment updated catch data, added recreational catch to the total catch, and updated reference points. Calculating catch of species continued to be challenging due to data limitations. The assessment evaluated which

NEFSC bottom trawl survey to use in calculating survey biomass indices and concluded that the surveys used should not change (spring survey for little skate, fall survey for other skates).

In 2024, the NEFSC conducted a data update to the survey biomass indices, fishery catch data, and reference points, provided in the [2024 Skate Annual Monitoring Report](#). Overfishing was not occurring on any skate, and only thorny skate was overfished, consistent with the official stock status for the Northeast skate complex.

In 2025, the NEFSC conducted a data update to the survey biomass indices, fishery catch data, reference points, and catch projections using the ABC control rule that accounts for the recent gaps in trawl survey coverage, consistent with methods developed through the 2023 assessment. The Skate PDT has provided the ABC approach with supporting information (Document b.ii.).

Specification intervals

The SSC has traditionally recommended skate specifications at two-year intervals, but recent reductions in federal agency resources have highlighted a potential need for increased flexibility in management and regulatory processes. Thus, rather than recommend specifications for FY 2026-2027, the SSC is asked to make recommendations for a five-year period, considering specifications for FY 2028-2030 as defaults should future gaps in federal resources prevent the provision of updated data. The Council's 2025 skate complex action will only set specifications for FY 2026-2027.

With the SSC's recommendation for ABCs, the Council may consider adjusting effort controls (i.e., skate possession limits). The Council expects to take final action at its September 2025 meeting. Specifications are expected to be implemented on May 1, 2026, for FY 2026 - 2027.

Risk Policy

The Council approved updates to its Risk Policy Statement with a new Risk Policy Concept in September 2024. The Risk Policy aims to systematically account for factors that influence risk tolerance in Council decision making. Implementation of the updated Risk Policy began in January 2025 and is proceeding in stages. During the initial phase of implementation, the template for the Risk Policy Matrix (Document b.iii.) has been revised to align with the factors in the Risk Policy Concept. The SSC can use the revised matrices in a similar manner to previous Risk Policy information.

INFORMATION

- a. NEFSC Skate Data Update Report, July 29, 2025
- b. Skate Plan Development Team
 - i. Presentation by Council staff
 - ii. Skate PDT memo to SSC re FY 2026 - 2027 (and default for FY2028-2030) OFLs and ABCs for skates, August 11, 2025
 - iii. Risk Policy Matrix for skates
- c. [Skate SAFE Report](#), including the most recent description of the social and economic status of the fishery (Framework Adjustment 12, Affected Environment Human Communities), monitoring and assessment reports, etc.
- d. Previous SSC recommendations regarding skates
 - i. Meeting materials, [October 11, 2023](#)
 - ii. [SSC memo](#), November 2, 2023
- e. Correspondence (if any)

Background Documents

1. The Council's [Risk Policy Statement and Concept](#), implemented January, 2025
2. NOAA/NEFSC [2025 State of the Ecosystem Reports for the Northeast U.S. Shelf](#)