Multispecies (Skate) Oversight Committee
Meeting summary
June 1, 2007

Purpose of meeting: To approve a rebuilding schedule for winter skate and a framework of alternatives to address the overfished condition of winter and thorny skates, as well as control mortality on little and smooth skates which are in danger of becoming overfished.

Attendance: Mr. Rip Cunningham (chair), Mr. Rodney Avila, Mr. Dave Preble, Mr. Terry Stockwell, Mr. Tom Hill, Mr. Jim Ruhle (substitute for Mr. Paul Scarlett), Mr. Robert Wescott (Skate Advisor), Mr. Mike Pentony (Regional Office staff), Mr. Tobey Curtis (Regional Office staff), Mr. Andrew Applegate (Council staff). Also present were Ms. Fiona Hogan (SMAST), Mr. Eric Brazer (CCCHFA) and Mr. David Borden (MA DMF).

Motions:

1. Mr. Hill/Mr. Avila:
   To accept all alternatives recommended by the advisors for inclusion and analysis in Amendment 3, removing measure 9 (plan consolidation) from the alternatives.
   The motion carried 4-2.

   Mr. Stockwell offered a friendly amendment to the motion to give the PDT a rounder number of alternatives to look at and move the process along. Withdrawn

2. Mr. Stockwell/ Mr. J. Ruhle:
   Area management should be included for analysis to control and reduce bycatch and incidental landings, as a component of alternatives included in the amendment.
   The motion carried 4-2.

3. Mr. J. Ruhle/Mr. Stockwell:
   Area management should be included for analysis to control and reduce directed fishery landings, as a component of alternatives included in the amendment.
   The motion carried 5-1.

4. Mr. Pentony/Mr. Stockwell:
   To include in the alternatives a measure to land skates in whole form.
   The motion failed 1-4-1.

5. Mr. Pentony/Mr. Preble:
   To add alternative 5 including measures, 2,5,7,8 and an alternative 6 including measures 2,6,7,8.
   The motion carried 5-1.

6. Mr. Pentony/Mr. J. Ruhle:
   To include the two gear restricted area measures in both new alternatives.
   The motion carried 5-1.

7. Mr. J. Ruhle/Mr. Avila:
   To use a 10 year rebuilding objective for winter skate.
   The motion carried 6-0

Summary:

The Oversight Committee heard a summary of recommendations from the PDT (see memo from the PDT, dated May 30, 2007) on the rebuilding potential of winter skate and management measures that could be effective at controlling fishing mortality. It also heard a report from the Advisory Panel, which outlined the measures that were considered and four alternatives recommended for inclusion and analysis in Amendment 3 (see memo from Joint PDT and Advisors, dated May 31, 2007).

Analyzing new population data for winter skate, the PDT determined that it would be possible to rebuild winter skates in 10 years, which was within the range of biomass changes observed previously. The PDT also reported that the mean generation time for thorny skate would be similar to winter skate, but it would not be possible to rebuild to the target in 10 years. For little skate, while not needing a rebuilding plan, it would be possible to estimate similar parameters and rebuilding potential, but more analysis was needed.

The PDT estimated how much catch reduction would be needed to begin rebuilding winter skate, compared to 2005 levels. It also said that discards and unintentional landings of thorny and smooth were probably preventing biomass from increasing. Discard mortality for skates was assumed to range between 25 and 50 percent, based on various observations, though no hard data is currently available. There were considerable unidentified skate landings and mis-reported landings in the data, and that most controls on landing specific species would be problematic. The one measure that might be effective at controlling catches of particular skate species and reducing discards would be some form of area management, or gear restricted areas.

The Advisors first developed a list of measures that it thought would be effective and then combined them into four distinct alternatives. Some advisors felt that something needed to be done to control mortality, while others argued for flexibility and time to examine the science more closely.

The advisors proposed two alternatives to restrict skate catches, one alternative with a hard TAC and adjustments to account for annual overages and another with a target TAC with in-season triggers to change specifications, like possession limits. Two other alternatives were proposed as modifications to the status quo, because some felt that recent management and DAS changes in the NE Multispecies and Monkfish fisheries were effectively reducing skate mortality and more regulations were unnecessary. One alternative introduced a possession limit for winter skate and a minimum size for skate species during spawning. The other alternative only added a target TAC with triggers.

There were questions whether the amendment needed to address only winter and thorny skates, which are overfished, or whether it also had to address concerns about other species. Mr. Pentony replied that while the Regional Administrator's letter only addressed winter skate, there is a good chance that little and smooth skate might become overfished by the autumn 2007 survey. He recommended that the Council also address concerns about these species, rather than start another amendment or framework action right after Amendment 3. Also, the Magnuson Act has a formal status for species that are in danger of being overfished, obligating the Councils to take action to keep an overfished condition from occurring.

The committee initially had trouble framing the discussion and Mr. Pentony suggested structuring the measures into those intended to address high fishing mortality, those intended to reduce bycatch and incidental catch, and those designed to clean up issues with the current plan. Mr. Borden suggested the committee needs to define the objective. He thought that the minimum size may not be practical and thought that NMFS or enforcement should provide early comments to the Council on this measure. Mr. Pentony suggested that the committee should give serious consideration to gear restricted areas, because it is the only measure that is species-specific and could reduce bycatch. Also, a requirement that skate be only landed in whole form should be considered, because it would help resolve the amount of unidentified landings and ease enforcement difficulties for things like size limits and possession limits by species.

The Oversight Committee decided to reject the requirement to land skates whole, because the costs and complications of landing whole skates were thought to exceed the benefits that might be achieved by measures that didn't require enforcement by species. Landing whole skates would cause safety concerns for many vessels, increase costs from added ice requirements and onshore processing, cause marketing problems, and create new disposal problems from the gurry. Mr. Pentony argued that the proposed measure and its costs/benefits should be properly analyzed in the EIS, rather than disregarding it at this stage.

The committee added two area management measures to the alternatives. This was initially rejected by the Advisors because of concerns about access to other species and costs. One measure added to the alternatives would identify and close areas that had the highest catch rates for winter, thorny, little, and smooth skates. The other measure would restrict the use of gears in specific areas that have had high catches of skates while targeting other species. Fishing with gears, in specific seasons, or using methods that were shown not to have high catches of skates would be permitted by special authorization or by exemption.

There was some concern that the additional measures would be complicated and take time to develop. Mr. Pentony replied that it was the only measure that might apply to specific species and address bycatch. He said that if it takes the Council several extra months to get solid analysis of viable solutions, it would be worth the extra time. He did not think there would be any ramifications if there was a good faith effort to develop the amendment.

Doubt was expressed that changing mesh size would be very effective, but Mr. Wescott felt that large mesh, such as 10", would reduce catch of little and juvenile winter skate. Mr. Applegate added that the observer data may be useful in evaluating the size of kept and discarded skates by vessels using various mesh sizes.

The committee added two additional alternatives (see motion 5) to the recommended range of alternatives. Both would use possession limits by fishery to control mortality from vessels targeting skates and area management to control fishing in areas with high catches. One would include a hard TAC with deductions for overages, while the other would use a target TAC with in-season triggers to adjust measures to ensure the TAC was not exceeded. Both would also include the area management and gear restricted area measures. The committee wanted to include alternatives that would be relatively simple, not relying on minimum size restrictions or possession limit for individual species not a minimum mesh size, which might have low skate size selection characteristics.

The committee was also concerned that the effects of Framework 42 to the NE Multispecies FMP and other recent management actions would be adequately addressed and evaluated in setting limits for skates. Some felt that significant reductions in DAS were also planned for groundfish management and that this would have a favorable effect at reducing skate catch. Mr. Applegate replied that although some

of the effects might be difficult to estimate or predict, these effects would be taken into consideration in the amendment and the catch reduction needed to initiate rebuilding would be adjusted accordingly.

The committee accepted the PDT recommendation and analysis that winter skate could be rebuilt within the 10-year requirement. The PDT also estimated that thorny skate would take longer to rebuild and one generation time is about 15 years. The consensus was that no action to adopt a rebuilding objective was needed, because the unspecified time (10 years plus one generation) would automatically be updated by the new information. If the analysis estimates a 15 year generation period, then the rebuilding objective would automatically be 25 years, beginning in 2002 when the thorny skate rebuilding period began.

The Oversight Committee also felt that despite recent increases in biomass, it would be premature to allow landings of barndoor skate. Even though it is approaching the target, it could become vulnerable to fishing and it is not yet rebuilt.