



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

Northeast Skate Complex Plan Development Team

webinar

August 18, 2020

The Northeast Skate Complex Plan Development Team (Skate PDT) met on August 18, 2020 via webinar at 1:00 PM to discuss the 2020 Annual Monitoring Report, Amendment 5 to the Northeast Skate Complex Fishery Management Plan, Council management priorities, and other business.

MEETING ATTENDANCE: Dr. Rachel Feeney (PDT Chair); Cynthia Ferrio, Ashleigh McCord, John Sullivan (GARFO); Jenny Couture and Lou Goodreau (Council staff); Dr. Trish Clay, Dr. Kathy Sosebee, and Samantha Werner (NEFSC); and Eric Schneider (RI DEM). Skate Committee Chairman Dr. Matthew McKenzie and about two members of the public attended.

2020 ANNUAL MONITORING REPORT (FOR FY 2019)

The PDT continued to develop the Annual Monitoring Report for FY 2019: focusing on the section that describes fishery landings and discards. At its July 13, 2020 meeting, the PDT discussed several issues with the tables from earlier reports (e.g., consistent units, not all catch components reported, catch components need clarification) and agreed to work towards improvement for the 2020 report. The PDT discussed progress towards resolving these issues. With input of the Skate Committee Chairman, the PDT agreed to keep the format and content of the tables essentially as-is and include descriptions of the methods used for in-season quota monitoring and year-end catch accounting, add the year end catch accounting table, and include definitions of the catch components for each table. For the next specifications cycle, the PDT agreed that what catch components are accounted for within the uncertainty buffer should be clarified. For the 2021 stock assessment, catch accounting methods will likely be revisited to be sure that all the components are included. The PDT briefly reviewed other sections of the report. A PDT subgroup will meet to review a next draft of the report.

Follow-ups

- Couture – Revise the fishery data section.
- Feeney – Ask Tobey Curtis to review the research section, convene a sub-PDT call to review the draft.

AMENDMENT 5

The PDT reviewed the outcomes of the August 6 Skate Committee meeting regarding development of a problem statement, goals, and objectives for Amendment 5. The PDT felt that the Committee motions adequately addressed the PDT concerns with the earlier language: goals were developed, a conservation focus was added, and terms were sufficiently clear (though concepts will need further work as measures get developed in future). Regarding the concern that the current permit system makes predicting the number of fishery participants and level of effort difficult, a suggestion was made to consider requiring that the skate permit be year-round (not be able to add and drop the permit multiple times within a year), so that the “universe” of vessels is known at the start of the year. It was noted that dead discards are about equal to landings (have been higher in the past); if there were ways to reliably convert dead discards into landings, perhaps landing limits could be increased (conservation neutral).

COUNCIL MANAGEMENT PRIORITIES

The PDT finalized recommendations for management priorities for 2021 and priorities that could meet Executive Order 13921.

Required work

- 2022-2023 skate specifications
- Annual monitoring report for FY 2020

Discretionary work

- Continue developing Amendment 5 to include revisiting both the FMP objectives and the need to create annual monitoring reports.

Notes

Skate Assessment. The skate assessment will occur in 2021. It will potentially be a Level 2 management-track assessment, occurring later in the year than usual. This will likely impact when the Council can take final action on skate specifications (usually at its September meeting). While the assessment is not a Council action, it will require the time and effort of several PDT members.

Specifications. The end of the 25-year rebuilding period for thorny skate is in 2028 (eight years away), and biomass is at about 4% of the target. GARFO has not notified the Council in recent history on lack of rebuilding, but this may come after the assessment update next year. The PDT and SSC have flagged concerns about thorny skate for several years. The Council could develop measures to help thorny skate rebuild. This would potentially require a framework adjustment action for specifications. Additionally, creation of the Annual Monitoring Report for FY 2019 highlighted the need for improved communication about where various catch components are accounted for within the specifications. The PDT will work to make these clarifications, for example, which catch components fit within the uncertainty buffer. At this point, the PDT feels that this is a matter of improved communication rather than a need for regulatory changes.

Amendment 5. Based on its August 6 meeting, the Skate Committee seems to support continuing with Amendment 5 and expanding the range of measures that get considered for development beyond those that would create a limited access permit system. If these or similar motions get

approved by the Council in September, a rescoping for the amendment will likely be needed, and this action will take more effort to develop.

Skate FMP Objectives. Through developing Amendment 5 and the Annual Monitoring Report for FY 2019, the PDT has noted a need to revisit several objectives of the Northeast Skate Complex Fishery Management Plan (examples below; full list in Section 3.1 of the Amendment 5 Discussion Document). The goal and objectives of the FMP are unchanged since the original FMP was adopted in 2003 and would need to be revised through an amendment.

- Objective 2 should be updated or made less specific. It says that barndoor skate is “currently overfished.” In fact, barndoor was declared rebuilt in 2016; thorny skate is the only skate species that is currently overfished. Objective 2 also says that fishing mortality of winter skate should be reduced. While winter skate is the most caught species in the wing fishery, it is a stable stock.
- Objective 5 should be updated. It refers to research needs identified in the “Skate SAFE Report and scoping document.” Research needs are not consistently included in SAFE reports, and the scoping document referred to was created in 2001 for the original FMP. The latest version of research needs should be referred to (i.e., the spreadsheet that is updated annually).
- Objective 7 has not been addressed. There are no measures that “manage clearnose and rosette skates separately” from the rest of the skate complex. Is this still a priority? Clearnose and rosette skates make up a small percentage of overall skate catch.

Annual Monitoring Report. While the PDT is not making a firm recommendation to no longer require the creation of Annual Monitoring Reports (AMR), the PDT has several concerns about the purpose and process. The regulatory requirement for the Skate PDT to create annual monitoring reports is here: [§648.320](#). Here are a few observations of the PDT, but a fuller memo may be warranted in future if this becomes a management priority.

- The Skate FMP was implemented in September 2003 with a requirement that the Skate PDT “meet at least annually to review the status of the species in the skate complex and their associated fisheries.” The current regulations state that in any year in which a Stock Assessment and Fishery Evaluation Report is not completed by the Skate PDT, the annual review process shall be completed. The regulations are unclear on if an AMR needs to be created each year. In practice, a few AMRs were created in the early years of the FMP and each year since 2012, including years in which specifications are developed or other Council action that includes a SAFE report (i.e. Affected Environment section of a framework adjustment).
- Skates and Small-mesh Multispecies are the only FMPs managed by the NEFMC for which AMRs are created, and for which stock status determinations are made annually by the respective PDTs. While annual updates to stock status are helpful, the Skate PDT questions whether it is appropriate to do so outside of the assessment process and schedule. Any such change would need peer review prior to acceptance by NMFS Headquarters, which makes the final determination.
- The regulations indicate that the annual review by the PDT include a “determination of whether any of the accountability measures (AMs) specified under §648.323 were triggered” (i.e., if a wing or bait TAL was exceeded by >5% or the ACL was exceeded). These determinations are made by GARFO and get communicated to the Council. Thus,

a Skate PDT determination and communication on this matter is duplicative and unnecessary.

- It is GARFO that provides year-end information on landings and discards, though this is not something that is presently communicated on a regular basis (e.g., not posted to its website). In this regard, the AMR has some utility, though the PDT work is to merely pass along tables provided by GARFO. The PDT feels it would be more efficient if the year-end data were posted to the GARFO website rather than buried in the AMR, which has less visibility.

OTHER BUSINESS

Aggregate Records. The PDT discussed potential clarifications to how to use aggregate landings records when doing trip- and vessel-level analyses. Aggregates are skate fishery data from multiple trips reported in dealer data as a single record with a permit ID ending in “998.” A subgroup of the PDT discussed this matter during a call on July 30 and developed a strawman approach for decision rules for using these unique data.

Permit IDs equal ending in “998” are rare but thought to be residual from dealer data reporting schemes from the 1970s-90s when certain states reported landings from all vessels under a single permit ID ending in 998. Reporting evolved to where certain areas/ports were reporting total landings under a xxx998 permit ID. Now, each Federal permit has its own unique number. Recently, the PDT found several Federal permit IDs ending in 998 that do have a Federal hull ID match in Federal permit database, such that they should not be immediately eliminated from a query of Federal landings. These cases start to appear during the early 2000s. Of these, there are only a few permit IDs in the time series that report substantial landings. Given these findings, some Permit IDs should most likely be included in queries under certain decision rules.

Decision Rules. Eliminate from certain queries any Permit ID ending in 998 which:

- 1) Does not have a valid Federal fishing permit.
- 2) Is linked to a real vessel but reports aggregate landings (where a benchmark value is used to identify trips and or vessels that report landings or revenues suspect of being aggregated records).

Justifications:

- 1) The first rule would eliminate permit IDs that are not linked to a single vessel at any point in time, such that the permit ID is identified as an outlet for reporting aggregate landings and can be eliminated from trip and vessel-level analyses.
- 2) The second rule would identify permit IDs with multiple data streams—where one data stream is from a single vessel’s true landings/ revenues (given decision rule one) and another data stream could be from ports still reporting aggregates under that same 998 permit ID.

The PDT noted that this approach is similar to that used by ACCSP, which validates permit IDs ending in 998 by ensuring that the permit has a valid federal permit number for that specific year such that it matches to a specific hull number and a real vessel. If not, then it is assumed the permit number is residual from aggregates work.

The PDT noted state and aggregate landings issues are critical to address when discussing potential limited access in the skate fishery. These decision rules may need to be reconsidered in

certain cases (e.g., port-level queries that include state landings may need to include all 998 permit IDs).

The decision rules are broad such that any residual permit IDs ending in 998 (included but not limited to 190998 and 390998) are cross checked against the Federal permit database for validation (step 1 of the decision rules) and then are further scrutinized to ensure aggregates are not influencing the data.

With no other business, the meeting adjourned at 3:20 PM. The next Skate PDT meeting will likely occur after the September Council meeting.