

CAPE COD COMMERCIAL

FISHERMEN'S ALLIANCE

Small Boats. Big Ideas.

June 3, 2025

Dear Elise Scholl,

The Cape Cod Commercial Fishermen's Alliance (CCCFA) provides the following comments on the proposed Exempted Fishing Permit: "Increasing Trip Limits to Promote Full Utilization of the Skate Wing Fishery." The Cape Cod Commercial Fishermen's Alliance is a member-based nonprofit organization that works to build lasting solutions to protect our ecosystem and the future of our fisheries. Fishermen's Alliance represents 150 fishing businesses and more than 300 fishing families, making our organization the leading voice for commercial fishermen of Cape Cod. We represent a diverse group of commercial fishermen, seafood processors, and shoreside support businesses who depend on access to healthy fish stocks and the marine environment. With specific regards to this proposed Exempted Fishing Permit, we have members of our gillnet fishing community that would benefit from an increased trip limit, and others who would be excluded.

In February 2025, we were approached by Mr. Auerbach (Red's Best) based on a recommendation by Ms. Deighan at the Greater Atlantic Regional Office. Mr. Auerbach expressed interest in ways to increase the winter skate landing limit, or ways to be more adaptive with in-season changes if the fishing fleet is not hitting the total allowable landings per season. The Fishermen's Alliance connected Mr. Auerbach to the Commercial Fisheries Research Foundation (CFRF) because we felt if this idea were to move forward there should be involvement from both the Cape Cod and Rhode Island gillnet fleet when testing or exploring the idea of dynamic trip limits for management in the winter skate fishery, and we did not have the staff capacity to conduct this research and data analysis. We were told by CFRF, that in Rhode Island, they have a program for black sea bass and summer flounder that allows individuals to aggregate daily limits across a week, and that it is a popular program with reported financial, efficiency, and economic benefits. During a few initial conversations we encouraged CFRF and Mr. Auerbach to select three vessels from Cape Cod and three vessels from other areas (i.e., Rhode Island). The rationale behind three was the three-vessel rule for data confidentiality, and we felt it was important to have a wide geographic data set, and broad support from the fishing fleet. We also encouraged Red's Best and CFRF to set a maximum number of trips per week where the increased daily trip limit could apply. While we were consulted early in the concept of the EFP, we did not review the final Exempted Fishing Permit application that was submitted, and we are not involved in the proposed EFP project posted to this Federal Register notice.

This current proposed Exempted Fishing Permit, however, would not test in-season dynamic daily trip limits as initially discussed. Instead, it now aims to test the theory that the market can support full utilization of the winter skate Total Allowable Landings (TAL), but that currently there are not enough landings to meet the demand. As currently written, it would allow seven vessels to each have 100 trips with an increased daily skate limit. Since the proposed EFP has been posted to the Federal Register, we have heard a lot of industry feedback and concern regarding the proposal. As a result, we asked if CFRF and Red's Best would host an informational meeting for the fishing industry, and we (the Fishermen's Alliance) would moderate the discussion, given our community has a stake in this fishery. That meeting took place on June 2, 2025, and it gave stakeholders the opportunity to ask questions of the Project Leads (CFRF/Red's Best) and allow the leads to explain the data fields and research questions they hope to address through this EFP.

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At the June 2nd virtual meeting, 20 people were in attendance including 11 gillnetters (8 from Chatham, 3 from Rhode Island), as well as representation from another prominent winter skate buyer (Nebula). Below is a selection of the concerns/points we have heard through one-on-one conversations with the fishing industry and during this informational meeting, summarized:

- 1 dealer only working with their own 7 boats is not equitable
- Concerns about hitting the Total Allowable Landing (TAL) early in season which would trigger the incidental limit
- Discussion that boats can get additional pounds in May/June this year, that they were unable to last year before Framework 12 was implemented (mid-July), so it is best to let the current regulations play out that already accounted for an increase in both Season 1 and 2.
- Concerns about the price dropping for all participants in the winter skate fishery when this EFP floods the market with extra skate
- Concerns that bottom otter trawlers will want to get into the fishery if skate landing limits increase too much
- Important to consider that Cape Cod vessels use Northeast Multispecies A days, versus Rhode Island vessels using Monkfish DAS. Northern Management Area can lease A DAS and work towards skate limit, whereas those boats in Southern New England use Monk DAS and if they need to, would have to purchase RSA days.
- Markets are fragile: Skate market is very shaky in Korea, and France market is not as strong as usual.
- While frustrating to have to leave gear in the water when you reach your limit, and go back offshore to haul remaining gear, it helps spread out the landings and lets dealers keep up with the volume

In addition to concerns, there were also some suggestions brought up:

- Expand geographical footprint and number of vessels involved
- If expanding to more vessels, the increased daily limit should be 500 or 1,000 lbs/trip not what is being proposed. This would be more equitable and if low enough, provide a slower increase in landings
- Test dynamic daily or weekly trip limits for the entire fleet
- Test dynamic daily or weekly trip limits with an increased subset of boats
- Consider limiting the # of trips per week fished under the EFP
- Focus the EFP effort on the fall fishery (Oct 1-May 1), when everyone is fishing south in Southern New England and clearing through the nets would allow researchers to test if they can catch more monkfish and really tease out the efficiency gains of a higher trip limit on longer trips.

The Fishermen's Alliance is interested in exploring the concept of dynamic trip limits and better utilization of the winter skate quota, but this proposed Exempted Fishing Permit does not appear to test that concept as written. We want a stable winter skate fishery, and the winter skate fishery is important to the gillnet fleet here on Cape Cod. While we recognize the quota has been underutilized, we would support keeping trip limits at the current regulation, and request research be done to test dynamic trip limits for the fishery fleet wide to address price and market demand concerns.

We encourage GARFO and NOAA to consider a fleet wide approach to slowly increasing landing limits per day. For example, to test this dynamic daily limit management measure under the proposed EFP, CFRF could evaluate the quota monitoring page and landings week to week as it compares to the Total Allowable Landings per season and the ex-vessel price, and adjust next week's EFP trip limit accordingly, based on reasonable thresholds pre-agreed upon with GARFO, never to exceed more than 2,000 extra pounds per trip. Alternatively, GARFO could adjust the weekly trip limit if more appropriate.

In conclusion, we think the Exempted Fishing Permit proposed is addressing an important issue regarding skate utilization in the gillnet fishery, and we would support the EFP being approved with the following revisions: adjust EFP to be more inclusive and geographically diverse, allocate a smaller increased amount

for daily trip limit, test in real-time dynamic trip limits (e.g., daily/weekly), and wait until the fall season before implementing increased limits.

Thank you for the opportunity to provide written comments on this proposed Exempted Fishing Permit.

Sincerely,

Aubrey Church

Aubrey Church
Fisheries Policy Director

