



DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[RTID 0648-XF643]

Magnuson-Stevens Act Provisions; General Provisions for Domestic Fisheries;

Application for Exempted Fishing Permits

AGENCY: National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

ACTION: Notice; request for comments.

SUMMARY: The Assistant Regional Administrator for Sustainable Fisheries, Greater Atlantic Region, NMFS, has made a preliminary determination that an Exempted Fishing Permit (EFP) application contains all of the required information and warrants further consideration. The EFP would allow federally permitted fishing vessels to fish outside fishery regulations in support of exempted fishing activities proposed by the Commercial Fisheries Research Foundation. Regulations under the Magnuson-Stevens Fishery Conservation and Management Act require publication of this notification to provide interested parties the opportunity to comment on applications for proposed EFPs.

DATES: Comments must be received on or before **[INSERT DATE 15 DAYS AFTER DATE OF PUBLICATION IN THE FEDERAL REGISTER]**.

ADDRESSES: You may submit written comments by email: *nmfs.gar.efp@noaa.gov*. Include in the subject line "Increasing Trip Limits to Promote Full Utilization of the Skate Wing Fishery." All comments received are a part of the public record and may be posted for public viewing without change. All personal identifying information (*e.g.*, name, address), confidential business information, or otherwise sensitive information submitted voluntarily by the sender will be publicly accessible. NMFS will accept anonymous comments (enter "anonymous" as the signature if you wish to remain anonymous).

FOR FURTHER INFORMATION CONTACT: Ashley Trudeau, Fishery Resource Management Specialist, ashley.trudeau@noaa.gov, (978) 281-9252.

SUPPLEMENTARY INFORMATION: The applicant has submitted a complete application for an EFP to conduct commercial fishing activities that the regulations would otherwise restrict. This EFP would exempt the participating vessels from the following Federal regulations:

Table 1 -- Requested Exemptions

CFR Citation	Regulation	Need for exemption
50 CFR 648.322 (b)(1)(i)	Skate wing possession and landing limits, vessels fishing under an Atlantic sea scallop, northeast multispecies, or monkfish day at sea	To exceed the skate wing fishery trip limit of 4,000 pounds (lb; 1.8 metric tons (mt)) of skate wings (9,080 lb (4.1 mt) whole weight) in Season 1, and 6,000 lb (2.7 mt) of skate wings (13,620 lb (6.2 mt) whole weight) in Season 2

Table 2 -- Project Summary

Project title	Increasing Trip Limits to Promote Full Utilization of the Skate Wing Fishery
Project start	05/01/2026
Project end	04/30/2027
Project objectives	To quantify the economic and ecological benefits and consequences of an increased skate wing trip limit.
Project location	Statistical areas 521, 526, and 537
Number of vessels	17
Number of trips	650
Trip duration (days)	1
Total number of days	650
Gear type(s)	Gillnet
Number of tows or sets	Within regulated gillnet set limits
Duration of tows or sets	1-3 days

Project narrative

The Commercial Fisheries Research Foundation (CFRF), in partnership with seafood dealer Red’s Best, LLC, is requesting an EFP in support of an ongoing study that would conditionally allow vessels with skate permits to exceed skate possession limits for the purpose of quantifying the economic and ecological benefits and consequences of an

increased skate wing trip limit. This application requests a renewal of the study's permit for the 2026 fishing year. During its first year, participating vessels used fewer than 50 out of 700 allowed trips as of March 19, 2026. These trips took place only during Season 2 (September 1, 2025-April 30, 2026) of the skate wing fishery. This renewed EFP would authorize a second year of the study to allow use of the remaining balance of 650 experimental fishing trips during Seasons 1 and 2 of the 2026 fishing year.

Based on our annual monitoring reports for fishing years 2021-2024 and monitoring reports to date for fishing year 2025, skate landings have remained well below the total allowable landings (TAL), ranging from 40 to 70 percent of the TAL. Monthly landings in the 2025 fishing year have been higher than those of 2024, but total landings remain at only 67 percent of the TAL as of March 19, 2026. The applicant seeks to continue to address the underutilization of the skate resource by renewing for participating vessels an exemption to the 4,000 lb (1,814 kilogram (kg)) per trip skate wing possession limit (9,080 lb (4,119 kg) in whole weight) in Season 1 (May 1- August 31), and the 6,000 lb (2722 kg) per trip possession limit of skate wings (13,620 lb (6,178 kg) in whole weight) in Season 2 (September 1-April 30).

Under this EFP, the trip limits would be increased to 7,000 lb (3,175 kg) of skate wings, or 15,890 lb (7,208 kg) whole weight, per trip in Season 1, and 9,000 lb (4,082 kg) of skate wings, or 20,430 lb (9,267 kg) whole weight, per trip in Season 2. The participating vessels would be authorized to take up to 650 trips that exceed the possession limit in the 2026 fishing year. Participating vessels are a mix of full-time and part-time gillnetters; the part-time gillnetters would likely have all of their trips occur under this EFP; only a portion of trips by full-time gillnetters would be taken with the increased trip limit. All trips under the EFP would be exclusively wing trips without bait skate landings. This EFP could increase skate wing landings by almost 2 million lb (907 mt) and, given recent skate wing ex-vessel prices, would have an approximate ex-vessel

value of over \$1.5 million. In addition, given the overlap with the monkfish fishery, which at times has been constrained by skate trip limits in the Southern Fishery Management Area, this EFP could improve utilization of the monkfish annual catch limit.

All participating vessels would collect data on all large-mesh gillnet trips fished with and without the increased skate wing trip limit. Data collection would include trip duration, number of nets set and soak time, quantity and value of skate catch and other catch, and fuel used. Skate wing catch and monkfish catch would be compared between trips conducted with and without the increased trip limit to inform project objectives.

The EFP would include conditions to: (1) Mitigate the potential for this EFP to trigger the 85-percent TAL possession limit reduction; (2) avoid a sustained negative impact on ex-vessel skate price; and (3) avoid triggering monkfish accountability measures in the monkfish Northern Fishery Management Area (NFMA).

If skate landings surpass 70 percent of the TAL, and/or NMFS projects that the 85-percent TAL threshold will be met in either Season 1 or Season 2, the EFP may be suspended for the remainder of the applicable season and vessels would be subject to the fishery-wide possession limit. This EFP could result in a maximum of 1.95 million lb (885 mt) of skate wings being landed, or just over 14 percent of the proposed 2026 skate wing TAL (91 FR 14674, March 26, 2026). However, that estimate assumes that each EFP trip would land the full possession limit. Any trip that exceeds the skate wing possession limit, even by a small amount, would count against the 650-trip limit. The 70-percent TAL threshold for this EFP has been selected to mitigate the potential for this EFP to trigger the 85-percent TAL possession limit reduction.

The applicant has acknowledged concerns regarding the potential for this project to reduce ex-vessel skate price. They are planning to self-regulate the participating vessels in coordination with other skate wing dealers and, if the skate market is slow and there is any negative impact on price as a result of the increased trip landings under this

project EFP, they plan to instruct participating vessels not to make any trips under the permit with increased landings until the market and price stabilizes. NMFS will support ex-vessel price monitoring using dealer reports and data reported by participating vessels under the EFP. To further address this concern, NMFS will regularly assess ex-vessel prices and other market changes with CFRF. These periodic evaluations will provide opportunities to identify unintended market consequences and, if necessary, suspend the EFP. No sustained negative effect of the EFP on skate wing ex-vessel prices was detected during fishing year 2025.

The monkfish TAL for the NFMA has been fully utilized in recent years, and increased fishing effort for skate in statistical area 521 could contribute to monkfish TAL overages in the northern area. Therefore, the EFP includes a condition that if NMFS projects that the NFMA monkfish TAL will be exceeded and the accountability measure will be triggered, the EFP would stop in the NFMA for the remainder of the project period. During the 2025 fishing year, no trips under this EFP have taken place in the NFMA.

If approved, the applicant may request minor modifications and extensions to the EFP throughout the year. EFP modifications and extensions may be granted without further notice if they are deemed essential to facilitate completion of the proposed research and have minimal impacts that do not change the scope or impact of the initially approved EFP request. Any fishing activity conducted outside the scope of the exempted fishing activity would be prohibited.

Authority: 16 U.S.C. 1801 *et seq.*

Dated: March 31, 2026.

David R. Blankinship,

Acting Director, Office of Sustainable Fisheries,

National Marine Fisheries Service.