

New England Fishery Management Council

Seeks your comments on conservation and management of skates

***Your comments
are invited***

The New England Fishery Management Council (Council) proposes to amend the Skate Fishery Management Plan (FMP) and develop alternatives to manage and conserve the skate fishery under the authority of Section 302 of the Magnuson-Stevens Act (MSA). The amendment is intended to rebuild overfished stocks, prevent overfishing, and to allow for a sustainable fishery maximizing resource benefits. When completed, the final alternatives will become part of the Council's Skate Multispecies FMP. In addition, the Council will prepare a Supplemental Environmental Impact Statement (SEIS) as described in the National Environmental Policy Act to accompany the proposed amendment.

The purpose of this document is to inform you of the Council's intent to gather information necessary for the preparation of the SEIS and ask for your suggestions and information on the range of issues that should be addressed.

***Why is the
Council taking
action?***

What actions have already been taken?

The Skate FMP was implemented in September 2003. The primary objectives of the Skate FMP are to: (1) protect the overfished species of skates and increase their biomass to target levels specified in the FMP while preventing overfishing of the other skate species and (2) collect information critical for improving knowledge of skate fisheries by species and for monitoring the status of skate fisheries, resources, and related markets, as well as the effectiveness of skate management approaches. The FMP includes reporting requirements to improve fishery information; prohibitions on overfished species, a trip limit for the skate wing fishery, and mechanisms for FMP monitoring and plan adjustments. Importantly, through the establishment of a "baseline" of management measures in other fisheries, the FMP recognizes the interactions of skates with the groundfish, scallop and monkfish fisheries.

Why are additional measures being considered?

A recently completed benchmark assessment, updated with 2006 survey data, concluded that winter skate had become overfished, i.e. the biomass is below the minimum threshold. Under the MSA, the Council has one year to develop and submit management measures and a rebuilding plan for an overfished stock. Broad scale reduction in skate mortality is needed, possibly excluding barndoor, clearnose, and rosette skate. Little, smooth, thorny, and winter skate are either overfished, or very close to an overfished and/or overfishing threshold. In addition, there are new Magnuson Stevens Act requirements to set annual catch limits and establish accountability measures.

Although declining in recent years, discards have significantly exceeded landings over the time series and in recent years, however the discard mortality rate is unknown. Skate

landings have been increasing, but cannot be reliably differentiated by species due to poor identification and insufficient monitoring. Skate landings may have increased due in part to more restrictive Multispecies regulations and increasing markets and prices for skates.

The survey indices for winter, thorny, little, and smooth skate have either been declining or remain very low. Coincidentally, the abundance of large fish in the skate populations has declined. Both low biomass and few older fish are indicators of high skate fishing mortality. Gear technology to substantially reduce skate retention may be available for some fisheries, but only in limited cases, e.g. 'eliminator trawl'.

What is the process?

The publication of this document and an announcement in the Federal Register of the Council's intent to consider new measures for the skate fishery is the first part of the formal amendment process. After information is gathered and the potential effects of a proposed action and some alternatives are analyzed by the Council's Plan Development Team, a Draft SEIS will be published and sent out for public review and comment. At that point you will have more complete specific proposals and analyses on which to comment. Following a review of comments on the Draft SEIS, the Council will specify the measures it will submit to the National Marine Fisheries Service as the plan amendment.

Why should I comment?

This is the first and best opportunity for members of the public to raise issues and concerns for the Council to consider during development of this amendment. The Council needs your input both to identify management issues and develop alternatives that will rebuild overfished stocks, prevent overfishing, and maximize economic benefits. Your comments early in this process will help the Council address your concerns more thoroughly. In addition, because of the limited time available to complete the amendment, management measures and alternatives proposed after the scoping period may be rejected because there is insufficient time to properly consider them.

What issues may be addressed in this amendment?

- How long the FMP should allow for rebuilding skate biomass to the target, considering the biological parameters for skate species and potential effects on other fisheries?
 - What measures would be most effective in reducing skate mortality and rebuilding skate biomass?
 - How should the FMP reduce discards and incidental catch to generate biomass rebuilding and reduce waste?
 - How should the FMP set skate annual catch limits and how should annual catch limits apply to incidental catch and discards in fisheries targeting other species? How the FMP should implement accountability measures to become effective when overfishing occurs or annual catch limits are exceeded?
 - How the FMP and NMFS can improve estimates of skate landings and discards by species?
 - How the FMP should weigh and consider the effects on other fisheries into the specification of skate rebuilding goals and optimum yield?
 - What impacts would FMP consolidation have on the rebuilding of skate biomass?
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What action is the Council considering?

Hard TAC: The plan would specify a combined skate TAC (annual catch limit) for the directed skate fishery only, while prohibiting landings of barndoor skate, smooth, and thorny skates. Fishery specific TACs may help focus catch limits on certain species, since the wing fishery targets larger skates and the bait fishery targets smaller skates.

Target TAC: The plan would specify a combined skate TAC (annual catch limit) for skates, which would serve as guidance to judge the effectiveness of effort and other controls in fisheries catching skates. The target TAC would be achieved through a combination of effort and other input controls defined in the Skate FMP.

Day-at-sea control: Set a combined skate TAC and allow landings only on a day-at-sea, perhaps with skate possession limits that vary by fishery. The alternative may consider allowing the bait fishery to occur only on a day-at-sea, i.e. eliminating the bait exemption (addresses little skate). Exemptions in the Multispecies FMP allow the bait fishery to occur in certain areas without the use of a DAS. These exemption areas could be eliminated to require the use of a DAS in the bait fishery.

Changes to skate possession limits:

- a) Eliminate the differential possession limit for trips longer than 24 hours. Unless changed (see below), the maximum possession limit for all trips would be 10,000 lb of wings.
- b) Reduce the wing possession limit to e.g. 5,000 lb of wings (or some other appropriate amount) The Council would consider and analyze trip-level landings data to determine the appropriate possession limits.
- c) Establish a possession limit for the skate bait fishery. The Council would consider and analyze trip-level landings data to determine the appropriate possession limits.
- d) Establish incidental catch limits for vessels participating in either the bait fishery or the directed wing fishery, e.g., 500 lb. (This would be needed if the FMP stipulates that the full wing possession limits can only be obtained on (a) a groundfish A-DAS or (b) a groundfish A-DAS or a monkfish-only DAS). That would leave groundfish B-DAS (currently 500 lb), a scallop DAS, scallop access area trips, scallop general category trips, and non-DAS fishing out of the Mid-Atlantic to which the incidental catch limit would apply.

Area management and exempted fisheries: Close existing areas and exempted fisheries (unless recertified for skate bycatch). Options are:

- a) Close existing areas except for SAPs allowed in other plans.
 - b) Close existing areas including access areas, unless the bycatch of skates is certified as being less than 5% total weight of fish onboard.
 - c) Disallow small mesh fisheries and fisheries not on a day-at-sea unless the bycatch of overfished and “protected” skates is less than 5% total weight of fish onboard in an exempted fishery.
 - d) Include overfished and protected skate species in the existing 5% groundfish allowance for exempted fisheries.
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Area management: Close new areas to bottom-tending trawls and dredges to reduce mortality on protected (e.g. winter, thorny, little, smooth) skates, unless the gear is modified to reduce skate retention by 75%. Areas should automatically re-open as stocks are rebuilt. Options are:

- a) Close the smallest area where bottom trawls and dredges fish that comprises up to 75% of the exploitable biomass distribution for protected skates, allowing for overlaps between these areas and existing closed areas.
- b) Close the smallest area where bottom trawls and dredges fish that comprises up to 50% of the exploitable biomass distribution for protected skates, excluding overlaps between these areas and existing closed areas.

Eliminate the baseline review process and the proxy input controls: New amendments and framework adjustment must quantify how they will affect skate landings and discards. Alternatively, the existing baseline review process should be modified to reflect the present management measures in the scallop, multispecies, and monkfish FMPs as they relate to effort and gear controls that affect skate mortality. Increases in skate catch should not be allowed for overfished skate species.

Explore potential gear modifications that would substantially reduce skate catch, e.g., eliminator trawl. Pursue additional research to identify gears that have potential to reduce skate bycatch in various fisheries.

While intended for the haddock SAP fishery, the eliminator trawl could also effectively reduce skate catch where vessels are targeting the above species, if the fish habits are the same elsewhere. Research on this or similar gear should be expanded to evaluate its potential for use in other fisheries as appropriate.

Plan consolidation: The Skate FMP might be combined with the Multispecies FMP or with the Monkfish FMP. Since skate management has impacts on other fishery management plans, consolidation of skate management within the Multispecies or Monkfish FMP could allow better coordination, allow more timely implementation of management measures, address interrelationships between fisheries and their management measures, and enhance the biological, ecological, and social impacts of the measures.

How do I comment?

The Council is scheduling public scoping meetings for this amendment (see location and dates of meetings below). You may attend any of these scoping meetings to provide oral comments, or you may submit comments by email to comments@nefmc.org. Written comments will also be accepted through 5:00 p.m. EST on [end of scoping comment period]. Comments should be submitted to:

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DRAFT
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Please note on your correspondence: "Skate Amendment 3." Comments may be sent by email, mail, or fax.

If you wish to be on the mailing list for future skate management meetings, please contact the Council office at the above address and phone number.

<i>Scoping meeting schedule</i>	Gloucester - TBA Hyannis - TBA Providence - TBA
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