



New England Fishery Management Council

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MEETING SUMMARY

Skate Advisory Panel (No Quorum)

New Bedford Harbor Hotel, New Bedford, MA
October 22, 2019

The Skate AP met on October 22, 2019 in New Bedford, MA to: 1) review and discuss Council staff analyses on landings and revenues data by declaration code to further identify groups utilizing the skate resource and 2) other business, if necessary. Meeting presentations and documents can be found at: <https://www.nefmc.org/calendar/oct-22-2019-skate-advisory-panel-meeting>.

MEETING ATTENDANCE: Dr. Matt McKenzie (Acting AP Chairman), Ms. Sonja Fordham, Ms. Andrea Incollingo, Mr. Greg Mataronas, Mr. Bill McCann, Mr. Dan Nordstrom, and Mr. John Whiteside; Lou Goodreau, Dr. Rachel Feeney, Jennifer Couture, and Dr. Fiona Hogan (NEFMC staff). In addition, approximately 7 members of the public attended.

Low attendance resulted in a lack of a quorum at this meeting. Therefore, no formal Skate Advisory Panel recommendations were developed. The statements provided in this report represent the perspective(s) of individual Skate AP members and do not reflect a consensus or majority opinion of the Skate AP.

KEY OUTCOMES (NO QUORUM): Skate AP members present recommended that the Skate Committee task the PDT to:

- Identify the data questions resulting from today's discussion, e.g. but not limited to, the landings exceeding the possession limits, undeclared trips, state landings, etc. and work with the Agency to explain and address these issues.
- Continue work on bait qualification criteria for the development of a limited access program, focusing on Category X (vessels that did not meet the defined qualification criteria).

PRESENTATION #1: SKATE LIMITED ACCESS RECAP

Staff gave an update on the skate limited access work to date including a recap on objectives of a limited access program, revised wing qualification criteria, originally proposed bait qualification criteria, and qualifying vessels within each of the AP-proposed permit categories. At their May 22, 2019 meeting, the Committee tasked the PDT to provide the number of qualifying vessels based on qualification criteria recommended by some AP members, however, the Committee has not yet developed alternatives incorporating these criteria for either wing or bait fisheries.

PRESENTATION #2: DECLARED SKATE TRIPS, PERCENTAGE OF REVENUES

Staff gave an overview of the distribution of skate trips for FY2017 by the percentage of skate to total revenues on those trips and by authorization code (declaration).

One AP member asked what the 'Other' group is in the skate revenues graphs presented and was concerned with using FY2017 when the fishery was closed for a few months. Staff stated that once FY2018 data are more finalized, the analyses could be re-run.

Public Comment:

- Greg DiDomenico (Garden State Seafood Assoc.) – requested distribution of skate trips and revenues on by statistical area, region and gear type. Further on in the discussion, Greg asked whether these data could be parsed out by state permitted vessels only.

PRESENTATION #3: DECLARED SKATE TRIPS, PERCENTAGE OF LANDINGS – KERNEL DENSITY PLOTS

Staff presented skate trip/pounds landed frequencies in FY2017 by authorization code (declaration).

AP members had several questions on the high percentage of landings exceeding the 4,100 lbs. wing possession limit, whether these landings were bait instead of wing, and whether FY2017 was an anomaly year with the closure so perhaps the data are incorrect. AP members also had a lengthy discussion on the difference between the Undeclared and Declared out of Fishery (DOF) plan codes and whether a high number of undeclared trips occurs in other fishing years. An AP member questioned whether the undeclared trips include state vessels.

Public Comment:

- Elizabeth Etrie (Skate Committee Vice-Chair) – helped clarify that any vessel required to have a VMS on board is required to declare, so any trips with VMS that are not declaring a GF or MF trip, for example, should be part of the DOF category; undeclared trips would be for vessels without any VMS requirement, e.g. some Mid-Atlantic vessels.
- Cynthia Ferrio (NMFS/GARFO) – agreed, noting that the bluefish and fluke fisheries do not require VMS.
- Greg DiDomenico – asked about observer coverage and if it is possible to add in the observer data by activity code to help elucidate why there are undeclared trips.

AGENDA ITEM #1: DISCUSSION OF LIMITED ACCESS

AP members had several questions and concerns on the high number of trips with DOF and undeclared plan codes, credibility of the data, and how to characterize the fishery and set permit levels. There was concern with moving forward with a limited access program and setting qualification criteria until the data are more solid. Staff clarified that a different database would be used when setting qualification criteria and that the database with activity codes was only supposed to help characterize the fishery with respect to who is landing mostly incidental amounts of skate, etc. Staff also noted that state landings can be filtered out of the data to see if state landings are responsible for any of the undeclared trips. AP members were concerned on whether the landings exceeding the 4,100 lbs. possession limit should be bait or wing, whether these are state landings, and if the database that will be used for qualification criteria has any similar data issues as the one used for activity codes.

A couple of AP members noted that there is a big difference between the wing and bait fisheries and the bait fishery already has a Letter of Authorization (LOA) requirement, thus, the Council should go forward with limited access for the bait fishery while folks determine what to do with the wing fishery. One AP member noted that the bait fishery is more vulnerable to potential increases in fishing effort and that the previously discussed permit categories seem straightforward and easy to see who would qualify. The 150 vessels that do not currently fit into the three AP-proposed permit categories (these permit categories have

not been voted on by the Committee/Council) should be blended into the categories somehow to prevent overfishing; the PDT can look at these 150 vessels and add in 25,000 lbs. as an option. Another AP member supported the bait fishery's desire to move forward with limited access, however, noting that the scoping period for limited access was a few years ago when industry didn't take the potential for a limited access program seriously. Limited access may be premature for the wing fishery as more public input and improved clarity on the data are needed first. AP members emphasized that they don't want other fisheries hurt by the skate limited access program.

Consensus statement #1 of AP members present

Ask the Committee to task the PDT to continue work on bait qualification criteria for the development of a limited access program, focusing on Category X (vessels that did not meet the defined qualification criteria).

Consensus statement #2 of AP members present

The AP requests the Committee request that the PDT identify the data questions resulting from today's discussions, e.g. but not limited to, the landings exceeding the possession limits, undeclared trips, state landings, etc. and work with the Agency to explain and address these issues.

Discussion of the Consensus Statement:

An AP member noted that FY2017 was also an anomalous year with a big peak in wing landings so perhaps the data are erroneous, more specifically the undeclared plan code data. Staff noted again that the undeclared trips do not affect qualification criteria developed by the AP, which are based on skate landings not declarations. At its September 5th, 2019 meeting the Skate Committee requested landings by declaration code to understand who is using the fishery, and who will be impacted under a limited access program. An AP member had a question on whether this consensus statement includes re-running the analysis for different fishing years.

Public Comment:

- Elizabeth Etrie – from a Committee perspective, it would be helpful if the AP is clearly identifying limited access for both the bait and wing fisheries or just one of the fisheries and if more investigative work is needed to determine whether to go forward with a limited access program or not.
- Emily Gilbert - suggested the PDT look at specific issues and compile questions and requests to assist the Agency in understanding the data and big picture issues. The PDT members can help filter out some of the questions and provide a list of unanswerable questions that can then be submitted from the Council to the Agency to answer.

AGENDA ITEM #2: OTHER BUSINESS

Staff updated the AP that, for the skate monitoring report, the landings information for the bait and packing/no market landings codes have been corrected from the draft that was presented at the 2019 September Council meeting.