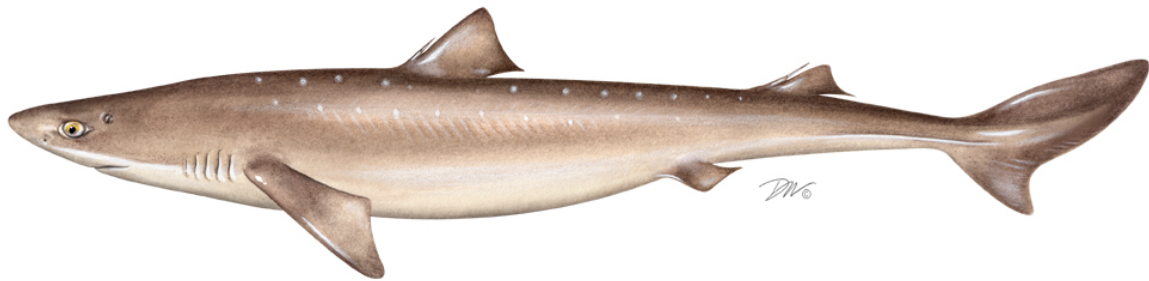


***Atlantic States Marine Fisheries Commission***

**ADDENDUM VI TO THE SPINY DOGFISH INTERSTATE FISHERY  
MANAGEMENT PLAN**

***Commercial Management: Quota Transfers between Regions***



**Approved October 2019**



**Sustainable and Cooperative Management of Atlantic Coastal Fisheries**

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## **1.0 INTRODUCTION**

The Atlantic States Marine Fisheries Commission (ASMFC) is responsible for managing spiny dogfish (*Squalus acathias*) in state waters (0–3 miles from shore) under the authority of the Atlantic Coastal Fisheries Cooperative Management Act, and has done so through an interstate fishery management plan (FMP) since 2003. The states of Maine through North Carolina have a declared interest in the fishery and are responsible for implementing management measures consistent with the interstate FMP.

Spiny dogfish is managed in federal waters (3–200 miles from shore) through a joint FMP of the Mid-Atlantic Fishery Management Council (MAFMC) and the New England Fishery Management Council (NEFMC). These two councils make recommendations on management to the National Oceanographic and Atmospheric Administration's National Marine Fisheries Service (NOAA Fisheries), which is responsible for implementing management based on the input from the two councils and per the requirements of the Magnuson-Stevens Fishery Conservation and Management Act.

This addendum allows quota to be transferred between all regions and states to enable full utilization of the coastwide commercial quota and avoid quota overages. Additionally, this addendum extends the timeframe for when quota transfers can occur up to 45 days after the end of the fishing year to allow for late reporting of landings data.

## **2.0 OVERVIEW**

### **2.1 Statement of the Problem**

Interstate management of the spiny dogfish commercial fishery includes both state-specific and regional shares of the coastwide quota. Prior to this addendum, quota transfers were only possible between states with individual state quotas, whereas regions have not been granted the authority to donate or receive quota via transfers. Consequently, regions were unable to share in the benefits of quota transfers, which include assisting in the full utilization of the coastwide quota and avoiding quota payback requirements for unintended quota overages. This situation may be exacerbated during the 2019–2020 fishing year due to a 46% reduction in the coastwide quota. If landings in the 2019–2020 fishing year remain status quo, the coastwide quota would not be exceeded but some states could face an early quota closure.

### **2.2 Background**

#### **2.2.1 Quota Management**

The spiny dogfish commercial fishery operates on a May 1–April 30 fishing year (FY; e.g., FY 2019 refers to 5/1/2019 to 4/30/2020). The Federal FMP includes an annual coastwide quota, the amount of which is specified by the Councils and Commission and implemented by NOAA Fisheries. Since the implementation of the Federal FMP in 2000 (MAFMC and NEFMC, 1999) and the Interstate FMP in 2003 (ASMFC, 2002), the coastwide quota has been allocated in several variants of seasonal and regional quotas.

In 2011, under Addendum III (ASMFC, 2011), the interstate FMP established regional (ME–CT) and state-specific (NY, NJ, DE, MD, VA, and NC) allocations of the coastwide quota, which

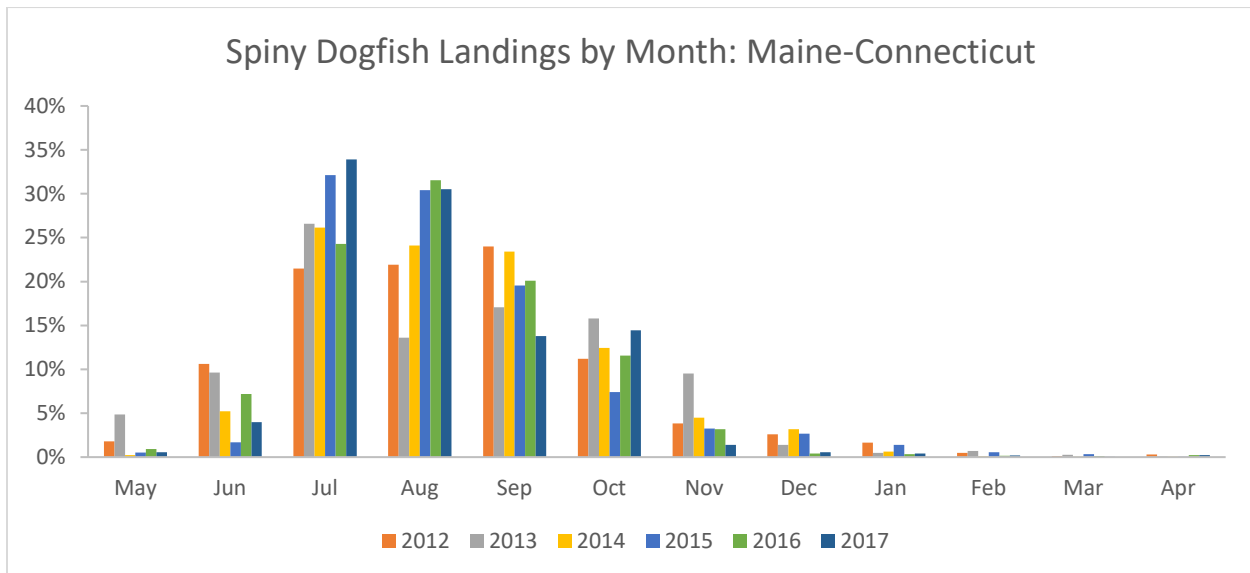
remain in place (Table 1). States have the responsibility to close the spiny dogfish commercial fishery in their state once their (state or regional) quota has been reached. Addendum III also authorized quota transfers, but only for states with individual quotas. State-to-state quota transfers were common practice for other Commission-managed species at the time, and a process for quota transfers involving a region was not considered.

**Table 1. Spiny Dogfish Allocations since 2011**

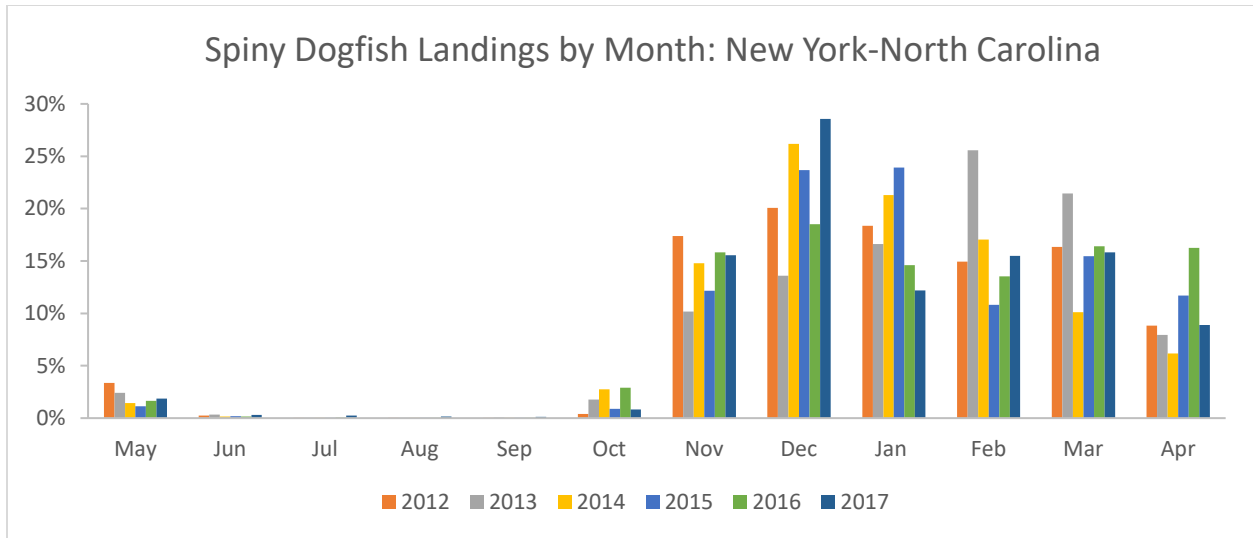
	<b>Northern Region (ME-CT)</b>	<b>NY</b>	<b>NJ</b>	<b>DE</b>	<b>MD</b>	<b>VA</b>	<b>NC</b>
Allocation	58%	2.707%	7.644%	0.896%	5.92%	10.795%	14.036%

### **2.2.2 Commercial Fishery**

U.S. commercial spiny dogfish landings along the Atlantic coast follow the seasonal migration of spiny dogfish. In recent years, the highest proportions of landings in the northern region (ME–CT) have occurred during the months of July, August, and September (Figure 1). For the states of New York to North Carolina, nearly all landings occur from November through April (Figure 2). The fishery in the northern region is largely concluded by November, just as the fisheries to the south ramp up.



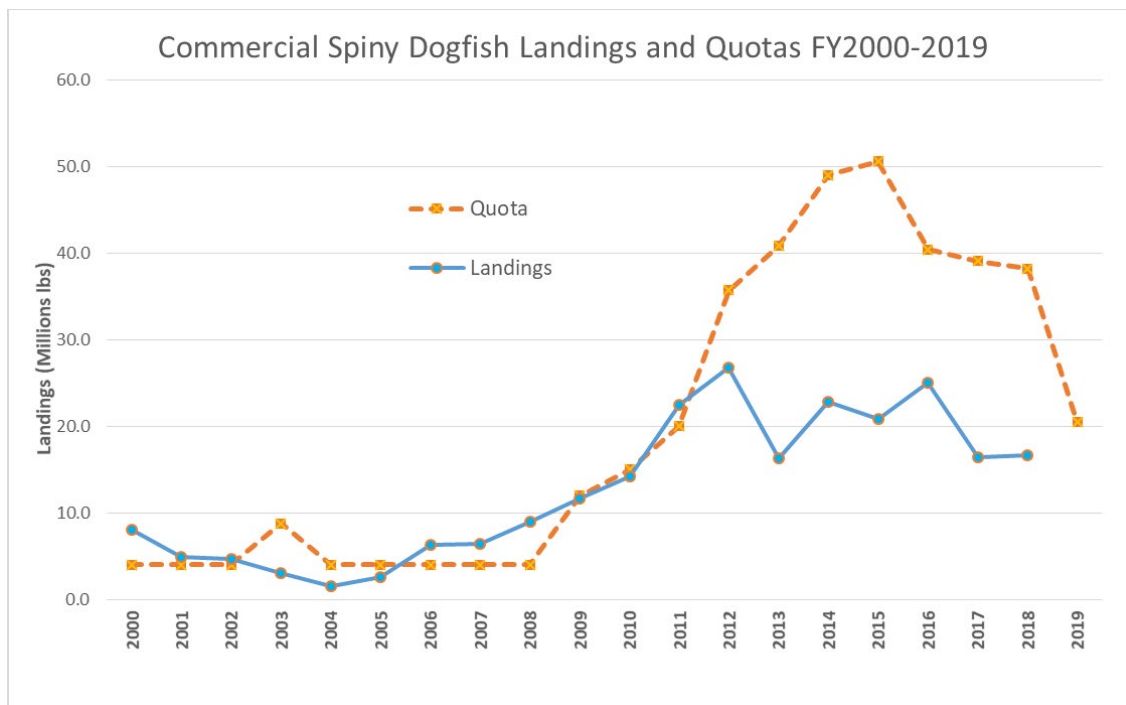
**Figure 1. Proportion of Landings by Month for Maine–Connecticut, FYs 2012–2017. Source: ACCSP 2019.**



**Figure 2. Proportion of Landings by Month for New York–North Carolina, FYs 2012–2017. Source: ACCSP 2019.**

Total commercial landings closely tracked the coastwide quota for most of the first 12 years of quota management (FY 2000–FY 2011), after which the landings plateaued while the quota continued to increase (Figure 3). Landings during FY 2012–FY 2018<sup>1</sup> averaged 20.93 million pounds, while the coastwide quota averaged 42.02 million pounds. For FY2019, the coastwide quota has been reduced to 20.52 million pounds to avoid overfishing the stock amidst declining biomass (NEFSC, 2018). Over the last three years (FY2016–2018), less than half of the cumulative coastwide quota has been landed, though similar landings in FY2019 would achieve nearly 100% of the newly reduced quota level.

<sup>1</sup> Commercial landings for FY2018 are preliminary and subject to change.



**Figure 3. Coastwide Landings and Quotas FY2000-2019. Source: Unpublished NOAA dealer reports**

At a more local level, fishery performance relative to quotas varies both among states/regions and year-to-year within a state/region. During the last three years (FYs 2016–2018), the percent of annual quota used by a state or region ranges from 0% to 94%, and up to 118% exclusive of transfers (Table 2). Only Virginia has had consistently high landings compared to available quota, notably including FY 2018 when a quota transfer was necessary to avoid an early closure of the state’s fishery. While more variable, the fisheries of the northern region, New Jersey, and Maryland have demonstrated the capacity to land a majority of their quota on a single year basis. North Carolina’s landings are significant, yet the fishery has taken less than half the state’s available quota in each of the last three years. New York’s and Delaware’s landings qualify for *de minimis* status.

While only Virginia’s landings in FY 2018 (and FYs 2016 and 2017) would exceed its FY 2019 quota, three additional states/regions (ME–CT, NJ, and MD) had landings in at least one of the last three years that would surpass their FY 2019 quotas. These trends suggest that there may not be enough quota among the states with state-specific quotas to satisfy all their fisheries, while it’s possible the northern region could have unused quota to share.

**Table 2. State/Regional Spiny Dogfish Quota and Percentage of Quota landed from FY 2016 to 2018. FY 2019 included for comparison.** Source: FY 2016-2017 State data for ME-DE; VA-NC from ACCSP 2019. MD FY 2016-2019 and all state FY 2018 from Preliminary NOAA Quota Monitoring Reports.

State/Region	FY 2016		FY 2017		FY 2018		FY 2019
	Quota <sup>^</sup>	Landings	Quota	Landings	Quota	Landings <sup>^^</sup>	Quota
		% of Quota		% of Quota		% of Quota	
ME-CT	24,876,989	15,758,302	22,677,836	10,807,726	22,153,577	8,471,582	11,903,243
		63.34%		47.66%		38.24%	
NY	1,161,069	40,692	1,058,429	48,212	1,033,961	46,487	555,716
		3.50%		4.56%		4.50%	
NJ	3,278,616	2,853,557	2,988,782	1,860,862	2,919,689	1,271,966	1,568,900
		87.04%		62.26%		43.57%	
DE	384,307	150	350,333	0	342,235	0	183,893
		0.04%		0.00%		0.00%	
MD	2,539,169	2,378,766	2,314,703	550,536	2,261,193	719,676	1,214,957
		93.68%		23.78%		31.83%	
VA	4,630,122	3,605,861	4,220,814	2,530,376	6,123,239	4,870,717	2,215,484
		77.88%		59.95%		79.54%*	
NC	6,020,231	418,860	5,488,036	757,279	3,361,166	1,367,414	2,880,640
		6.96%		13.80%		40.68%	
Coastwide	42,890,503	25,056,188	39,099,717	16,541,575	38,195,060	16,747,942	20,522,832
		58.42%		42.31%		43.85%	

<sup>^</sup>FY 2016 Quotas include 5% Quota Rollover

<sup>^^</sup>2018 Landings are preliminary and subject to change

\*Virginia's final quota for FY 2018 includes a 2 million pound transfer from North Carolina; Virginia's FY 2018 landings represent 118% of its initial quota level.

### 3.0 MANAGEMENT PROGRAM

This addendum modifies the quota transfer provisions as outlined in *Section 3.2: State Quota Transfers* of Addendum III to the Interstate Fishery Management Plan for Spiny Dogfish.

Quota transfers are allowed between all states and regions. A region can participate in a quota transfer through the mutual agreement of each state in the region. Specifically, the Administrative Commissioner (or proxy) from each state in the region must agree to the transfer in writing. The Executive Director or designated ASMFC staff will review and approve all transfer requests before the quota transfer is finalized.

As with transfers between states, transfers involving regions do not permanently affect the shares of the coastwide quota. Agreements for transfer of quota are to be forwarded to the Board through Commission staff. Once a quota transfer is finalized, quota management for the year (i.e., quota closures and overage accountability) is based on the transfer-adjusted quota amount. All quota transfers must occur within 45 days of the end of the fishing year.

### 4.0 COMPLIANCE SCHEDULE

Addendum VI is effective as of October 29, 2019

## **5.0 LITERATURE CITED**

Atlantic States Marine Fisheries Commission (ASMFC). 2002. Interstate Fishery Management Plan for Spiny Dogfish. 107p.

Atlantic States Marine Fisheries Commission (ASMFC). 2011. Addendum III to the Interstate Fishery Management Plan for Spiny Dogfish. 7p.

Mid-Atlantic Fishery Management Council (MAFMC) and New England Fishery Management Council (NEFMC). 1999. Spiny Dogfish Fishery Management Plan. NOAA Award No. NA57 FC0002. 292 pp.

Northeast Fisheries Science Center (NEFSC). 2018. Update on the Status of Spiny Dogfish in 2018 and Projected Harvests at the Fmsy Proxy and Pstar of 40%. Report to the Mid Atlantic Fishery Management Council (MAFMC) Scientific and Statistical Committee (SSC) August 31, 2018. 82 pages.