



New England Fishery Management Council

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Eric Reid, *Chair* | Thomas A. Nies, *Executive Director*

MEETING SUMMARY

Skate Committee

Hybrid - Radisson Hotel - Warwick, RI

March 22, 2023

The Skate Committee (Committee) met on March 22, 2023, at 1:30 PM in Warwick, Rhode Island and via webinar primarily to discuss the development of Fishing Year (FY) 2024-2025 Specifications and a white paper regarding thorny skate rebuilding.

MEETING ATTENDANCE

Committee: Mr. Scott Olszewski (Committee Chair), Mr. Mark Alexander, Ms. Elizabeth Etrie, Mr. Dan Farnham, Dr. Jay Hermsen, Mr. Dan Salerno, and Ms. Kelly Whitmore; **Advisory Panel:** Dr. Jeff Kneebone (Advisory Panel (AP) Chair); **Council staff:** Dr. Rachel Feeney (Plan Development Team (PDT) Chair), Mr. Connor Buckley, and Mr. Chris Kellogg; **NMFS GARFO staff:** Ms. Cynthia Ferrio, Ms. Jennifer Goebel, and **NOAA General Counsel:** Mr. Mitch McDonald. In addition, a few other AP members and several members of the public attended.

KEY OUTCOMES

- The Committee tasked the PDT to develop information that would support decisions about allowing possession of smooth skate, increasing possession limits in the wing and bait fishery, and increasing the barndoor skate partial possession limit in the wing fishery.
- The Committee made recommendations for the Council to recommend to the NEFSC regarding the 2023 skate management track assessment.
- The Committee provided feedback to the PDT regarding the thorny skate white paper.

AGENDA ITEM #1: INTRODUCTIONS, APPROVAL OF AGENDA, AND TIMELINE

The Committee Chair introduced the Committee, welcomed attendees, and sought approval of the agenda. There were no agenda changes, but it was noted that the Committee Chair would like to speak under Other Business about compliance with pinger requirements in the gillnet fishery. Staff presented the timeline and work priorities for 2023. A Committee member asked whether there was a skate research track assessment on the horizon. Staff noted that the [assessment schedule](#) through 2026 does not include a skate research track assessment (a management track assessment is scheduled for 2025).

AGENDA ITEM #2: SKATE ADVISORY PANEL REPORT

The AP Chair briefed the Committee on that morning's AP meeting, providing input on the state of the bait and wing fisheries, feedback on the thorny skate white paper draft, and the AP Consensus statements.

Discussion: The Committee engaged in a brief discussion regarding the thorny skate white paper, asking for clarification regarding the effectiveness of potential management approaches and timeline for a

potential action. Staff replied that any action addressing thorny skate rebuilding would not likely be included in this year's specifications action.

In response to the AP Consensus statements, a Committee member asked whether historical New England Fisheries Science Center (NEFSC) Bottom Trawl Survey data would be useful in investigating the differences between the distinct size morphs of thorny skate, to which the AP Chair replied that it would be. Another Committee member suggested the PDT conduct a trip limit analysis to analyze the potential benefits of changing possession limits and using a daily or trip-based limit.

Public Comment:

- **Sonja Fordham, Shark Advocates International:** Because the Council has a role within the North Atlantic Fisheries Organization, there should be a discussion of how to facilitate an international agreement through that channel to promote thorny skate recovery across the Northwest Atlantic. She shared that conservationists are actively concerned about the status of thorny skate and urged the Council to raise the priority of thorny skate and reduce fishing mortality on the species.

AGENDA ITEM #3: FISHING YEAR PERFORMANCE

Staff presented recent in-season and year-end quota monitoring and asked the Committee to reflect on the AP's input on the state of the fishery.

Discussion: A Committee member asked what the proportion of skate catch was attributed the Gulf of Maine, mentioning a concern that an action that increased catch in the Gulf of Maine could negatively affect efforts to rebuild thorny skate. Staff replied that information was not currently available, but any potential interactions with other skate species would be assessed were an action to increase possession limits of barndoor and smooth skate to be considered.

AGENDA ITEM #4: THORNY SKATE REBUILDING

Staff presented a draft white paper describing the current relevant research on thorny skate and potential approaches to addressing the lack of progress in the rebuilding plan.

Discussion: Committee members generally approved of the overall scope of the white paper and offered specific feedback on additional information to include, such as a 'Research Needs' section, and other data sources, such as thorny skate catch in the Northern Shrimp Survey. Some Committee members thought that gear modifications would not be a feasible tool, citing concerns over negative economic consequences for the Gulf of Maine groundfish fleets. The Committee also discussed possible designs for a thorny skate closure, and the issue of tracking landings and discards by species. The NOAA General Counsel clarified a question regarding the possibility of changing the status of thorny skate to 'Depleted', stating that this was not possible under the Magnuson-Stevens Act National Standard 1.

COMMITTEE CONSENSUS STATEMENT #1

For the thorny skate white paper, the Committee tasks the PDT with adding:

- Continued no possession of thorny skate as a management approach.
- Vulnerability of thorny skates to wind energy areas in the Gulf of Maine.
- A section of research needs to include:
 - Consideration of a tuning index for the trawl survey using the longline survey data for the hard vs soft bottom areas.

- Determine the distribution and abundance of the two reproductive morphs of thorny skate.
- Examine data from the Northern shrimp survey to see if it could help with questions on abundance and distribution.

Discussion of consensus statement: The Committee discussed the addition of a section identifying thorny skate research needs and agreed that a few parts of the memo should be reorganized under that section. The Committee agreed with the above consensus statement.

Public Comment:

- **Jeff Kneebone, New England Aquarium:** While thorny skate appear to prefer rough bottom habitat, some of this habitat is likely still trawlable. The abundance of thorny skate is declining in the North Sea similarly to the Gulf of Maine, likely also due to warming ocean temperatures, the North Sea is not experiencing a similar range contraction. Regarding the two reproductive morphs of thorny skate, he suggested that they are likely experiencing different discard mortality rates due to size and confirmed that trawl survey data could be used to assess trends in their abundance.

AGENDA ITEM #5: FISHING YEAR 2024-2025 SKATE SPECIFICATIONS

Staff presented the specifications setting process and the potential scope of the upcoming 2023 management track assessment. The Assessment Oversight Panel will meet and approve the assessment plan on May 22, 2023, and the Assessment Peer Review panel will meet from September 18-22, 2023. The assessment is expected to use the same index-based methods to evaluate the skate complex but could consider updating the data time series for determining the proxy for maximum sustainable yield (MSY_{proxy}), consider methods for attributing fishery catch by species, and adding recreational catch data to the time series of fishery catch.

Discussion: A Committee member asked about the likely National Environmental Policy Act (NEPA) document needed were the Committee to pursue an expansion of barndoor skate possession, to which staff replied that the action would likely require an Environmental Assessment. The Committee member also asked for clarification regarding the time series used for MSY_{proxy} , and if adjusting the time series to account for the effect of climate change would be a suitable approach for thorny skate. Staff replied that this would likely not be within scope of this assessment. Several Committee members felt it would be helpful to understand the implications of missing trawl survey stations to the catch to biomass time series. Several Committee members supported considering expanding barndoor and smooth skate possession but agreed to exercise caution in the precise structure of how to do so until the results of the upcoming skate assessment are known. There was agreement that the PDT should pursue an analysis of the implications of different possession limits, including barndoor and smooth skate possession and daily versus trip limit. Several Committee members wanted to move quickly towards expanding barndoor skate possession due to concerns of high discards and maintaining participation in the fishery.

COMMITTEE CONSENSUS STATEMENT #2

The Committee recommends that the Council recommend to the Northeast Fisheries Science Center that the 2023 skate management track assessment include:

- Include recreational data in the catch time series.
- Evaluate the methods for attributing commercial fishery landings and recreational catch by species.
- Reevaluate the biomass targets for thorny skate.

- Consider the Gulf of Maine longline survey as a biomass index.

Discussion of consensus statement: Staff noted that the first two bullets are currently being considered by the assessment scientist. The Committee discussed additional considerations, such as an exploration of natural mortality for the skate complex but agreed that a more limited list of recommendations would be more reasonable. The Committee agreed with the above consensus statement.

COMMITTEE CONSENSUS STATEMENT #3

That the Committee task the PDT to develop information that would support decisions about allowing possession of smooth skate, increasing possession limits in the wing and bait fishery, and potentially increasing the barndoor skate partial possession limit in the wing fishery (currently 25%). The Committee is interested in exploring approaches to increase barndoor possession such as having a separate barndoor limit, removing the barndoor partial possession, allowing incidental possession of barndoor, etc. This would help evaluate if there are opportunities to turn discards into landings and increase efficiency in the fishery.

Discussion of consensus statement: While the Committee was initially focused on potentially increasing barndoor skate possession limits, but additional discussion amongst the Committee expanded this to include analysis to support increasing bait and wing possession limits and incidental possession of barndoor as well. While a Committee member was concerned about including smooth skate in the statement due to its current biomass and lack of perceived value to the fishery, staff mentioned that this was included in the 2023 work priority and would, at some point in the year, the Council would need to articulate why it was not considered further.

Public Comment:

- **Patrick Duckworth, Skate gillnet fisherman, RI:** Shared his desire to see barndoor skate possession expanded soon and felt that delaying will push more skate gillnet fishermen out of the fishery.

The Committee agreed with the above consensus statement.

AGENDA ITEM #6: OTHER BUSINESS

The Committee Chair reported that harbor porpoise takes in gillnet fisheries, while below Potential Biological Removal, were still above 5-year Zero Mortality Rate established by the Marine Mammal Protection Act, and this was marked as a concern. The Harbor Porpoise Take Reduction team would like more outreach with the Southern New England gillnet fleet regarding compliance with pinger regulations. Ms. Jennifer Goebel from the Protected Resources Division at GARFO was present to address any questions.

Discussion: A Committee member mentioned that pingers can easily get knocked off when setting gear, which results in an observer documenting a missed pinger upon retrieval. Another Committee member noted that while compliance is a perceived issue, there is a difference between not having enough functional pingers and not having any pingers on gillnet gear, and that industry has noted that the compliance is incredibly strict.

Public Comment:

- **Patrick Duckworth:** Shared his experience with observers not seeing a pinger as gear is being retrieved, due to their other responsibilities with observing the catch, and he felt that there was room to improve the quality of data being used to document compliance.

The Skate Committee meeting adjourned at 5:05 p.m.