



New England Fishery Management Council

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MEETING SUMMARY

Skate Committee

Webinar

August 6, 2020

The Skate Committee met on August 6, 2020 at 9:00 AM via webinar to: develop Amendment 5 (limited access) and consider updates on recent skate fishery performance and outlook.

MEETING ATTENDANCE: Dr. Matt McKenzie (Chairman), Elizabeth Etrie (Vice Chair), Richard Bellavance, Allison Ferreira (GARFO), Melanie Griffin, Peter Kendall, John Pappalardo, and Scott Olszewski; Jennifer Couture, Dr. Rachel Feeney (PDT Chairman), Lou Goodreau, and Chris Kellogg (NEFMC staff); Cynthia Ferrio (GARFO staff); Mitch MacDonald (NOAA General Counsel). In addition, about seven members of the public attended.

KEY OUTCOME:

- The Committee developed problem statements and goals for Amendment 5 and postponed a motion on approaches to achieve the goals until its next meeting.

AGENDA ITEM #1: SKATE UPDATES AND OUTLOOK

Staff briefly presented the FY 2020 fishery performance to date and updated the timeline of the skate management priorities of the Council. There were no comments from the Committee or public.

AGENDA ITEM #2: AMENDMENT 5

The Committee Chairman explained that the goal of the meeting is to develop a clear problem statement(s), goals, and objectives for Amendment 5 to bring to the September Council meeting. Staff briefly presented PDT work done since the June Council meeting, including comments on the Skate FMP goal and objectives and FY 2018 revenue for vessels landing skate (skate revenue dependence, revenue by gear type, and revenue from other species). The Committee was facilitated through a brainstorming session of current problems in the fishery, supporting information and rationale, outcomes that would indicate problem resolution, and approaches to achieve outcomes. Refer to the worksheet in Appendix 1 for additional information than provided via the following motions.

1. MOTION: GRIFFIN/OLSZEWSKI

The Skate Committee recommends the following as a problem statement for Amendment 5:

There are two modes of the skate wing fishery, directed and incidental fisheries. The incidental limit has been triggered two times in the last ten years, and when it gets triggered, there are negative impacts on the directed skate fishery and on the other fisheries that incidentally harvest skate, such as the monkfish fishery (e.g., needing to travel further to avoid skates).

Discussion on the Motion: Committee members raised problems constituents identified in the skate fishery that could be resolved through changes in management, such as triggering of the incidental limit

two times within the past decade, adversely impacting the more valuable monkfish fishery, especially in Southern New England. A few Committee members were concerned with the lack of the trawl survey this year due to COVID-19 and the impacts to skate management (e.g., assessment uncertainty). Most of the discussion focused on whether there is potential for a shift in effort from the groundfish fishery into the skate fishery, especially because of the outcomes of draft Groundfish Amendment 23 (monitoring). Understanding how the groundfish fishery is prosecuted and its business models are important to understanding future effort changes to the skate fishery.

Public Comment:

- Maggie Raymond (Associated Fisheries of Maine) – asked why the Committee has not discussed protecting historical bycatch of skates in the groundfish fishery and noted the lack of data to support the idea that effort will shift from the groundfish fishery into the skate fishery as a result of the monitoring requirements in Amendment 23.

1A. MOTION TO AMEND: FERREIRA/ETRIE

The Skate Committee recommends the following as a problem statement for Amendment 5:

There are two modes of the skate wing fishery, directed and incidental fisheries. The incidental limit has been triggered two times in the last ten years, and when it gets triggered, there are negative impacts on the directed skate fishery and on the other fisheries that incidentally harvest skate, such as the monkfish fishery (e.g., needing to travel further to avoid skates). 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.

Rationale: This is consistent with the existing Skate FMP objectives on minimizing bycatch and discards. Adding the need for improved data is like the need identified through Amendment 23 to the Groundfish FMP.

Further Discussion on the Motion: Committee members discussed improving reliability of catch reporting data due to the high discard rate in other fisheries and whether this addition focused on monitoring was outside the scope of the original intent of Amendment 5. Through discussion, Committee members noted it would also be prudent to re-scope for this amendment because the original scoping was completed a few years ago and times have changed.

1B. MOTION TO AMEND WAS PERFECTED

The Skate Committee recommends the following as a problem statement for Amendment 5:

There are two modes of the skate fishery, directed and non-directed fisheries. The incidental limit has been triggered two times in the last ten years, 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.

The motion was perfected without objection to include the wing and bait fisheries, remove the monkfish example, and replace “incidental” with “non-directed” in the problem statement.

Further Discussion on the Motion: Committee members decided to apply this motion to both the wing and bait fisheries because some of the problems identified are pertinent to both fisheries, such as

triggering Accountability Measures. A few Committee members asked what was meant by ‘incidental’ fishery and suggested non-directed is more consistent with prior work.

MOTION 1B TO AMEND AS PERFECTED CARRIED 6-0-0-0.

	Yes	No	Abstain	Recuse
Matt McKenzie, CT (Chair)				
Richard Bellavance, RI	x			
Elizabeth Etrie, MA	x			
Allison Ferreira, GARFO	x			
Melanie Griffin, MA	x			
Peter Kendall, NH	absent			
Laurie Nolan, MAFMC	absent			
Scott Olszewski, RI	x			
John Pappalardo, MA	x			
TOTAL VOTE	6	0	0	0

MAIN MOTION AS AMENDED AND PERFECTED CARRIED 6-0-0-0.

	Yes	No	Abstain	Recuse
Matt McKenzie, CT (Chair)				
Richard Bellavance, RI	X			
Elizabeth Etrie, MA	X			
Allison Ferreira, GARFO	X			
Melanie Griffin, MA	X			
Peter Kendall, NH	Absent			
Laurie Nolan, MAFMC	Absent			
Scott Olszewski, RI	X			
John Pappalardo, MA	X			
TOTAL VOTE	6	0	0	0

2. MOTION: BELLAVANCE/PAPPALARDO

The Skate Committee recommends an additional problem statement for Amendment 5:

The open-access nature and latent effort of skate permits makes it difficult to achieve long term sustainable management in the skate fishery. It is more difficult to prevent overfishing and predict outcomes of management participants in a fishery cannot be defined.

Rationale: A limited access management program could provide for more stable and sustainable management of the skate fishery.

Discussion on the Motion: Committee members noted that unlimited availability of skate permits is not a problem so much as the activation of skate permits (about 80% of skate permits are not active). Identifying the fisheries that could access the skate fishery in the future and to what extent would be important. A Committee member noted that the activation of permits and participants entering the skate fishery from the groundfish fishery are only perceived problems.

2A. MOTION WAS PERFECTED

The Skate Committee recommends an additional problem statement for Amendment 5:

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.

The motion was perfected without objection to replace “open-access nature and latent effort” with “current and potential access”.

Further Discussion on the Motion: A few Committee members noted that ‘open access’ is not the best description of the skate fishery because fishermen need to use either a Northeast multispecies, scallop, or monkfish day-at-sea to land the full skate possession limit. Staff noted that directed fishery has yet to be defined and that is something that could be developed through the amendment. One Committee member emphasized that the motion is intended to address the latent effort and open access nature of the fishery, both of which make management difficult.

Public Comment:

- John Whiteside – noted that this motion is about long-term sustainability and preventing overfishing, but the fishery is already constrained by the Magnuson-Stevens Act and the Skate FMP already has accountability measures to prevent overfishing.
- Maggie Raymond – agreed that the skate fishery is already sustainably managed and felt that the only open access part is in the bait fishery. She was concerned that latent effort has not been identified and questioned what is meant by the “directed” fishery.

MOTION 2A AS PERFECTED CARRIED 5-2-0-0.

	Yes	No	Abstain	Recuse
Matt McKenzie, CT (Chair)				
Richard Bellavance, RI	X			
Elizabeth Etrie, MA		X		
Allison Ferreira, GARFO		X		
Melanie Griffin, MA	X			
Peter Kendall, NH	X			
Laurie Nolan, MAFMC	Absent			
Scott Olszewski, RI	X			
John Pappalardo, MA	X			
TOTAL VOTE	5	2	0	0

3. MOTION: BELLAVANCE/PAPPALARDO

The Committee recommends the following goals for Amendment 5:

1. Avoid tripping the skate incidental possession limit.
2. More precise and accurate understanding of the landings and discards in different segments of the fishery.
3. Minimize bycatch and discards.
4. Better characterize the directed and non-directed fisheries.
5. Better understand the true potential for vessels to enter the fishery.
6. Improve skate data, leading to improved assessments (e.g., no longer be considered data-poor).

3A. MOTION TO AMEND: ETRIE/GRIFFIN

To include two additional goals:

1. Minimize the impact on any other fisheries that have interactions with skates.
2. Preserve, to the extent possible, ongoing participation the fishery consistent with how past utilization has occurred.

Rationale: These two were previously approved by the Council as objectives. Adding them would be consistent with prior Council decisions.

Discussion on the Motion: A few Committee members asked about the definitions of latent effort and directed and non-directed fishing effort. One member felt that the goal of Amendment 5 should be to avoid triggering the incidental possession limit and wondered if measures implemented via prior framework actions were sufficient and if anything has changed. More precise and accurate understanding of the landings and discards would help better understand and characterize the fishery, especially directed and non-directed fishing. One member asked what would happen if only a subset of vessels landed the full possession limit instead of if every vessel landed the full limit as what was done in the PDT analysis. Another member noted that during years in which incidental limits were triggered, fishing effort was not unusual. There is a need to understand business models and the realistic expectations of fishermen to enter the fishery; this would be a more realistic approach than just analyzing a subset of the fishery. Staff commented that more work could be done on characterizing the economics of the fishery, choices fishermen make when fishing, and the true potential for vessels to enter the fishery.

Public Comment:

- Maggie Raymond – asked if the Skate PDT would determine the definition of latent effort and directed fishing.

MOTION 3A TO AMEND CARRIED 7-0-0-0.

	Yes	No	Abstain	Recuse
Matt McKenzie, CT (Chair)				
Richard Bellavance, RI	X			
Elizabeth Etrie, MA	X			
Allison Ferreira, GARFO	X			
Melanie Griffin, MA	X			
Peter Kendall, NH	X			
Laurie Nolan, MAFMC	Absent			
Scott Olszewski, RI	X			
John Pappalardo, MA	X			
TOTAL VOTE	7	0	0	0

MAIN MOTION AS AMENDED

The Committee recommends the following goals for Amendment 5:

1. Avoid tripping the skate incidental possession limit.
2. More precise and accurate understanding of the landings and discards in different segments of the fishery.
3. Minimize bycatch and discards.
4. Better characterize the directed and non-directed fisheries.
5. Better understand the true potential for vessels to enter the fishery.

6. Improve skate data, leading to improved assessments (e.g., no longer be considered data-poor).
7. Minimize the impact on any other fisheries that have interactions with skates.
8. Preserve, to the extent possible, ongoing participation the fishery consistent with how past utilization has occurred.

3B. MOTION WAS PERFECTED

The Committee recommends the following goals for Amendment 5:

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 bycatch and 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 the fishery consistent with how past utilization has occurred.

The motion was perfected without objection to merge Goals # 2 and 6.

MAIN MOTION AS AMENDED AND PERFECTED, CARRIED 7-0-0-0.

	Yes	No	Abstain	Recuse
Matt McKenzie, CT (Chair)				
Richard Bellavance, RI	X			
Elizabeth Etrie, MA	X			
Allison Ferreira, GARFO	X			
Melanie Griffin, MA	X			
Peter Kendall, NH	X			
Laurie Nolan, MAFMC	Absent			
Scott Olszewski, RI	X			
John Pappalardo, MA	X			
TOTAL VOTE	7	0	0	0

4. MOTION: FERREIRA/ETRIE

The Committee recommends that Amendment 5 consider the following type of measures to achieve the goals identified:

1. An intermediate trigger to slow the fishery (before the 85%/90% trigger).
2. Limited access, with tiers for different qualification criteria for permit categories.
3. Creating different TALs for the fishery segments (e.g., directed monkfish TAL with a LOA).
4. Monitoring requirements beyond NEFOP/SBRM requirements.
5. A PDT analysis of the potential for vessels to enter the fishery.
6. Restrict switching between state and federal fishing.
7. Gear restrictions that could reduce bycatch (number of nets, hauling gear after each trip).

Discussion on the Motion: A Committee member asked if the Regional Administrator (RA) can make in-season possession limit changes. Council and GARFO staff noted that the RA can decide not to trigger the incidental possession limit if 85% of the total allowable landings (the trigger threshold) occurs towards the end of the fishing season. The Committee member felt that a pre-trigger trigger would be inefficient and add to the management complexity.

4A. MOTION WAS PERFECTED

The Committee recommends that Amendment 5 consider the following type of measures to achieve the goals identified:

1. An intermediate trigger to slow the fishery (before the 85%/90% trigger).
2. Limited access, with and without tiers for different qualification criteria for permit categories.
3. Creating different TALs for the fishery segments (e.g., directed monkfish TAL with a LOA).
4. Monitoring requirements beyond NEFOP/SBRM requirements.
5. Restrict switching between state and federal fishing.
6. Gear restrictions that could reduce bycatch (e.g., number of nets, hauling gear after each trip).

The motion was perfected without objection to remove Goal #5 and consider it as a future PDT task.

Further Discussion on the Motion: Committee members agreed that postponing a decision on this motion would be helpful so that members can have more time to think through the motion. After further input from the Committee and the September Council meeting, the Committee would like a PDT analysis on the potential for vessels to enter the fishery.

4B. MOTION TO POSTPONE MOTION: PAPPALARDO/GRIFFIN

The motion as perfected will be postponed until the next Committee meeting.

MOTION 4B TO POSTPONE CARRIED 7-0-0-0.

	Yes	No	Abstain	Recuse
Matt McKenzie, CT (Chair)				
Richard Bellavance, RI	X			
Elizabeth Etrie, MA	X			
Allison Ferreira, GARFO	X			
Melanie Griffin, MA	X			
Peter Kendall, NH	X			
Laurie Nolan, MAFMC	Absent			
Scott Olszewski, RI	X			
John Pappalardo, MA	X			
TOTAL VOTE	7	0	0	0

AGENDA ITEM #3: OTHER BUSINESS

No other business was discussed during this meeting. The next Skate Committee meeting is on September 10, 2020.

The Skate Committee meeting adjourned at about 3:00 pm.