



Skate Fishery Regulations for Northeast Multispecies Sectors: FY 2010 Information Sheet

Last Update: March 22, 2010

On January 21, 2010, NOAA's National Marine Fisheries Service (NMFS) partially approved Amendment 16 to the Northeast (NE) Multispecies Fishery Management Plan. A final rule is currently under review and is intended to become effective at the beginning of fishing year (FY) 2010 (May 1, 2010). Amendment 16, in part, proposes to authorize 17 new sectors and revise regulations governing all 19 sectors in the NE multispecies fishery beginning in FY 2010. Vessels participating in sectors would fish an annual catch entitlement (ACE) of allocated NE multispecies stocks each fishing year and would be exempt from certain NE multispecies regulations, including trip limits on allocated stocks and the requirement to use a NE multispecies day-at-sea (DAS) to land groundfish

This document describes the regulations that would pertain to vessels fishing for skates while participating in NE multispecies sectors in FY 2010. This information sheet is advisory only, and is intended to provide information that may be applicable for permit holders deciding whether to participate in sectors or the common pool in FY 2010.

GENERAL INFORMATION

This summary is not a substitute for the regulations; rather it provides a broad overview of restrictions and requirements of NOAA's National Marine Fisheries Service (NMFS). You are strongly encouraged to read the regulations in conjunction with this information sheet to fully understand how these fisheries are managed. Skate fishery regulations may be found in the Code of Federal Regulations at 50 CFR Part 648, Subpart O.

The Fishery Management Plan (FMP) for the Northeast (NE) Skate Complex was implemented September 18, 2003. Since that time, open access Federal permits have been required for all vessels and dealers that fish for or purchase skates. There are two principal components to the commercial fishery for skates: 1) A skate wing or mixed wing/bait fishery that operates under the Skate FMP possession and landing limits; and 2) a directed fishery for whole skates to be used as bait in the lobster fishery that operates under a possession limit exemption program.

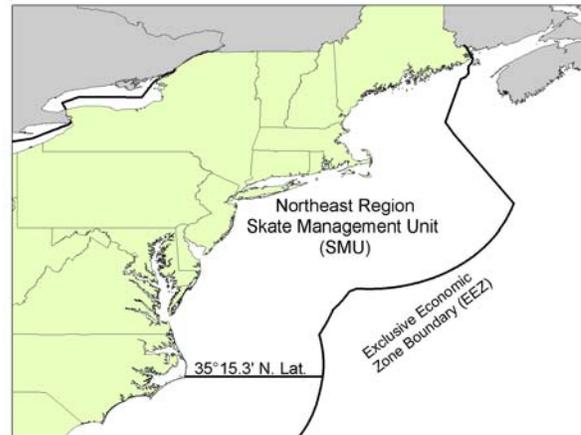
NORTHEAST SKATE COMPLEX

Information on distinguishing between the seven skate species in the NE skate complex can be found at the following link:
<http://www.nero.noaa.gov/sfd/sfdskate.html>

Winter skate	<i>Leucoraja ocellata</i>
Barndoor skate	<i>Dipturus laevis</i>
Thorny skate	<i>Amblyraja radiata</i>
Smooth skate	<i>Malacoraja senta</i>
Little skate	<i>Leucoraja erinacea</i>
Clearnose skate	<i>Raja eglanteria</i>
Rosette skate	<i>Leucoraja garmani</i>

SKATE MANAGEMENT UNIT (SMU)

The area of the Atlantic Ocean from 35° 15.3' N. lat., the approximate latitude of Cape Hatteras Light, North Carolina, northward to the U.S.-Canada border, extending eastward from shore to the outer boundary of the Exclusive Economic Zone (EEZ) and northward to the U.S.-Canada border (Hague Line).



COMMERCIAL FISHING PERMITS

Any vessel that fishes for, catches, possesses, transports, lands, sells, trades, or barter skates in or from the SMU must have a valid Federal skate permit. The operator of a permitted skate vessel must have a valid operator's permit. To obtain an application for the permit, contact the Northeast Region Permit Operations Office at (978) 281-9370 or download an application at:
www.nero.noaa.gov/permits/

SEAFOOD DEALER PERMITS

Any person receiving skates from a federally permitted vessel for a commercial purpose other

than solely for transport, must have an annual Federal skate dealer permit. Applications may be obtained by using the link in the previous section.

PROHIBITIONS

Possession, retention, or landing of barndoor and thorny skates **is prohibited** throughout the SMU. In addition, possession, retention, or landing of smooth skates from the Gulf of Maine Regulated Mesh Area (see chart on page 3) **is prohibited**.

FISHING YEAR

May 1 through April 30 of the following year.

SKATE PERMIT DECISION TREE

1. Do you intend to fish for, possess, or sell skates from the EEZ portion of the SMU?
Answer:
YES NO
 CONTINUE TO #2. NO FURTHER ACTION NEEDED

2. Do you have a Federal skate vessel permit for the Northeast Region?
Answer:
YES NO
 CONTINUE TO #3. NEED TO OBTAIN PERMIT BEFORE PROCEEDING (SEE PERMITS SECTION, PG.1)

3. Does your fishing activity require the use of a DAS (NE multispecies, monkfish, or scallop fisheries?) (PG.2)
Answer:
YES NO
 CONTINUE TO #4 CONTINUE TO #5

4. Will you retain only whole skates smaller than 23" as bait or will you retain skate wings or any combination of skate wings and/or whole skates?
Answer:
YES NO
 BAIT/ONLY WINGS/WHOLE SKATES
 WHOLE SKATES <23" SEE POSS. LIMITS FOR DAS
 CONTINUE TO #6 VESSELS SECTION (PG.2)

5. Will you retain only whole skates <23" for bait?
Answer:
YES NO
 GO TO QUESTION #6 SEE INCIDENTAL SKATE POSS. LIMIT SECTION (PG. 3)

6. Have you obtained a Skate Bait Fishery Exemption Letter of Authorization (LOA) from the Regional Office?
Answer:
YES NO
 SEE SKATE BAIT EXEMPTION LETTER OF AUTHORIZATION SECTION;
 CONTINUE TO #7 OBTAIN LETTER OF AUTHORIZATION FROM NERO PERMITS BEFORE FISHING; SEE SKATE BAIT FISHERY EXEMPTION SECTION (PG. 2)

7. Will you transfer bait-only skates at sea?
Answer:
YES NO
 SEE SKATE BAIT TRANSFER AT SEA SECTION (PG. 3) ALL OTHER LOA RESTRICTIONS STILL APPLY

SKATE WING POSSESSION LIMITS FOR DAS VESSELS

Skate permitted vessels may only possess or land skate wings or any combination of wings and whole skates from the SMU while fishing under a NE multispecies, monkfish, or scallop DAS. Vessels participating in a limited access NE multispecies sector must also be fishing under a DAS to land skate wings/whole skates. The amount of skate wings/whole skates that may be retained is determined by the length of the fishing trip as determined by the DAS Interactive Voice Response (IVR) or VMS system.

- Vessels may possess and land up to 20,000 lb of wings (45,400 lb whole weight) per trip greater than 24 hours in length.
- Vessels may possess and land up to 10,000 lb of wings (22,700 lb whole weight) per trip less than 24 hours in length.

For trawl vessels fishing under the Regular B DAS Program or vessels in the Eastern U.S./Canada Haddock Special Access Program:

- Vessels may possess and land up to 500 lb (whole weight) per trip.

SKATE BAIT FISHERY EXEMPTION LETTER OF AUTHORIZATION PROGRAM

Holders of Federal skate permits may elect to receive, from the Regional Administrator, an exemption from the skate possession limits to land whole skates for use as bait. The exemption is granted in a Letter of Authorization (LOA) from the Permits Operations Office at (978) 281-9370. The exemption program requires the following of participants:

- possession/landing of **only** whole skates less than 23 inches total length;
- compliance with the at-sea transfer provisions, if applicable (see next section);
- enrollment for at least 7 days.

The Skate Bait LOA **does not exempt the participating vessel from DAS** requirements of the NE multispecies, monkfish, or scallop fisheries. Therefore, unless a skate bait vessel

is fishing in a skate exemption area or is fishing with exempted gear (as defined in the NE multispecies regulations), it must still fish on a NE multispecies, monkfish, or scallop DAS. The LOA only exempts the vessel from the skate possession limits described above.

SKATE BAIT TRANSFERS AT SEA

Vessels issued Federal skate permits may transfer at sea skates taken in or from the SMU provided:

- The transferring vessel has an LOA onboard (see previous section);
- the owner/operator complies with the requirements of the skate bait exemption program;
- the transferring vessel maintains a record of the quantity of skates transferred according to the current logbook reporting requirements;
- the transferring vessel provides the receiving vessel documentation showing the date and amount of skates transferred, regardless of monetary exchange; and
- the transferring vessel maintains onboard, for at least 1 year from the date of the transfer, a copy of the documentation.

INCIDENTAL SKATE POSSESSION LIMITS FOR NON-DAS FISHERIES

Vessels retaining skates incidentally to target fisheries that do not require DAS, and that are not participating in the Skate Bait Exemption Program, **may** be able to possess/land a limited amount of skates. Each DAS exemption program has specific language to either allow or disallow incidental take of skates. For those DAS exemption programs that permit skate retention (e.g., Southern New England (SNE) Monkfish and Skate Gillnet and Trawl Exemption Areas), the following applies:

- Vessels retaining skates incidentally to other fisheries (non-DAS use required) may possess/land skate and skate parts up to 10 percent, by weight, of all other species on board.

CHANGES FOR NE MULTISPECIES SECTOR VESSELS

Any catch of allocated groundfish stocks by a NE multispecies sector vessel while targeting skates will count against its sector's ACE, unless the vessel is fishing in an exempted fishery or with exempted gear outside of the DAS

program. This means that the vessel's sector must have ACE for all stocks in the area the sector vessel fishes for skates and that the sector vessel must participate in its sector's Dockside Monitoring Program and the NMFS At-Sea Monitoring Program on trips targeting skates, (again unless the vessel is fishing in an exempted fishery or with exempted gear).

RECORDKEEPING AND REPORTING REQUIREMENTS

The owner or operator of any vessel issued a Federal skate permit must maintain on board the vessel and submit an accurate Federal fishing vessel trip report (VTR) for all fishing trips (regardless of species retained). Skates must be identified according to the following categories: Winter skate; little skate; little/winter skate; barndoor skate; smooth skate; thorny skate; clearnose skate; rosette skate; or unclassified skate. All discards of skates must be reported according to two size classes: Large skates (greater than or equal to 23 inches total length) and small skates (less than 23 inches total length).

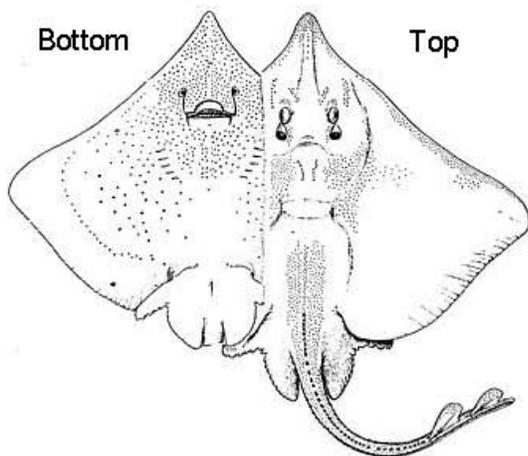
For vessels not holding a limited access NE multispecies permit, VTRs must be received by NMFS or postmarked within 15 days after the end of the reporting month. For NE multispecies limited access permit holders, VTRs must be submitted weekly and received by NMFS or postmarked by midnight of the Tuesday following the reporting week. Instructions for completing the VTR can be found at: www.nero.noaa.gov/ro/fso/vtr.htm

Copies of VTRs must be retained on board the vessel for 1 year after the date of the last entry on the log and otherwise retained for 3 years after the date of the last entry on the log. If no fishing activity took place during a fishing month, then a VTR must be submitted stating that no fishing trips were taken. Any change in the permit information, such as vessel name, vessel owner, address, etc., must be submitted in writing to the Regional Administrator within 15 days of the change, or the permit is not valid.

All federally permitted seafood dealers are required to report the purchase of skates via computer, using one of the approved electronic means, unless otherwise directed by the Regional Administrator. For more information on dealer reporting, please call the dealer electronic reporting help desk at (978) 281-9212 or contact your local NMFS Field Office: www.nero.noaa.gov/ro/fso/portoff.pdf

Prohibited Skate Species of the Northeast Region

These species may not be possessed, retained, or landed



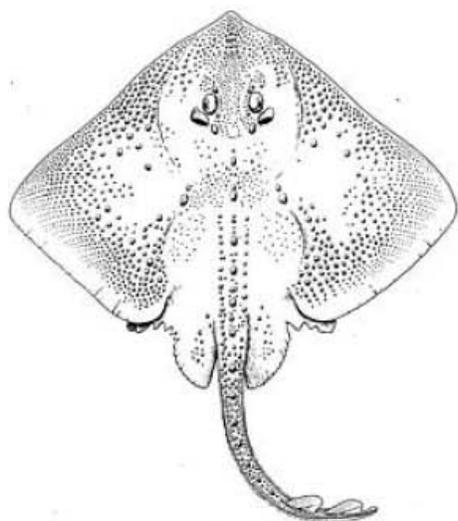
BARNDOOR SKATE (*Dipturus laevis*)

Prohibited throughout the NE Region

Distribution: Canada – North Carolina, 0-235 fathoms, common 25-50 fathoms on Georges Bank, rarely south of Hudson Canyon

Max Length: 60 in (152 cm)

Features: Very pointed snout. Reddish brown on top/gray on bottom. Small dark spots covering body. No spines on wings.



THORNY SKATE (*Amblyraja radiata*)

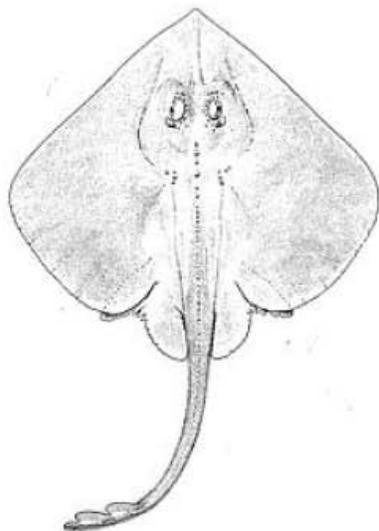
Prohibited throughout the NE Region

Other Names: Mud Skate, Starry Skate

Distribution: Greenland – South Carolina, 10-545 fathoms, common in 50+ fathoms in the Gulf of Maine, rarely south of Georges Bank

Max Length: 41 in (104 cm)

Features: Large thorns along back and shoulders. Brown/Grayish body surface. Tail shorter than body.



SMOOTH SKATE (*Malacoraja senta*)

Prohibited in the Gulf of Maine

Other Names: Prickly Skate, Smooth Tailed Skate

Distribution: Canada – South Carolina, 25-500 fathoms, common in 50+ fathoms in the Gulf of Maine, rarely south of Georges Bank

Max Length: 26 in (64 cm)

Features: Pointed snout. No hard spines on wings. Pale brown coloration.