

*Atlantic States Marine Fisheries Commission*

**ADDENDUM II TO THE INTERSTATE FISHERY  
MANAGEMENT PLAN FOR SPINY DOGFISH**



**Approved: October 2008**

*ASMFC Vision Statement:  
Healthy, self-sustaining populations for all Atlantic coast fish species or successful  
restoration well in progress by the year 2015.*

## **1.0 Introduction**

At its May 2008 meeting, the Spiny Dogfish & Coastal Shark Management Board (Board) approved a motion to initiate the development of two addenda to the Interstate Fishery Management Plan (FMP) for Spiny Dogfish. The public comment draft of Addendum II proposed to remove the seasonal split to use a regional allocation of the annual quota with regional paybacks. The public comment draft of Addendum III proposed options for a state-by-state allocation of the annual quota with quota transfers and state paybacks. Instead of adopting two separate addenda, the Board approved a combination of the proposed measures from Draft Addenda II and III. Addendum II establishes a new allocation program for the commercial spiny dogfish fishery while maintaining the conservation goals of the FMP.

## **2.0 Background**

Prior to Addendum II, spiny dogfish were managed under the 2002 Interstate FMP for Spiny Dogfish and Addendum I to the FMP. The FMP was created in response to an overfished determination by the National Marine Fisheries Service (NMFS) in 1998. The Mid-Atlantic and New England Fishery Management Councils implemented “The Spiny Dogfish Fishery Management Plan” in 2000 closing harvest of spiny dogfish in federal waters. The ASMFC took emergency action in 2000 to close the harvest of spiny dogfish in state waters while the FMP was being created. The federal and ASMFC management plans are based on a constant fishing mortality strategy to prevent overfishing and promote rebuilding. The fishing mortality rate is controlled with an annual quota.

In order to preserve the seasonal and geographic distribution of landings prior to the 2002 FMP, a semi-annual quota allocation was implemented as part of the FMP. This allocation system aimed to use north-south spiny dogfish migrations to maintain the traditional distribution of landings as follows.

### ***4.1.2 Semi-Annual Quota Allocation***

*The coastwide quota, as determined by the annual specification process described in Section 4.1.2.1, shall be distributed between semi-annual periods. In effort to coordinate the management of spiny dogfish in state and federal waters, the semi-annual periods are May 1<sup>st</sup> – October 31<sup>st</sup> and November 1<sup>st</sup> – April 30<sup>th</sup>. A percentage of the coastwide annual quota is allocated to each period and will reflect the level of historical commercial landings during the 1990-1997 reference period. This reference period was chosen to complement the allocation of the quota in federal waters and to facilitate the administration of a coastwide quota. The percentages shall be fixed for both periods, with 57.9% of the coastwide annual quota allocated to Period I and 42.1% to Period II.*

Possession limits were included in the plan to control the catch rate of spiny dogfish. They were initially set at a maximum of 600 pounds for Period 1 and 300 pounds for Period 2 and remained at this level through the 2005/2006 fishing season. The 600/300 lb possession limit did not allow for the full quota to be harvested which kept the fishing season open and allowed fishermen in all states to continuously harvest dogfish whenever the fish were offshore.

During the 2006/2007 fishing season, the Board voted to increase the annual quota from 4 to 6-million pounds and allow states to specify their own possession limits. The increased quota and higher possession limits allowed fishermen to target spiny dogfish for the first time since the implementation of the FMP. Previous years possession limits limited fishermen to a bycatch fishery. As a result, the entire 2006/2007 annual quota was harvested. After reviewing an update from the New England Fisheries Science Center Spring Survey and receiving input from the Spiny Dogfish Technical Committee (TC),

the Board set the 2007/2008 fishing season quota at 6-million pounds with possession limits up to 3,000 lbs. Once again, the higher possession limits allowed for the entire dogfish quota to be harvested for the 2007/2008 fishing season.

### 3.0 Summary of Problem

When possession limits were increased for the 2006/2007 and 2007/2008 fishing seasons, the semi-annual quota allocation proved ineffective in maintaining the historical regional landings. This allocation scheme was designed to use the migration patterns of spiny dogfish (migrate north in the summer and south in the winter) to maintain historical landings since the dogfish would only be available to fishermen in a particular region for part of the year.

Beginning the fishing year on May 1<sup>st</sup> gives the northern states the first opportunity to intercept spiny dogfish because of the seasonal migration northward in the spring. Dogfish remain off the coasts of the northern states well into the winter months allowing them to harvest dogfish until the entire quota is landed. Fishermen in the southern-most states do not have the same opportunity to land spiny dogfish because the dogfish are not available to them until November/December when most of the quota has already been landed. Landings since 2001 show a percent shift of the annual harvest with the northern states landing more than 57.9% and the southern states landing below 42.1% (Table 1 & 2 and Figure 1 & 2).

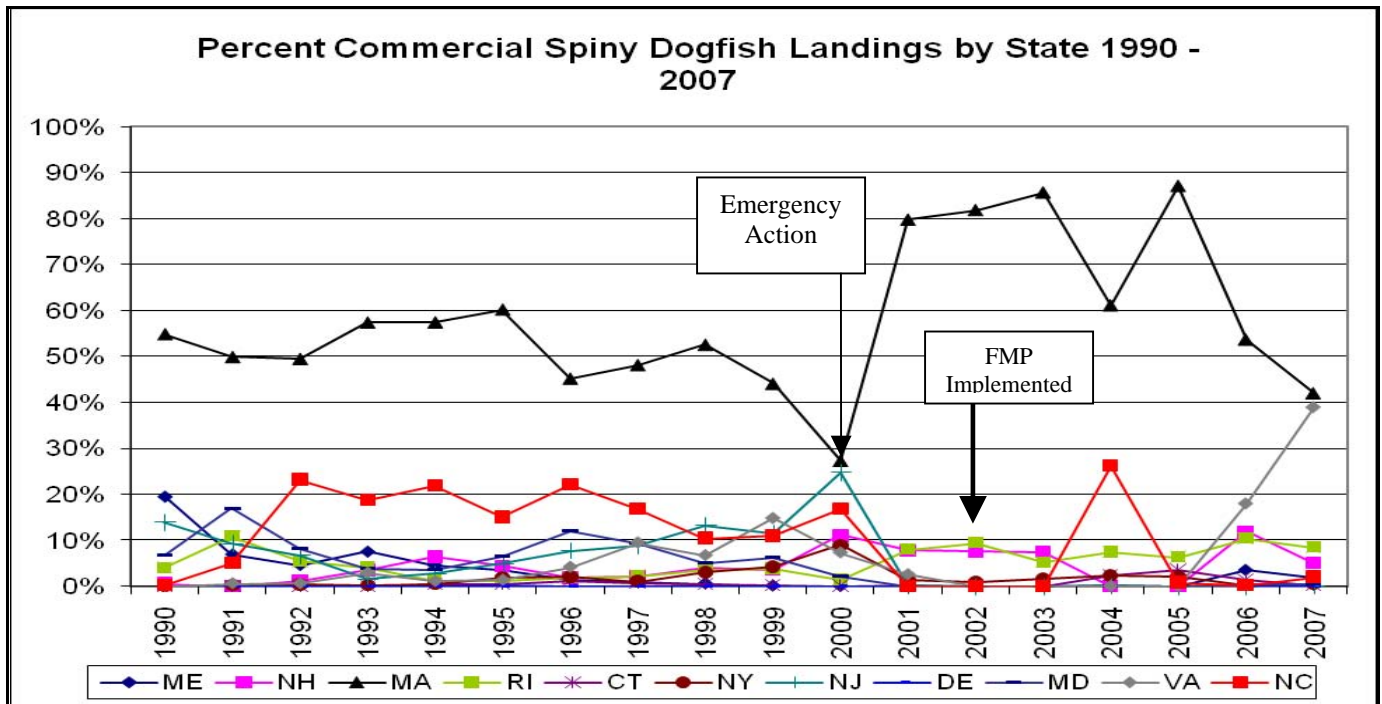
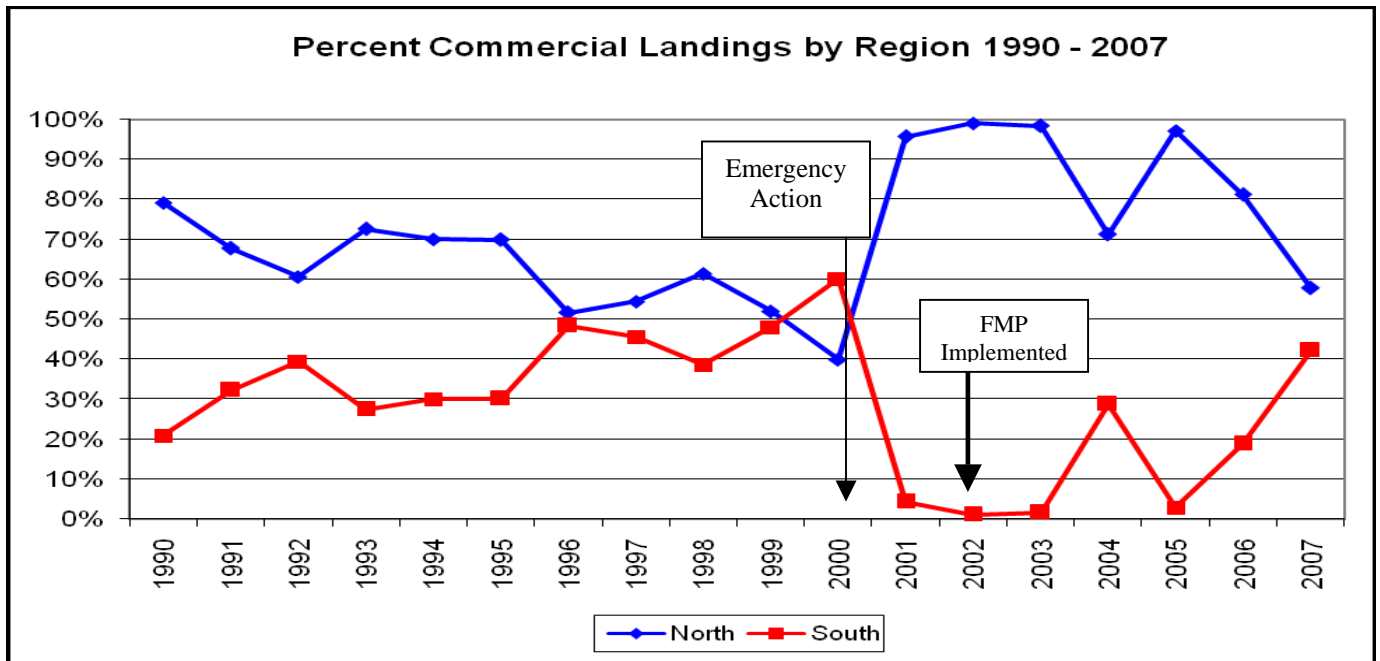


Figure 1<sup>1</sup>. Percent commercial spiny dogfish landings by state 1990 – 2007.

<sup>1</sup> See Appendix for full state landings table.

**Table 1. Percent of coastwide landings by state 1990 – 2007.**

	ME	NH	MA	RI	CT	NY	NJ	DE	MD	VA	NC
1990	19.6%	0.6%	54.8%	4.0%	0.1%	0.1%	14.0%	0.0%	6.7%	0.0%	0.1%
1991	6.9%	0.0%	49.9%	10.9%	0.0%	0.3%	9.3%	0.0%	17.0%	0.6%	5.0%
1992	4.6%	1.1%	49.4%	5.5%	0.1%	0.4%	6.8%	0.0%	8.2%	0.6%	23.2%
1993	7.5%	3.5%	57.4%	4.1%	0.0%	0.2%	1.6%	0.0%	3.8%	2.9%	18.8%
1994	4.5%	6.4%	57.4%	1.3%	0.4%	0.6%	2.8%	0.0%	3.5%	1.1%	21.9%
1995	3.5%	4.4%	60.2%	1.2%	0.6%	2.0%	5.0%	0.1%	6.6%	1.4%	15.1%
1996	1.5%	1.8%	45.2%	1.9%	1.2%	2.1%	7.8%	0.0%	12.0%	4.2%	22.3%
1997	1.0%	2.2%	48.1%	2.3%	0.8%	1.1%	8.8%	0.0%	9.4%	9.5%	16.9%
1998	0.6%	4.0%	52.5%	3.7%	0.6%	3.1%	13.3%	0.0%	5.1%	6.7%	10.5%
1999	0.1%	3.7%	44.0%	4.0%	0.3%	4.3%	11.6%	0.0%	6.3%	14.8%	11.0%
2000	0.0%	11.1%	27.3%	1.4%	0.1%	9.0%	24.7%	0.0%	2.1%	7.3%	16.8%
2001	0.0%	7.8%	79.7%	8.0%	0.2%	1.4%	0.3%	0.0%	0.0%	2.6%	0.0%
2002	0.0%	7.5%	81.8%	9.5%	0.1%	1.1%	0.0%	0.0%	0.0%	0.0%	0.0%
2003	0.0%	7.5%	85.6%	5.2%	0.0%	1.6%	0.0%	0.0%	0.0%	0.0%	0.0%
2004	0.2%	0.0%	61.1%	7.4%	2.5%	2.3%	0.2%	0.0%	0.0%	0.0%	26.3%
2005	0.0%	0.0%	87.0%	6.4%	3.7%	2.1%	0.0%	0.0%	0.0%	0.0%	0.8%
2006	3.5%	11.9%	53.7%	10.5%	1.6%	0.3%	0.0%	0.0%	0.4%	18.0%	0.2%
2007	1.8%	5.1%	42.0%	8.5%	0.4%	0.5%	0.2%	0.0%	0.4%	39.0%	2.0%



**Figure 2. Percent spiny dogfish commercial landings by region. North region consists of Maine – Connecticut. South region consists of New York – North Carolina.**

	North	South
<b>1990</b>	79.1%	20.9%
<b>1991</b>	67.7%	32.3%
<b>1992</b>	60.7%	39.3%
<b>1993</b>	72.6%	27.4%
<b>1994</b>	70.0%	30.0%
<b>1995</b>	69.9%	30.1%
<b>1996</b>	51.6%	48.4%
<b>1997</b>	54.4%	45.6%
<b>1998</b>	61.4%	38.6%
<b>1999</b>	52.0%	48.0%
<b>2000</b>	40.0%	60.0%
<b>2001</b>	95.7%	4.3%
<b>2002</b>	98.9%	1.1%
<b>2003</b>	98.4%	1.6%
<b>2004</b>	71.2%	28.8%
<b>2005</b>	97.1%	2.9%
<b>2006</b>	81.1%	18.9%
<b>2007</b>	57.8%	42.2%

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#### **4.0 Management Program**

This addendum replaces *Section 4.1.2 Semi-Annual Quota Allocation* of the Interstate FMP for Spiny Dogfish with the following language:

##### ***Section 4.1.2 Regional Quota Allocation***

The coastwide quota, as determined by the annual specification process described in *Section 4.1.2.1* shall be distributed between two regions and North Carolina. Landings that occur in Maine, New Hampshire, Massachusetts, Rhode Island, and Connecticut will be counted against the Northern region quota. Landings that occur in New York, New Jersey, Delaware, Maryland, and Virginia will be counted against the Southern region quota. North Carolina will receive a state specific allocation separate of the regions. The annual quota will be allocated to the management unit according to the following shares: Northern region 58%, Southern Region 26%, and North Carolina 16%.

This addendum also replaces *Section 4.1.2.2 Payback of Quota Overages* of the Interstate FMP for Spiny Dogfish with the following language:

##### ***Section 4.1.2.2 Payback of Quota Overages***

When the quota in any region or North Carolina is projected to be reached, the commercial landing, harvest and possession of spiny dogfish will be prohibited in state waters of that region or North Carolina until the end of the current fishing season. When the quota allocated to a region or North Carolina is exceeded in a fishing season, the

amount over the allocation will be deducted from the corresponding region or North Carolina in the subsequent fishing season.

This addendum does not alter any other provisions from the Interstate FMP other than those described above and makes no changes to Addendum I to the FMP.

### **5.0 Compliance Schedule**

Addendum II applies retroactively to the 2008/2009 fishing season. The 2008/2009 quota allocations are as follows: Northern region 58%, Southern region 26%, and North Carolina 16%.

The regional allocation of this addendum requires states to open and close the fishery in the same manner as the FMP. States should already have a mechanism in place to do this because it was a requirement as part of state implementation the FMP in 2003.

This addendum does not change the annual compliance schedule. States are still required to submit annual compliance reports by July 1.

**Appendix A. Annual state landings 1981 – 2007 (pounds).** 1981 – 2001 landings are unpublished NMFS weighout data and North Carolina trip ticket landings. These landings were used in the 2002 FMP; 2002 – 2006 landings are taken from a personal communication from the National Marine Fisheries Service, Fisheries Statistics Division, Silver Spring, MD; 2007 landings are from the NOAA Fisheries Weekly Quota Monitoring Website archives. 2007 landings were not available from the NMFS Fisheries Statistics Division at the time this document was published.

	ME	NH	MA	RI	CT	NY	NJ	DE	MD	VA	NC
1981	1138001	0	1745919	3749	4410	110471	203301	8379	1533798	2157372	0
1982	482454	0	73206	2867	2646	104517	5513	2646	1974798	2845773	0
1983	497007	662	6615	0	9482	56889	662	4410	213885	28004	0
1984	1245825	221	110250	24255	5292	77175	2867	5954	260190	19845	0
1985	904050	0	342878	1544	9923	136490	8159	0	170226	13892	0
1986	769545	0	1938195	4851	19845	295250	52920	0	128772	12128	0
1987	597114	0	5148675	29988	6395	155673	3749	0	6615	10143	0
1988	481481	507	5827932	573	0	86243	10141	0	23523	3373	301768
1989	4879563	0	4924581	4475	904	48280	22575	0	3549	19092	0
1990	6365961	185185	17806526	1300860	24295	18166	4544004	0	2181812	6636	41446
1991	2016160	0	14488889	3160229	8796	77271	2715631	5710	4939242	173964	1463221
1992	1719400	402183	18375750	2027601	22310	155666	2534590	0	3063294	229101	8634923
1993	3524780	1641601	26830776	1924272	14947	95392	769996	0	1795899	1367791	8806064
1994	1813347	2597792	23209664	529255	170000	237087	1129854	0	1428630	447450	8873801
1995	1663568	2106255	28636503	572914	293532	933723	2379972	62900	3117403	651012	7174803
1996	911048	1079523	26812018	1128583	705865	1245749	4632137	0	7151026	2483038	13210735
1997	448660	1008785	21664398	1015395	347381	488724	3950032	0	4227432	4274881	7608426
1998	273752	1893425	24911195	1769038	267287	1456519	6305288	1905	2398994	3190135	4961379
1999	34811	1238493	14915041	1337600	87924	1452710	3924618	414	2134023	5017933	3718628
2000	7661	2334498	5761654	305702	30131	1901906	5222164	235	449696	1544689	3549939
2001	257	382502	3912481	394019	7677	66652	17149	13	116	126242	375
2002	589	348785	3798816	439936	5698	49454	0	0	0	0	0
2003	0	174803	2005770	122870	605	38356	0	25	0	0	0
2004	3331	300	1216510	147822	50373	46039	3700	0	0	0	522576
2005	0	0	1996957	146559	83970	47410	0	300	0	0	18865
2006	183891	620055	2804948	549102	81453	14660	0	0	20601	940120	11574
2007	116114	319248	2637170	536489	22681	33449	14717	34	23068	2449839	126343