

Skate Staff Report

2022-2023 Specifications - final action

Amendment 5 - update

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Acceptable Biological Catch

Scope:

- Action focused on setting the ABC/ACL flowchart.

ABC control rule:

- The long-term median catch [fishery] of each species is adjusted by its ratio of short-term [3-year moving average] over long-term trawl survey biomass (kg/tow). Results are then summed for a complex-wide ABC.

Modification needed:

- Missed some stations in 2018; no survey data for 2020; NEFSC indicated that only survey data through 2019 are to be used.
- PDT developed a modification (again); not the first-time adjustments are needed to account for missed stations, but the degree of missing data is more severe.



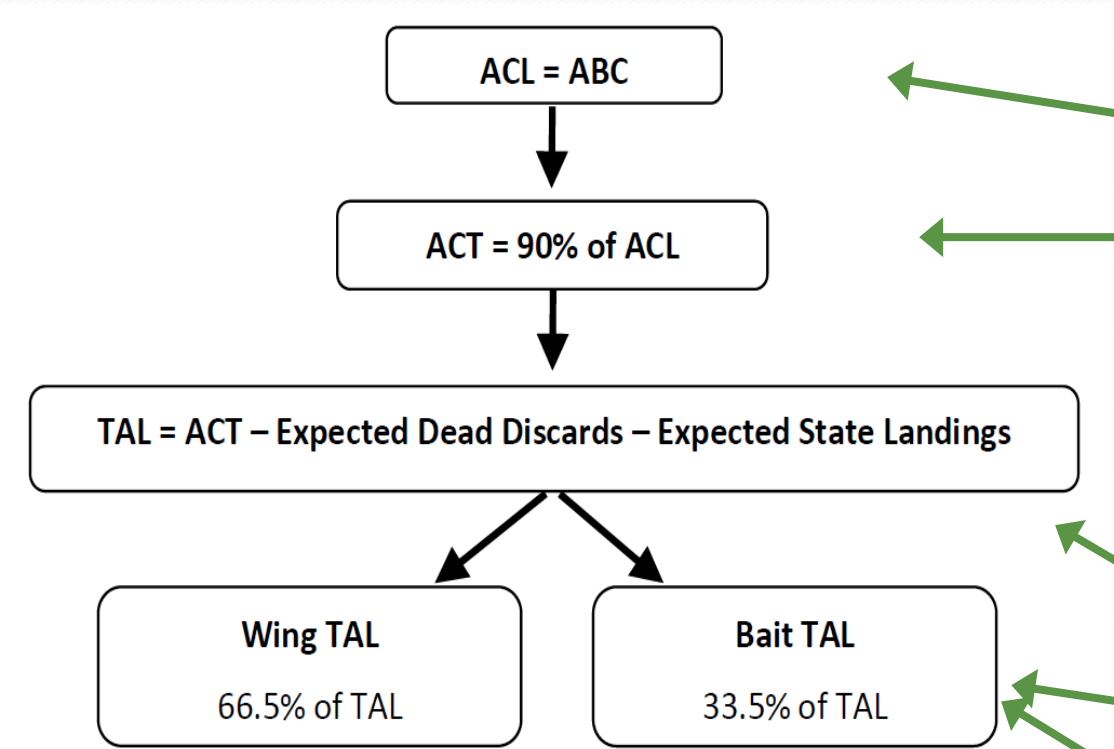
ABC development – consensus method

			Alternative 1 (FY 2020-21)	Control Rule (ideal)	Alternative 2 (DRAFT)
Survey indices	Spring	Little	2017-19	2019-21	2017-19
	Fall	Rosette & clearnose	2016 & 18 (no 2017 data)	2018-20	2018-19
		Barndoor, thorny, smooth, winter	2016-18		2017-19
Catch/biomass time series			Time series to 2016	Not always updated	Times series to 2016
2022-2023 ABC			32,715 mt		37,236 mt
State & discard deductions*			2016-18	2018-20	2017-19

*For ACL flow chart.



ABC/ACL flow chart



	Alt. 1 (mt)	Alt. 2 (mt)
ABC = ACL	32,715	37,236
ACT	29,444	33,513
Dead Discards	10,942	11,856
State Landings	638	515
Federal TAL	17,864	21,142
Wing TAL	11,879	14,059
Bait TAL	5,984	7,082



Stock status

Stock status:

- Overfishing? Not occurring for any skate species; risk of overfishing is low.
- For all seven skate species, the 2017-2019 average survey index increased over 2016-2018. Most species near or above biomass target; thorny skate persistently below biomass threshold.
- Overfished? Only thorny skate: under rebuilding plan; possession prohibited. 25-year rebuilding deadline is in 2028. As of 2019 survey data, thorny skate was at 4% of $B_{MSYproxy}$
- Little and winter skate continue to dominate survey biomass.
- Skates likely to shift distribution with warming conditions; thorny skate contracting and moving northward (Gulf of Maine) and into deeper waters.



Fishery Performance

- ACL never been exceeded. 69% of ACL caught in FY 2020, down from FY 2017 (81%).
- TALs not exceeded since FY 2017. 71% of TAL landed in FY 2020, down from FY 2017 (99%). Landings relatively constant despite TAL changes.
- Fishery revenue \$5-9M since 2010, varying with wing landings more than bait.
- Bait fishery is more directed, wing more incidental.
- Since 2004, <20 bait only vessels/year, 21-80 bait and wing vessels/year (increasing), 700-260 wing only vessels/year (decreasing).
- Of 400 total ports active since 2010, 8 primary and 21 secondary, ME to NC; fishery centered in Chatham, New Bedford, Pt. Judith.
- Total & dead discards decreasing since 2013, mostly from scallop dredge & otter trawls.
- In scallop dredge gear, almost exclusively little and winter skate, more mixed speciation in otter trawl gear, sink gillnet and longlines. Minimal thorny skate.



Impacts Analysis

Doc #2b

Valued Ecosystem Component	Expected Impact
Target Species	Low positive. ABC based on updated data, determined to be sustainable. $ACT \ll ABC$, low risk of overfishing.
Non-target Species	Low positive. Only minor changes to fishing effort. Catch controlled by other FMPs.
Protected Resources	Low negative to negligible. Interaction risk remains but minor fishing effort changes.
Physical Environment and EFH	Low negative. Interaction of mobile bottom tending gear with habitat.
Human Communities	Low positive. Realize additional yield from TAL increase, AM triggers less likely.

NEPA document: Supplemental Information Report (SIR)

- No major changes in data sources and status of resources and fishery.
- Impacts are within the range of what was considered in the last Environmental Assessment (2020-2021 specs, Framework 8).



Preferred alternative?

Committee motion:

Recommending Alternative 2 (37,236 mt) as the final preferred alternative for the Skate ABC for FY 2022-2023. (7/0/0)

Rationale:

- There would be low risk of overfishing.
- A higher ABC would lower the risk of in-season closures.
- Demand for skate bait is increasing.
- Supported by AP, PDT and SSC.
- This represents the best available science given the data gaps.



Amendment 5

Amendment 5

Its life history

- Interest in making the skate permit limited access since 2009 (bait control date; wing in 2014).
- Initial scoping for limited access in 2017.
- In 2020, Council set problem statement, goals and types of measures to consider, broadening beyond limited access.
- Supplemental scoping in early 2021.
- In March-June 2021, Council opted to stop working on limited access, agreed to revise the FMP objectives in this action, and accepted Committee's early work on alternatives.
- In September 2021, the AP and Committee agreed to a narrow range of alternatives. Committee recommends discontinuing work on Amendment 5 and considering the measures in a framework adjustment action.



A5 Problem Statement (emphases added)

There are two modes of the skate fishery, directed and non-directed fisheries. An **incidental limit** has been triggered five times since first implemented July 2010, and when it gets triggered, there are negative impacts on the directed skate fishery and on the other fisheries that incidentally harvest skate.

There is a need to improve the reliability and accountability of **catch reporting** in the skate fishery (and other fisheries that catch skate) to ensure there is precise and accurate representation of catch (landings and discards). **Accurate catch data** are necessary to ensure that catch limits are set at levels that prevent overfishing and to determine when catch limits are exceeded.

Current and potential access to the skate resource make it difficult to achieve long term sustainable management in the skate fishery. It is more difficult to prevent overfishing and predict outcomes of management when **participants in a fishery cannot be defined**.






A5 Goals (desired outcomes)

1. Avoid tripping the skate incidental possession limit.
2. Improve skate data, leading to improved assessments (e.g., no longer be considered data-poor) and more precise and accurate understanding of the landings and discards in different segments of the fishery.
3. Minimize discards.
4. Better characterize the directed and non-directed fisheries.
5. Better understand the true potential for vessels to enter the fishery.
6. Minimize the impact on any other fisheries that have interactions with skates.
7. Preserve, to the extent possible, ongoing participation in the fishery consistent with how past utilization has occurred.



Types of measures being considered

Alternatives	Restrict switching between state and federal fishing for the wing and/or bait fishery and/or make the federal skate permit a year-round permit.
Considered But Rejected	Creating different TALs for the wing fishery segments (e.g., directed and non-directed TALs).
	Gear modifications that could reduce bycatch for the wing and/or bait fishery (e.g., 12" mesh gillnet size).
	Additional reporting requirements for the wing and/or bait fishery (e.g., VMS declarations, daily catch reports).
	An intermediate trigger to slow the wing and/or bait fishery.  
	Monitoring requirements for the wing and/or bait fishery beyond NEFOP/SBRM requirements. 
	Limited access for the wing and/or bait fishery, with or without tiers for different qualification criteria for permit categories.

Committee recommendations today.

 = draft alternatives in document already.
 = rejection informed by PDT analysis/tasking.

4.2 - Federal skate permit

Range of Alternatives (created March-June 2021)

Alternatives	Rationale
1. No Action. Can add/drop federal skate permit at any point in fishing year.	
2. Must apply for a federal skate permit by 45 days prior to start of FY and retain all year.	Universe of federal vessels would be known, make federal and state fishing more distinct, prevent entering and leaving federal fishery, potentially monitoring more landings against TALs
3. Once federal skate permit is obtained, it must be retained the entire year.	Allow flexibility for entering federal fishery, prevents exit when incidental limits are triggered.



- AP and Committee recommendation:** For Alternative 2, change 45 days to 30 days to be consistent with the groundfish and scallop limited access permit renewal deadlines.



4.1 - Intermediate Possession Limit (IPL)

Range of Alternatives (created March-June 2021)

Wing	Bait
1. No Action. Incidental at 85% of TAL, limit lowers to 500 lb.	1. No Action. Incidental at 90% of TAL in Seasons 1 and 2, 80% in Season 3; limit lowers to 8,000 lb.
2. Step 1 at 75% of TAL, limit lowers to 50% or 75%. Step 2: No Action incidental.	2. Step 1 at 75% of TAL, limit lowers to 50% or 75%. Step 2: No Action incidental.
3. Step 1 at 80% of TAL, limit lowers to 50% or 75%. Step 2: No Action incidental.	3. Step 1 at 85% of TAL, limit lowers to 50% or 75%. Step 2: No Action incidental.
4. Step 1 at 75% of TAL, limit lowers to 75%. Step 2: Incidental at 90% of TAL.	4. Step 1 at 75% of TAL, limit lowers to 75%. Step 2: Incidental at 90% of TAL.

- Options to only select an intermediate in the last season of the year.
- **AP and Committee recommendation:** Regional Administrator has discretion to not trigger intermediate limit in any season if fishery unlikely to reach TAL, broader than current discretion for incidental limits (wing Season 1 after Aug. 17 and in wing Season 2).



Preliminary analyses

Would IPLs have been triggered in the past? Looked at FY 2015-2020, in-season quota monitoring data:

Fishery	75% trigger	80% trigger	85% trigger
Wing	10 of 12 seasons	7 of 12 seasons	-
Bait	9 of 18 seasons	-	8 of 18 seasons

When & how many trips in FY18 affected by IPL trigger? Used Method 1: quota monitoring data for trigger date and CFDETS AA data for # of trips with landings > IPL.

- *Wing*: trigger within last month of Season 1 and halfway through FY; 2-5% trips affected.
- *Bait*: trigger end of Seasons 1 and 2 but not in Season 3 (only 77% bait TAL achieved); # trips not calculated

- *Similar results across alternatives*



Would an incidental limit also have been triggered in FY18? What are the loss of landings/revenue? Use Method 2: CFDETS AA trip-level data only.

- Wing 75% IPL trigger with 50% and 75% PL and 85% incidental trigger
- ~22-23% of FY landings and revenue lost under 75% wing IPL
- Compared to Method 1 using QM data for trigger dates, AA data show IPL triggers ~3 weeks earlier in Season 1.

AP and Committee recommended rejecting all alternatives:

- Unclear what problem intermediate limits would solve
- Analysis shows the fishery would be hindered, creating inefficiency, administrative burden
- Incidental limits enough to keep w/in landing limits

75% IPL trigger, 85% incidental	Wing Season	Possession Limit Triggers	Trigger Date
50% PL	1	Regular PL	
		Intermediate Trigger	7/16/2018
		Incidental Trigger	8/7/2018
	2	Regular PL	
		Intermediate Trigger	11/2/2021
		Incidental Trigger	12/27/2018
75% PL	1	Regular PL	
		Intermediate Trigger	7/16/2018
		Incidental Trigger	8/1/2018
	2	Regular PL	
		Intermediate Trigger	10/31/2018
		Incidental Trigger	12/14/2018



4.3 - At-Sea Monitoring

No alternatives, PDT tasked with providing recent coverage rates

Wing NEFOP Coverage
(Subset of Declaration Codes)

Plan Code	FY	% of Dealer Landings	% of Revenue	% of Trips
DOF	2016	12%	9%	9%
DOF	2017	14%	13%	12%
DOF	2018	13%	12%	13%
DOF	2019	7%	7%	11%
MNK	2016	7%	6%	7%
MNK	2017	10%	10%	10%
MNK	2018	6%	6%	5%
MNK	2019	6%	6%	7%
NMS	2016	4%	4%	5%
NMS	2017	8%	8%	9%
NMS	2018	3%	3%	4%
NMS	2019	6%	5%	6%

Bait NEFOP Coverage
(Subset of Declaration Codes)

Plan Code	FY	% of Dealer Landings	% of Revenue	% of Trips
DOF	2016	10%	10%	10%
DOF	2017	9%	10%	11%
DOF	2018	13%	14%	13%
DOF	2019	14%	14%	13%
MNK	2016	9%	10%	5%
MNK	2017	19%	18%	12%
MNK	2018	7%	6%	3%
MNK	2019	1%	1%	3%
NMS	2016	6%	6%	6%
NMS	2017	15%	15%	13%
NMS	2018	6%	6%	7%
NMS	2019	13%	13%	12%

Green = Committee tasking; Removed NEFOP limited gillnet trips



4.3 - At-Sea Monitoring

Take-home points & recommendation

NEFOP coverage (FY 2016-19 average):

- *Wing*: ~7% MNK trips
- *Bait*: ~12% DOF trips

ASM coverage (FY 2016-19 average):

- *Wing*: <1% MNK trips, 4% NMS trips
- *Bait*: ~6% NMS trips

Notes:

- 6% observer records didn't match with landings data; 9% landings records didn't match with observer records.
- Estimated coverage for all declaration codes.

AP and Committee rationale for not developing alternatives on at-sea monitoring in this action:

- High level of coverage in skate fisheries across plan codes already.
- Limited ability for fishery to pay for coverage.



Moving forward

- No AP or Committee motions to develop any other alternatives.
 - Gillnet fishery already using larger mesh than required. Other potential modifications would need more research.
 - Additional reporting requirements or wing sub-TALs not developed.

Committee motion:

Recommending initiating a framework adjustment action to consider the measures identified by the Committee and discontinue work on Amendment 5. The framework would clarify the Skate FMP objectives as developed in Amendment 5 and include the alternatives developed through Amendment 5 on the federal skate permit (Section 4.2 of Amendment 5 discussion document). (7/0/0)

Rationale:

- Given AP and Committee recommendations on alternatives, a framework is the more appropriate type of action.



2022 draft skate priorities

Preliminary Committee recommendation

- Finish Amendment 5 (now a framework?)
- PDT create 2022 Skate Annual Monitoring Report
- New actions
 - To consider revising skate wing and bait possession limits, to be implemented for FY 2023 and beyond.
 - To consider revising the skate ABC/ACL flow chart.

