

Atlantic States Marine Fisheries Commission

Spiny Dogfish Technical Committee

May 11, 2012

Review of Draft Addendum IV to the Interstate Fishery Management Plan for Spiny Dogfish for Public Comment

Present: Matt Cieri (ME DMR), Tobey Curtis (NMFS), Holly White (NC DMF), Jack Musick (VIMS), Eric Schneider (RI DFW), Kathy Sosebee (NEFSC), and Chris Vonderweidt (ASMFC Staff).

The Spiny Dogfish Technical Committee (TC) met to review Draft Addendum IV to the Interstate Fishery Management Plan for Spiny Dogfish for Public Comment (Draft Addendum IV) and provide feedback to the Spiny Dogfish & Coastal Shark Management Board (Board) regarding the proposed measures. The TC's discussion of each Issue is as follows:

ISSUE 1: Quota Rollover

The TC agrees that all quota rollovers should be prohibited without exception. Of the specific options included in Draft Addendum IV, the TC prefers Option A status quo, because the other options create the potential for unlimited rollovers.

TC members expressed three main concerns with allowing quota rollovers: 1.) negative biological impacts, 2.) potential misalignment with the federal plan, and 3.) potential for the Board to allow excessive rollovers.

Regarding negative biological impacts of rollovers, TC members commented that allowing rollovers can increase the quota in the subsequent year causing an increase in F for that year. They consider rollovers to be a risk prone strategy, especially with the projected SSB decline (when the 1997 – 2003 record low year classes recruit to the fishery). One TC member noted that the 1997 – 2003 year classes have already begun to recruit to the fishery; and the anticipated precipitous SSB decline has been buffered because previous regulations allowed other year classes to fill the recruitment void.

Regarding coordination with the federal plan, the TC agrees that allowing rollovers creates a potential for future/increased misalignment. Members are unsure how future quotas will align if the ASMFC allows rollovers and the federal plan does not have a rollover provision. One member expressed concern that NMFS could proactively close the federal waters quota early if they anticipate an overage in state waters. The NMFS TC representative commented that they have considered this approach but it is only effective if dogfish are not available for harvest in state waters (is not effective if closing federal waters does not slow or stop harvest because fishermen can still catch dogfish in state waters).

The TC is also concerned that federal accountability measure (AM) paybacks could be triggered if rollovers cause landings to exceed the federal quota. For example, if the quota in 2012/2013 is set at 10 million pounds in both state and federal waters, and there is an additional 500,000 pounds of ASMFC rollovers from the previous fishing season, landings in federal and ASMFC waters could end up at 10 and 10.5 million pounds respectively. If the additional 500,000 pounds triggers AM paybacks, the state and federal quota would be further misaligned. The NMFS TC representative explained that the accountability measure paybacks in the federal plan are for the overall domestic annual catch limit (domestic-ACL) which includes commercial landings, recreational landings, and discards. A payback is triggered in the federal plan if combined commercial landings, recreational landings, and discards exceed the domestic-ACL. Following this clarification, members of the TC commented that the domestic-ACL would most likely not have been exceeded in previous years.

Finally, the TC is concerned that there is no cap for exemptions to the 5% rollover provision, and this allows the Board to grant future exemptions that are contrary to the intent of the rollover provision. With no cap, a state or region could be allowed to stockpile quota and large rollovers are possible. Other comments regarding the absence of a cap included:

- Do not necessarily buy into the idea that states will close early (rather than err on side of overharvest to prevent loss of quota) if they can roll quota over.
- Early closure may increase discards.
- How will this impact transfers?
- Unsure that Board has thought through all of the implications.

ISSUE 2: Fishing Mortality Threshold.

The TC unanimously supports Option B (F_{MSY} or a reasonable proxy thereof). The TC developed this option with broad language to provide flexibility and allow the Board to quickly and easily implement the best available science. Members do not see the need for Option C and are unsure how it differs from Option B or the process that the Board already follows when adopting new reference points. The TC suggested to add “peer reviewed” to the Option B language if the Board is concerned that Option B does not specify a peer review process. Specifically, the first sentence of Option B could be amended to read (suggested change bolded):

*The threshold fishing mortality rate is defined as F_{MSY} (or a reasonable proxy thereof) and based upon the best available **peer reviewed** science.*

ISSUE 3: Fishing Mortality Target

The TC unanimously supports Option B (set annually based on TC recommendations). TC members reiterated that Option B is intended to add flexibility and promote a complementary approach between state and federal waters. Specifying the F_{target} can help to manage with a risk averse approach that accounts for uncertainty. The plan has always included an F_{target} and would continue to do so even if no action (Option A) is exercised. Any F_{target} is a precautionary reduction from the $F_{threshold}$. Option B would replace the existing static definition of the F_{target} with one that uses the latest information on uncertainty from the assessment, projections, and management. Option B would allow the TC to annually evaluate and inform the board about those sources of uncertainty.

As an example of how an F_{target} could be specified, the TC used the 2012/2013 quota recommendations to generate a theoretical F_{target} as follows:

When making recommendations for the 2012/2013 fishing season, the TC initially calculated the amount of harvest allowed under $F_{MSY} = 0.2439$ (equivalent to MAFMC overfishing limit (OFL)). Then, a P^* approach from the MAFMC's Omnibus Amendment was used to reduce for scientific uncertainty, giving the total catch (equivalent to MAFMC's allowable biological catch (ABC)). The final 2012/2013 commercial quota recommendation of 35.6 million pounds was derived by subtracting estimated discards, Canadian landings, and recreational landings from the total catch.

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| Catch level that corresponds to $F_{MSY} = 0.2439$ | 25,131 mt |
| Total catch $P^*40\%$ | 20,352 mt |
| Estimated dead discards | -4,081 mt |
| Estimated Canadian landings | -59.5 mt |
| Estimated recreational landings | <u>-21 mt</u> |
| | = 16,190.5 mt (35.6 million pounds) |

After reviewing their 2012/2013 quota recommendation, the TC agreed that a reasonable F_{target} recommendation would have been 20,352 metric tons, which is equivalent to the MAFMC's ABC.