

## INTERSTATE FISHERIES MANAGEMENT PROGRAM OVERVIEW

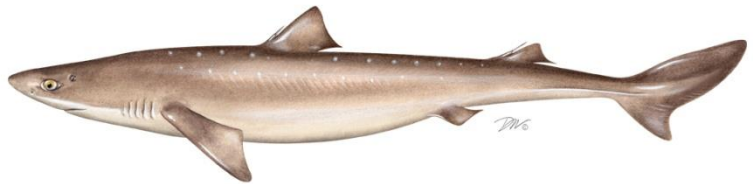
# Spiny Dogfish

### Species Range

Labrador, Canada to Florida

### Management Unit

Coastwide (Maine through Florida)



### Stock Status

The [2023 Management Track Stock Assessment](#) indicates that spiny dogfish are not overfished and overfishing is not occurring. The spawning stock biomass estimate of 191 million pups is slightly above the SSB threshold of 188 million pounds, while the fishing mortality estimate (0.02) is just below the fishing mortality threshold (0.0246).

However, the assessment also found a lower productivity of the stock, requiring reduced quotas to prevent overfishing in the future. The assessment replaced the Stochastic Estimator with Stock Synthesis 3 (SS3) as the primary assessment tool, due to its ability to model sexes separately and accommodate length-based approaches.

### Involved States and Jurisdictions

ME, NH, MA, RI, CT, NY, NJ, DE, MD, VA, NC, NMFS

### Active Boards/Committees

Spiny Dogfish & Coastal Sharks Management Board, Plan Review Team/Plan Development Team, Technical Committee, Stock Assessment Subcommittee, Advisory Panel

### Chairs

Board, Chair – Pat Geer (10/2023); Vice-Chair – Joe Cimino

Technical Committee, Chair – Scott Newlin (06/2013), Vice-Chair – Vacant

Advisory Panel, Chair – Vacant

### Staff Lead

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## **Management Plan History**

### **[Interstate Fishery Management Plan for Spiny Dogfish \(November 2002\)](#)**

The Interstate FMP established an annual quota system that is divided into and allocated across two periods; Period 1 is May to October (57.9%) and Period 2 is November to April (42.1%). The annual quota is set at a level that does not exceed the fishing mortality (F) goal. The FMP also established possession limits to control the rate of catch for each period. Possession limits are set annually and may differ between Period 1 and 2. If a quota is over or under harvested, payback and rollover (up to 5% when the stock has rebuilt) provisions require adjustment of the following year's quota. This plan also allows for a state to issue exemptions from the quota for up to 1,000 fish for biomedical supply.

### **[Addendum I \(November 2005\)](#)**

Addendum I to the Interstate FMP for Spiny Dogfish allows the Board to set the quota and trip limit for up to 5 years. This addendum was developed to provide fishermen with the ability to set long term business plans and goals for their fishery operations. The Board may adjust specifications during a fishing season with a 2/3-majority vote.

### **[Addendum II \(October 2008\)](#)**

Addendum II replaces the seasonal allocation with a regional distribution of the quota. The regional allocation distributes quota with 58% to Maine – Connecticut, 26% to New York – Virginia, and 16% to North Carolina. Paybacks and rollovers are paid back by and rolled over to regions rather than seasons.

### **[Addendum III \(April 2011\)](#)**

Addendum III divides the southern region's annual quota of 42% into state-specific shares (see table below). It also allows for quota transfer between states, rollovers of up to five percent and state-specified possession limits, and includes a three-year reevaluation of the measures. The Addendum's provisions apply only to states in the southern region (New York through North Carolina) and do not modify the northern region allocation. The states of Maine to Connecticut will continue to share 58% of the annual quota as specified in Addendum II.

**Southern Region State Shares.** Quota allocation differs slightly from specific options presented in the draft addendum and are based on needs of states in the southern region with a consideration of historic landings.

	NY	NJ	DE	MD	VA	NC
Percent of Annual Coastwide Quota	2.707%	7.644%	0.896%	5.920%	10.795%	14.036%

#### [Addendum IV \(August 2012\)](#)

The Addendum updates the definition of overfishing to be consistent with that of the Mid-Atlantic Fishery Management Council and provides the Board the flexibility to update or modify the management program's overfishing definition through Board action based on the recommendations of its Technical Committee. The prior overfishing definition, adopted in 2002, was based on the number of pups per female that recruit to the stock. The updated definition will now be based on maximum sustainable yield or a reasonable proxy, consistent with the best available science. Although there are no immediate impacts to regulations, the change allows the Commission and Council to work from the same starting point when determining annual specifications. The Board considered modifying the management program's 5% rollover provision to either preclude rollovers entirely without specific Board approval or to allow rollovers beyond the current 5% maximum with Board approval. The Board voted to maintain the 5% maximum rollover. Any rollover is predicated on a rebuilt stock.

#### [Addendum V \(October 2014\)](#)

Addendum V ensures consistency in spiny dogfish management with the Shark Conservation Act of 2010 by prohibiting processing at-sea, including the removal of fins. Prior to approval, states could process spiny dogfish at-sea, so long as the ratio of fins aboard the vessel did not exceed 5% of the ratio of carcasses aboard the vessel. The Board set an implementation date of May 1, 2015 for states to promulgate this measure.

#### [Addendum VI \(October 2019\)](#)

Addendum VI allows commercial quota to be transferred between all regions and states to enable full utilization of the coastwide commercial quota and avoid quota payback for unintended quota overages. 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. In order for the northern region to participate in quota transfers the Director of each state's marine fisheries agency within the region must agree to the transfer in writing. As with transfers between states, transfers involving regions do not permanently affect the shares of the coastwide quota. Additionally, the 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.

#### **Current Specifications**

In October 2021, the Board was presented analysis from Mid-Atlantic Fishery Management Council (MAFMC) staff on the impact of the federal trip limit on market price. The analysis showed that increasing the trip limit from 6,000 to 7,500 pounds would not have a negative impact on the resource or on market price. Based on these conclusions, MAFMC recommended setting the trip limit at 7,500 pounds. NOAA Fisheries indicated that the regulatory change would be implemented for the 2022 fishing year starting May 1. Based on this information, the

Board approved changing the commercial trip limit in state waters for the northern region to 7,500 pounds.

In January 2024, based on the results of the 2023 management track assessment, the Board approved the following coastwide commercial quotas for the 2024-2026 fishing years: 10,699,021 pounds for 2024/2025; 10,972,394 pounds for 2025/2026, and 11,223,720 pounds for 2026/2027. These quotas were consistent with the measures recommended to NOAA Fisheries by the Mid-Atlantic Fishery Management Council and are pending approval of identical federal quotas from the NOAA Fisheries Greater Atlantic Regional Fisheries Administrator (Table 1). Additionally, the Board maintained a 7,500-pound trip limit for the northern region.

On May 22, 2024, NOAA Fisheries [published an emergency action](#) to implement a commercial quota of 11,331,747 pounds for the 2024 Atlantic spiny dogfish fishing year. The action became effective on May 21, 2024, for 180 days through November 18, 2024. NOAA Fisheries took this action in response to concern that the Council-recommended quota could lead to the closure of the last remaining spiny dogfish processing facility, resulting in significant socioeconomic impacts to the fishery and the communities that depend on it. Additionally, NMFS would not approve the Councils’ use of the 2022 discard estimate as a proxy for 2024 projected discards based on their determination that the model-based projected discards represent the best available science. Therefore, in addition to raising the Acceptable Biological Catch to match the Overfishing Limit, the discard estimate was increased to match the model-based projected estimate for 2024.

After the emergency rule was published, NOAA Fisheries finalized 2023/2024 catch data, including landings and discards, which revealed that the estimated discards were higher than anticipated and resulted in an overage of 1,082,487 pounds. In September, NOAA Fisheries extended the emergency rule for the remainder of the fishing year, and, through that rule, applied the payback of the overage by deducting the overage amount from the 2024/2025 quota, resulting in a new federal quota of 10,249,260 pounds.

To remain consistent with the quota published by NOAA Fisheries, the Spiny Dogfish Board approved a commercial quota of 10,249,260 pounds for the 2024/2025 fishing year, while the 2025/2026 and 2026/2027 quotas remain pending.

**Table 1.** Spiny Dogfish State Allocations (in pounds) for the 2024/2025, 2025/2026, and 2026/2027 Fishing Seasons. \*Pending approval of matching quotas by NOAA Fisheries

	Northern Region (ME-CT)	NY	NJ	DE	MD	VA	NC
Possession Limit	7,500	To be specified by the individual southern region states					

Allocation	58%	2.707%	7.644%	0.896%	5.92%	10.795%	14.036%
2024/25	5,944,571	277,529	783,521	91,837	606,759	1,106,430	1,438,614
2025/26*	6,363,989	297,110	838,802	98,317	649,569	1,184,494	1,540,115
2026/27*	6,509,758	303,915	858,015	100,569	664,447	1,211,625	1,575,391

**Pending Action**

In August 2024, NOAA Fisheries published a proposed rule (Federal Register notice 89 FR 65576; August 12, 2024) to approve and implement Spiny Dogfish Framework Adjustment 6, as recommended by the MAFMC and NEFMC. If approved, the rule would implement area-based gear requirements in the spiny dogfish gillnet fishery to reduce bycatch of Atlantic sturgeon for harvesters that possess a federal spiny dogfish permit. However, harvesters that do not possess a federal spiny dogfish permit and only fish in states waters would not be captured by the action. Because the specific areas proposed for additional management span state and federal waters, action is needed to implement corresponding measures for state-only permit holders to maintain consistency between the federal and interstate FMPs. In October 2024, the Board approved Draft Addendum VII for public comment with options to establish equivalent overnight soak restrictions proposed in Spiny Dogfish Framework Adjustment 6 for harvesters that possess state spiny dogfish permits but do not possess a federal spiny dogfish permit.

**Annual Events**

- Compliance Reports due July 1<sup>st</sup>
- Specification Setting (may include multiple years): November of each year