



New England
Fishery Management
Council



MID-ATLANTIC
FISHERY MANAGEMENT COUNCIL

Framework Action to Reduce Sturgeon Bycatch in Dogfish and Monkfish Fisheries

Joint Action of the MAFMC and NEFMC

Spiny Dogfish Board

October 18, 2023



Monkfish



Spiny Dogfish

Background

- 2021 Biological Opinion– Atlantic sturgeon bycatch must be reduced in Federal large mesh gillnet fisheries by 2024 under ESA
- Atlantic Sturgeon Bycatch Working Group – formed and produced an action plan that recommended a Council process be used to meet needed reduction
 - Dogfish and monkfish identified as high contribution to sturgeon bycatch, both jointly managed by NEFMC, MAFMC

Potential measures recommended in plan:

- Modifications to gear – low-profile gillnet has been tested in monkfish fishery in NJ
- Reductions in soak time
- Focused time/area measures including closures (plan identified hotspot areas)

Background

- Joint framework action initiated early 2023
- Biological Opinion re-initiated September 13, 2023 and new consultation required
 - Reason: Sturgeon Incidental Take Statement (ITS) exceeded in the gillnet fisheries, approximately doubled
 - Gillnet ITS=622 takes, derived from 2011-2015 observer data. New estimate is 1,115 gillnet takes over 2016-2021 observer data, excluding 2020
 - Anticipated approach: Consult on the joint Council sturgeon bycatch framework action as part of the reinitiated consultation (action becomes the baseline for the new BiOp)
 - Currently working with GARFO -- share data and incorporate PDT/FMAT into the work

Sturgeon Bycatch Hotspots

State and Federal Waters

Figure 1. Atlantic sturgeon bycatch in the gillnet fishery within the Gulf of Maine and Southern New England statistical areas based on observer data from 2015-2020 and presented in the action plan. Circles indicate areas of sturgeon bycatch hotspots.

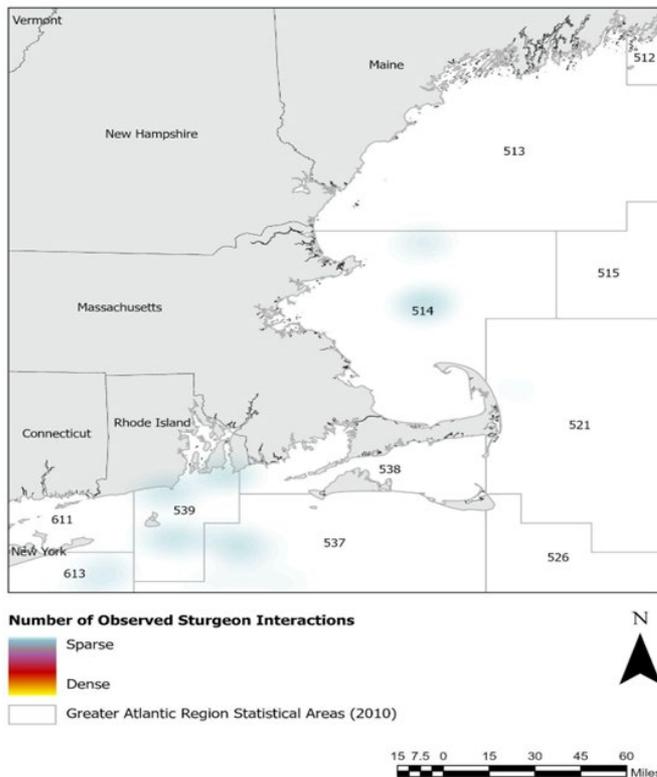
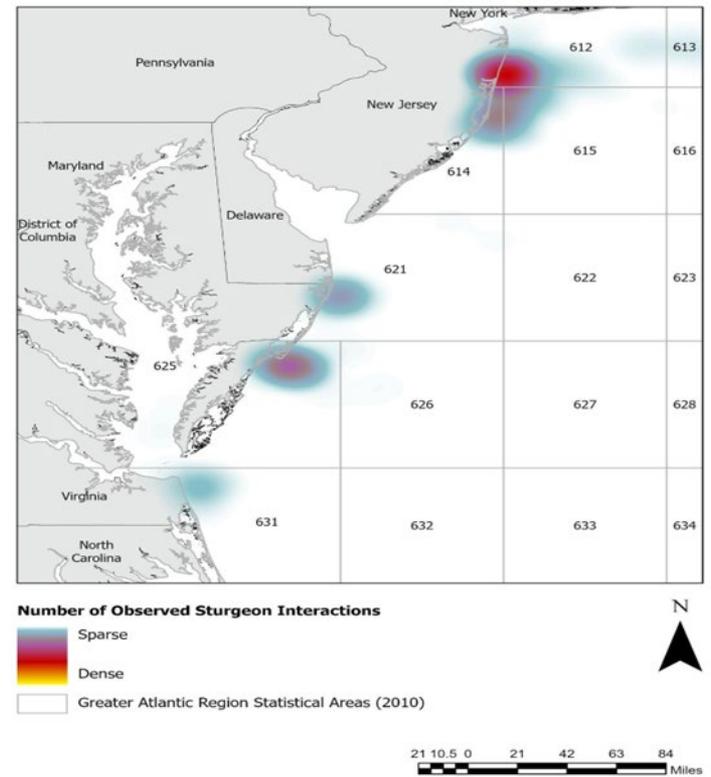


Figure 2. Atlantic sturgeon bycatch in the gillnet fishery from statistical areas off New Jersey to Virginia based on observer data from 2015-2020 and presented in the action plan. Circles indicate areas of sturgeon bycatch hotspots.



FMAT/PDT Membership

- Karson Cisneros, MAFMC
- Robin Frede, NEFMC
- Jenny Couture, NEFMC
- Spencer Talmage, GARFO SFD
- Cynthia Ferrio, GARFO SFD
- Lynn Lankshear, GARFO PRD
- Bridget St. Amand, NEFSC
- Jason Boucher, NEFSC
- James Boyle, ASMFC
- Sharon Benjamin, GARFO NEPA
- Ashleigh McCord, GARFO NEPA

Other technical expertise as needed:

- Jason Didden, MAFMC dogfish & monkfish staff
- GARFO APSD
- OLE/Coast Guard

Action Timeline

- April – FMAT/PDT Meeting(s) (4/21) to begin development of range of alternatives, data needs
- May – AP and Committee Meetings to recommend range of alternatives
 - Joint meetings of the spiny dogfish and monkfish APs/Ctes
- June – Framework Meeting #1 for both Councils; MAFMC recommended including dogfish < 7” mesh; NEFMC approved range of monkfish alternatives
- September
 - Sept 7: PDT/FMAT discussed range of alternatives, use of data loggers as an enforcement tool for soak times
 - Sept 20: Joint Cte to discuss and narrow range of alternatives based on input from enforcement representatives and FMAT/PDT
- Late Sept/Early Oct – NEFMC and MAFMC approved range of alternatives for both fisheries
- **October presentation to ASMFC Dogfish Board**
- Fall – Winter – Staff and PDT/FMAT analyze alternatives and impacts, develop final action document
- Winter – AP and Committee meetings (dogfish and monkfish) to recommend preferred alternative(s)
- April 2024 – Final Action for both Councils
- 2024 – rulemaking/implementation

Measures Developed by FMAT/PDT and Joint Committee

Time/Area restriction: soak time limit

- Maximum soak times of no overnight soaks, 24, 48, and 72 hour soaks were considered
- Concerns with 24 hours or greater soak times
 - Potential Lack of overall bycatch reduction – which is requirement of action
 - Likely reduces bycatch mortality, however not interactions overall
 - OLE and Coast Guard enforceability concerns
- Ultimately: no overnight soaks kept in only for **spiny dogfish**
 - May be more feasible in NJ than in southern Mid-Atlantic hotspot areas

Measures Developed by FMAT/PDT and Joint Committee

- Time/Area restriction: low-profile gillnet gear
 - Low-profile gillnet gear in the **monkfish fishery** has been shown to reduce sturgeon bycatch in the New Jersey region
 - Low-profile gear specifications based on research by Fox et al. (2012 and 2019) and He and Jones (2013) in NJ:
 - Mesh size ranging from 12 to 13 inches,
 - Net height ranging from 6 to 8 meshes tall,
 - Tie-down length of 24 inches,
 - Tie-down spacing of 12 feet, and
 - Primary hanging ratio of 0.50.
 - Not tested in spiny dogfish fishery or monkfish in New England yet → not considered for dogfish & other regions

Measures Developed by FMAT/PDT and Joint Committee

- Time/Area closures: hotspot areas
- 3 approaches considered:
 1. Small boxes around bycatch spots, parallel lines to shore
 2. 10-minute squares that encompass hotspots
 3. Statistical areas that a hotspot is within (broader than just capturing hotspot areas)
- Option 1 was deemed most appropriate, more enforceable than #2, less burden on fishery and focus on the hotspots compared with #3

Range of Monkfish Alternatives

Restriction/closure options to be applied to selected time and area options

1. Gear restrictions: low profile gillnet as defined in draft alternatives document
 - a. Only applicable to NJ hotspot

2. Closures

Area options (to encompass hotspot areas with a 1-mile buffer which is TBD)

1. Straight lines parallel to shore for SNE and/or NJ hotspot (estimating 6-9 miles offshore)

Time options (to encompass months with greatest sturgeon interactions)

1. Southern New England hotspot

- a. May 1-31: closures of 1, 2, 3, consecutive week periods or the entire month within this timeframe
- b. June 1-30: closures of 1, 2, 3, consecutive week periods or the entire month within this timeframe

2. NJ hotspot

- a. December 1-31: gear restrictions throughout this timeframe or closures of 1, 2, 3, consecutive week periods or the entire month within this timeframe
- b. May 1- 31: gear restrictions throughout this timeframe or closures of 1, 2, 3, consecutive week periods or the entire month within this timeframe
- c. Year-round: would apply to gear restrictions only (in addition to 2a and 2b options)

Range of Dogfish Alternatives

Restriction/closure options to be applied to selected time and area options

1. Gear restrictions: soak time limits
 - a. No overnight soaks (proposal: 8pm until dawn)

2. Closures

Area options (to encompass hotspot areas with a 1-mile buffer which is TBD)

1. Straight lines parallel to shore for NJ and/or DE/MD/VA hotspots (estimating 6-9 miles offshore)

Time options (to encompass months with greatest sturgeon interactions)

1. NJ hotspot
 - a. November 1 – December 31: gear restrictions throughout this timeframe or closures of 1, 2, 3, 4 consecutive weeks or entire timeframe
 - b. April 1- 30: gear restrictions throughout this timeframe or closures of 1, 2, 3, consecutive week or entire month within this timeframe
2. DE/MD/VA hotspots
 - a. December 1 – January 31: gear restrictions throughout this timeframe or closures of 1, 2, 3, 4 consecutive week or entire timeframe
 - b. March 1-31: gear restrictions throughout this timeframe or closures of 1, 2, 3, consecutive week periods or entire month within this timeframe

Other Considerations

- Considered but ultimately excluded: VMS
 - Would enforceability of alternatives change with VMS?
 - Potential tool to make closed areas smaller and closures shorter and dynamic every year
- Data need to be updated through at least 2022 for updated hotspot analysis so exact areas not defined
- State vs. Federal waters breakdown
- Research recommendations:
 - Explore future use of data loggers as a tool to enforce gillnet soak times.
 - Explore use of low-profile gillnet gear in the spiny dogfish fishery and in the Southern New England region for monkfish as a potential future management tool.

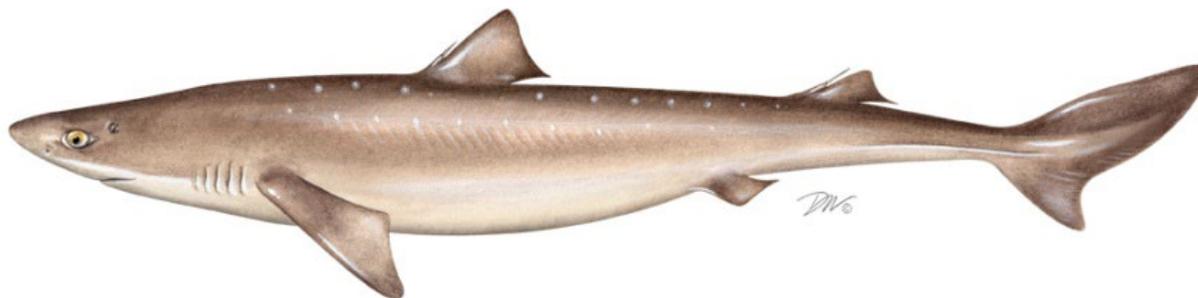
Next Steps



- Fall – Winter:
 - Council staff coordinate with FMAT/PDT to analyze data/alternatives, develop framework document
- Early Spring:
 - Dogfish/monkfish AP meetings, Joint Committee meeting
 - Select preferred alternatives
- Final Action April 2024 for both MAFMC & NEFMC



Spiny Dogfish FMP Review for 2022- 2023 Fishing Year



Spiny Dogfish Management Board
October 18, 2023

Overview



1. Status of the Stock
2. Commercial Quota/Landings
3. State Compliance and *De Minimis* Requests
4. PRT Recommendations



Status of the Stock



- No Update since 2018
 - Not overfished and overfishing is not occurring
 - (2018) Female SSB = 106,753 MT > SSB_{Threshold}
 - (2017) $F = 0.202 < F_{\text{Threshold}}$
- Management Track Assessment scheduled for review in December 2023 and January 2024



Status of the Fishery



- May 1, 2022 – April 30, 2023
- Quota was 29.56 million lbs
- Trip limit for northern region was 7,500 lbs
- Commercial landings were 12.6 million lbs
 - 28% increase from FY 2021/2022
- Recreational Harvest & Dead Discards
 - Landings: 211,608 pounds, 41% decrease
 - Dead Discards: 2.5 million pounds, 8% increase



State Compliance and *De Minimis*



- In FY 2022, all regions and states harvested within their quota
- All states implemented regulations consistent with the requirements of the FMP
- *De minimis*
 - <1% of total landings, no monitoring requirements but must report landings annually



PRT Recommendations



- States to more clearly indicate regulations for weekly landings reporting
- CT did not meet the compliance report deadline.
- NY altering their finning regulations
- Exempted Fishing Permit
 - FMP language: specific to biomedical
 - Most EFPs in recent years: education or research
- De Minimis
 - Unclear of benefits currently



Board Action for Consideration



Accept the FMP Review and State Compliance Reports for Spiny Dogfish 2022/2023 Fishing Year and *de minimis* requests from New York and Delaware.





Questions?

