

**New England Fishery Management Council**  
Skate/Whiting Oversight Committee Meeting  
Providence, RI

Meeting Summary  
September 14, 2011

**Purpose of meeting:** The Oversight Committee reviewed the analyses in the Draft Final Skate Specifications Document to recommend preferred alternatives to the Council. Based on advice and data provided by the Whiting Advisory Panel and the Plan Development Team, the Oversight Committee completed developing recommendations for Annual Catch Limit allocations, accountability measures, and management alternatives for Draft Amendment 19. The committee met jointly with the Whiting Advisory Panel. The Oversight Committee's recommendations on both matters will be reported to the Council at its September 2011 meeting.

**Attendance:** Committee members: David Goethel (chair), Mary Beth Tooley, Mark Alexander, Rip Cunningham, and Frank Blount. Whiting Advisory Panel: Dan Farnham, Tom Testeverde, and Vincent Balzano. Also in attendance were Andrew Applegate (staff), Moira Kelly and Tobey Curtis (NMFS staff), and Eric Schneider (?) from RI DMF.

**Summary - Skates**

The meeting began at 9 am with a review and discussion of the Draft Final Skate Specification Document. Mr. Applegate reported that the document was nearly complete, but needed some work including an economic analysis of impacts and an analysis of impacts on protected species. The alternatives included changes to the ACL specifications to account for recent increases in skate biomass, modifications to the status determination specifications to be consistent with new survey data collected by the FSV Bigelow, changes to the skate wing possession limits, and an increase to the skate bait possession limit.

Mr. Applegate reported to the committee that daily landings rates increased in 2011, compared to 2010, despite the possession limit dropping to 2,600 lbs. He reported that to take the new wing TAL of 15,538 mt would require a daily landing limit no more than about 93,000 lbs. and much of the landings during May, June, and July were more than that. So despite the higher TAL, the analysis indicated that the skate wing possession limit would have to be lower than No Action to achieve the objective of keeping the directed fishery open throughout the fishing year. He also pointed out that ignoring data from 2010 when the 20,000 lbs. limit was effective did not change the outcome and that the model fit the data fairly well with an  $R^2 = 0.58$ .

Mrs. Tooley asked if earlier data had been considered to reflect conditions returned back to their previous normal state. Mr. Applegate replied that data from 2009 and earlier had been excluded because they were not relevant to the current fishery conditions and that the more recent data in 2010 and 2011 reflected the new normal. He said that additional data might show that the daily landings rate would decline in 2011, but he didn't think that the new data would make a large impact on the results.

Mr. Applegate also reviewed a specifications document analysis showing the overlap of skate fishing effort with the distributions of barndoor, smooth, and thorny skates. The analysis indicates that with a few limited exceptions, most of the fishing effort targeting skates for the wing market does not overlap the distribution of these skates. The exceptions were an overlap of a monkfish/skate gillnet fishery in the spring off Southern New England, south and west of the Nantucket Lightship Area and a very small area on the SW corner, immediately outside of the Western Gulf of Maine Area. There was also some overlap of fishing effort with smooth and thorny skate distributions by vessels using trawls to target groundfish and other species, while landing an incidental amount of skates. This effort occurred mainly north and northwest of Closed Area II, in the Gulf of Maine.

Following the presentations, the committee passed the following motions to identify preferred alternatives.

### **MOTIONS - Skates**

1. Mrs. Tooley/Mr. Cunningham moved to recommend that Alternative 4.3.1 should be the preferred alternative. The motion carried 4-0.
2. Mrs. Tooley/Mr. Cunningham moved to recommend Alternatives 4.4.1 and 4.4.2 as preferred alternatives. The motion carried 4-0.
3. Mr. Cunningham/Mr. Blount moved to recommend Alternative 4.1.1 as the preferred alternative. The motion carried 4-0.

### **Summary - Whiting**

The committee received and discussed a final report from the Council's Scientific and Statistical Committee on recommendations for Whiting ABCs. After reviewing the report, the committee decided to support the previous committee meeting's recommendations for a range of ABC options. There was considerable discussion about the accuracy of the northern red hake landings, but these data had undergone extensive review during the benchmark assessment which the SSC recommendations are based on. A couple of fishermen reported to the committee that they had landed nearly as much as in the assessment documents by themselves. The committee initially wanted to recommend using the 50<sup>th</sup> OFL percentile as the ABC, since it wasn't ruled out by the SSC report, but NMFS and Council staff thought that this would not comply with National Standard 1 because it would not reduce ABC to take into account scientific uncertainty.

Mr. Applegate gave the committee a draft outline of Amendment 19 alternatives, as they had been developed at the last committee meeting. He also handed out a summary, provided by the Regional Office, of estimated state water landings by species and stock area. He indicated that there were still some problems with the data due to aggregate landings without a permit number, but this problem had declined in recent years and based on that, he recommended that Amendment 19 adopt a 3% set aside for state water landings.

During discussion with industry advisors and staff, the committee passed the following motions addressing unresolved issues that had been left from the previous meetings. These issues included TAL allocations to account for expected state water landings and discards of red and silver hake, measures to reduce catches or landings of red hake from the northern stock, such as prohibiting retention of red hake on trips by vessels using less than 2.5 inch mesh, need for and the effect of red hake possession limits in the southern stock area, and intended effect of 90% TAL trigger for reductions of possession limits to incidental catch levels, by stock area or by species.

The committee and advisors wrestled with the accountability measures to prevent landings from exceeding the TALs in Cultivator Shoals and other exempted areas. Advisors indicated that during times it was possible to catch silver hake without catching red hake. Therefore, after debate, the advisors recommended that the Cultivator Shoals TAL trigger should be 100%, effectively shutting down that exempted fishery, but keeping it open for targeting silver hake when the red hake landings exceeded 90% of the TAL. To clarify the intent, the committee also modified the motions so that red and silver hake landings by vessels targeting other species would count against the Gulf of Maine/Northern Georges Bank TAL, rather than the exempted fishery TAL prosecuted by vessels targeting red and silver hake using small mesh.

Working with the advisors, the committee also identified several alternatives to establish red hake possession limits in the northern and southern stock areas, the amounts to be determined based on analysis for the amendment. These alternatives and potential impacts would be reviewed by the committee in October when the initial draft amendment was ready.

The committee decided to direct the Regional Office and Council staff to draft a whiting specifications process, modeled after the Skate Amendment 3 process, or other FMPs. It wasn't clear whether preparation of an annual monitoring report is required or even necessary, although some report on the performance of the fishery relative to the ACL specifications in the previous fishing year would be needed, probably presented to the Council each June.

The following alternatives along with ones passed at the Aug 25<sup>th</sup> meeting will be re-organized and presented with an outline of draft alternatives at the September Council meeting.

### **MOTIONS - Whiting**

1. Mrs. Tooley/Mr. Cunningham moved to recommend that Amendment 19 assume a 3% TAL set aside to account for state water landings of all four whiting stocks. The motion carried 4-0.
2. Mr. Cunningham/Mrs. Tooley moved to recommend using a three year moving average (2008-2010) of estimated discard rate to set red and silver hake 2012-2014 TALs. The motion carried 4-0.
3. Mr. Cunningham/Mrs. Tooley moved to recommend setting the red hake ACL at 95% of the ABC to account for management uncertainty. The motion carried 4-0.

4. Mrs. Tooley/Mr. Blount moved that A19 include an alternative to require weekly VTR reporting to monitor areas fished for assigning dealer-reported hake catches to stock area. The motion carried 4-0.
5. Mr. Cunningham/Mr. Alexander moved to recommend that only silver hake landings reported by vessels using small mesh (including shrimp trawls) should be counted against the TALs for the Cultivator Shoals and other exempted areas. Landings by all other gears, including but not limited to large mesh trawl, gillnets, and herring trawls should be counted against the Gulf of Maine/Northern Georges Bank exemption area TAL. The motion carried 4-0.
6. Mr. Blount/Mr. Cunningham moved that for mesh less than 2.5 inch mesh, Amendment 19 would include alternatives with an incidental red hake limit of 100, 200, 500 lbs. for vessels fishing in the northern stock area. The motion carried 4-0.
7. Mr. Blount/Mr. Alexander moved to include in Amendment 19 one alternative with a 7,500 possession limit for southern red hake and another alternative with a 2,500, 5,000, and 7,500 lbs. red hake possession limit by mesh size limits defined for southern silver hake. The motion carried 4-0.
8. Mr. Cunningham/Mr. Alexander moved to include an alternative that the TAL trigger in Cultivator Shoals area would be 100% for silver hake and 90% for red hake, both triggering a reduction to an incidental possession limit for that species for vessels fishing in the exempted areas. If 100% of the TAL has been taken of either species, vessels using less than regulated large mesh would be prohibited from fishing in Cultivator Shoals. The motion carried 4-0.
9. Mrs. Tooley/Mr. Cunningham moved to include an alternative that the TAL trigger in for all areas except Cultivator Shoals would be 90% for silver hake or red hake, each triggering a reduction to an incidental possession limit for that species for all vessels. The motion carried 4-0.
10. Mrs. Tooley/Mr. Blount direct staff to work with the Regional Office staff to develop a specification process for Amendment 19. The motion carried 3-0.