



Mid-Atlantic Fishery Management Council
800 North State Street, Suite 201, Dover, DE 19901
Phone: 302-674-2331 | FAX: 302-674-5399 | www.mafmc.org
Michael P. Luisi, Chairman | G. Warren Elliott, Vice Chairman
Christopher M. Moore, Ph.D., Executive Director

MEMORANDUM

Date: September 20, 2016
To: Council
From: Jason Didden *JDD*
Subject: Spiny Dogfish 2017 Specifications Review

On October 5, 2016, the Council will review the 2017 fishing year specifications for spiny dogfish. Multiyear specifications are currently in place for May 2016-April 2019.

After reviewing the information developed for and considered by the Spiny Dogfish Advisory Panel (AP), the Scientific and Statistical Committee (SSC), and the Spiny Dogfish Monitoring Committee, Council staff recommends that no changes be made to the 2017 fishing year specifications. Although all relevant parameters are within expected ranges, we note that the NEFSC survey and landings rate are both higher for 2016 compared to 2015.

The following supporting documents are included in this Tab:
(a running page number has been added for reference)

- Monitoring Committee Summary
- SSC Report
- Staff Memo on Acceptable Biological Catch (ABC)
- AP Fishery Performance Report

The Data Update provided by NMFS and the Fishery Information Document used by the AP are also available at: <http://www.mafmc.org/ssc-meetings/2016/september-14-2016>.



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MEMORANDUM

Date: September 20, 2016
To: Council
From: Jason Didden *JDD*
Subject: Spiny Dogfish 2017 Specifications Review, Monitoring Committee Summary

On October 5, 2016, the Council will review the 2017 fishing year specifications for spiny dogfish. Multiyear specifications are currently in place for May 2016-April 2019. This memo summarizes the results of the September 16, 2016 Spiny Dogfish Monitoring Committee (MC) meeting (webinar). The purpose of the meeting was to review management measures for the upcoming fishing years and make recommendations as appropriate. Monitoring Committee members in attendance included Jason Didden (MAFMC staff, Chair), Fiona Hogan (NEFMC staff), Willie Whitmore (NMFS-GARFO), Eric Schneider (RI-DEM), Dan McKiernan (MADMF), Angel Willey (MDDNR), Jack Musick (VIMS), Beth Egbert (NCDENR), and Kathy Sosebee (NMFS-NEFSC). Others in attendance included Greg DiDomenico, Katie Almeida, Rob O'Reilly, John Whiteside, and Max Appelman (ASMFC).

Jason Didden summarized the data update provided by the NMFS Northeast Fisheries Science Center, the Advisory Panel input, and the Scientific and Statistical Committee's decision to endorse the already-set multiyear spiny dogfish specifications (Table 1 next page). Based on a review of the available information, the Monitoring Committee saw no reason to recommend any changes to the 2017 specifications and management measures. The Monitoring Committee noted that the NEFSC survey and landings rate are both higher for 2016 compared to 2015 (Figures 1 and 2 next page). The relevant background materials may be accessed at <http://www.mafmc.org/ssc-meetings/2016/september-14-2016>.

Table 1. May 2016 to April 2019 Spiny Dogfish Specifications

Specifications	Basis	2016 (pounds)	2016 (mt)	2017 (pounds)	2017 (mt)	2018 (pounds)	2018 (mt)
OFL	Projected Catch at Fmsy	64,414,664	29,218	na	na	na	na
New ABCs	Council Risk Policy	52,066,572	23,617	50,805,528	23,045	49,901,633	22,635
Canadian Landings	= avg last 3 years (10,11,12)	143,300	65	143,300	65	143,300	65
Domestic ABC	= ABC – Canadian Landings	51,923,272	23,552	50,662,228	22,980	49,758,333	22,570
ACL	= Domestic ABC	51,923,272	23,552	50,662,228	22,980	49,758,333	22,570
Mgmt Uncert. Buffer	Ave pct overage since 2011	0	0	0	0	0	0
ACT	= ACL - mgmt uncertainty	51,923,272	23,552	50,662,228	22,980	49,758,333	22,570
U.S. Discards	=3 year average 12-13-14	11,494,167	5,214	11,494,167	5,214	11,494,167	5,214
TAL	ACT – Discards	40,429,105	18,338	39,168,060	17,766	38,264,165	17,356
U.S. Rec Landings	= 2014 estimate	68,343	31	68,343	31	68,343	31
Comm Quota	TAL – Rec Landings	40,360,761	18,307	39,099,717	17,735	38,195,822	17,325

OFL = Overfishing Level; ABC = Acceptable Biological Catch; ACL = Annual Catch Limit; ACT = Annual Catch Target; TAL = Total Allowable Landings; Rec = Recreational; Comm = Commercial.

Figure 1. NEFSC Spring Survey Spiny Dogfish Index - 1991-2016

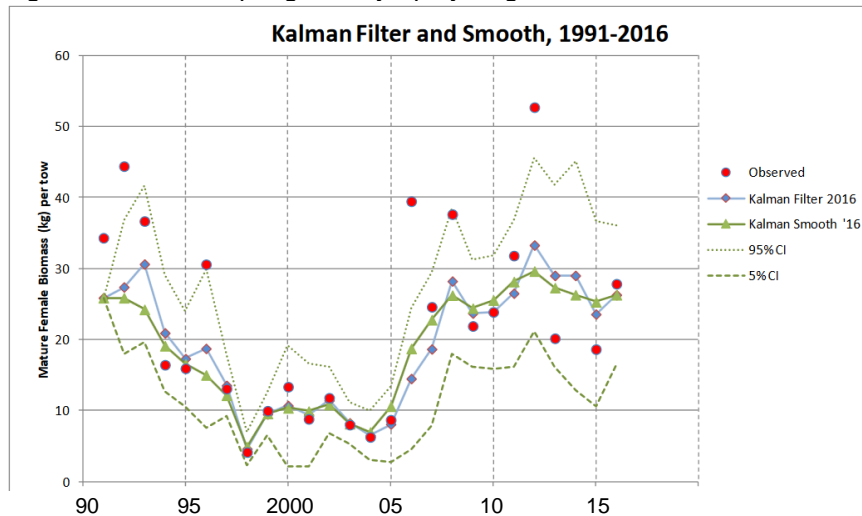
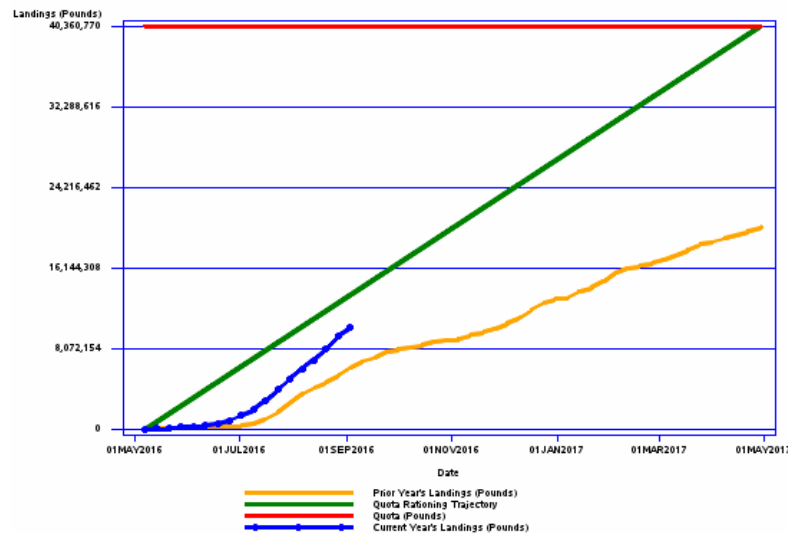


Figure 2. Current Fishing Year (through 9/3/2016) Versus Previous Year Spiny Dogfish Landings





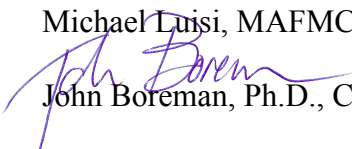
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MEMORANDUM

DATE: 21 September 2016

TO: Michael Luisi, MAFMC Chairman

FROM:  John Boreman, Ph.D., Chair, MAFMC Scientific and Statistical Committee

SUBJECT: Report of the September 2016 SSC Meeting

The SSC met in Baltimore, MD, on 14 September 2016 for the main purpose of reviewing the 2017 and 2018 ABC recommendations for Spiny Dogfish to determine if they should be changed, continuing discussion of criteria for assigning coefficients of variation (CVs) for overfishing limits (OFLs), and reviewing a draft of the State of the Ecosystem Report being prepared by the Northeast Fisheries Science Center. The final meeting agenda is attached (Attachment 1).

A total of 16 SSC members were in attendance, which constituted a quorum (Attachment 2). Also in attendance, beside you, were MAFMC staff, staff from NMFS HQ, and a representative from the Pew Charitable Trust. Documents cited in this report can be accessed via the MAFMC SSC website: <http://www.mafmc.org/sscmeetings/2016/september-14-2016>.

Spiny Dogfish

Jason Didden presented the data update for Spiny Dogfish prepared by the Northeast Fisheries Science Center (NEFSC) and a summary of the Fishery Performance Report prepared by the Spiny Dogfish Advisory Panel. The stock is in the second year of a three-year specification period. Recent landings, discards, and trawl survey indices are all within the expected range, although the trawl survey was delayed. The NEFSC data update states that “estimated total catches in 2015 were less than half of the ABC, and the index of female spawning stock abundance increased in 2016. Hence, the primary metrics that underlie the assessment revealed no major causes for concern. Various indicators of stock status also suggest no causes for concern. Recent changes in average size of landed fish and an increase in the fraction of male



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MEMORANDUM

Date: September 6, 2016
To: Chris Moore, Executive Director
From: Jason Didden, Staff *JDD*
Subject: Dogfish Specifications Review for 2017 Fishing Year

Dogfish is in multi-year specifications for 2016-2018. The Council's Scientific and Statistical Committee (SSC) is scheduled to review the 2017 dogfish ABCs during its September 2016 meeting.

A data update from NMFS' Northeast Fisheries Science Center (NEFSC), a fishery information document that supported the Advisory Panel's meeting, and the Advisory Panel's Fishery Performance Report have been posted to <http://www.mafmc.org/ssc-meetings/2016/september-14-2016>.

Staff recommends no changes to 2017 dogfish ABCs because recent landings, discards, and trawl indices have fluctuated within expected ranges. We expect another data update in 2017 followed by an assessment update in 2018.

2016 Spiny Dogfish Advisory Panel (AP) Fishery Performance Report (FPR)

The Spiny Dogfish Advisory Panel (AP) (<http://www.mafmc.org/advisory-panels/>) met September 6, 2016 to develop the Fishery Performance Report (FPR) below. The meeting was conducted via internet webinar and facilitated by Jason Didden, the Mid-Atlantic Fishery Management Council's Dogfish Fishery Management Plan (FMP) coordinator. The advisors who participated were:

Bonnie Brady
James Sulikowski
Jan McDowell
Greg DiDomenico
Sonja Fordham

James Fletcher
Douglas Feeney
Claire Fitz-Gerald
Chris Hickman
Scott MacDonald

Additional participants included:

Max Appleman
Rob O'Reilly
John Whiteside
Wendy Gabriel
Fiona Hogan

William Whitmore
John Boreman
Ray Kane

The fishery performance report's primary purpose is to contextualize catch histories for the Scientific and Statistical Committee (SSC) because of the potential importance of this and related information for determining Acceptable Biological Catches (ABCs). The goal is to allow comparing and contrasting of the most recent year's conditions and fishery characteristics with previous years. First an overview of recent fishery data was provided by Jason Didden, and then trigger questions were posed to the AP to generate discussion. The trigger questions were:

- *What factors have influenced recent catch?
 - Markets/economy? – Environment?
 - Fishery regulations? – Other factors?
- *Are the current fishery regulations appropriate? How could they be improved?
 - Gear regulations and exemptions? -Trip Limits? -Others?
- *Where should the Council and Commission focus their research priorities?
- *What else is important for the Council and Commission to know?
- *Are there any recent major changes in this fishery?

The input from the AP begins on the following page. The information in this FPR does not represent a consensus, but rather a summary of the perspectives and ideas that were raised at the meeting.

General

- Quality is critical for maintaining price and the existing market. Large trips may have trouble maintaining product quality.
- The regional differences in the fishery mean that any changes (e.g. trip limits) have the potential to differentially impact different areas.
- Flooding processors with lots of spiny dogfish will harm the market. The fishery appears stable. See what happens with new rules (higher trip limits and rules allowing dual-targeting of monkfish and dogfish).
 - o A contrary, minority perspective was also voiced: Developing new markets (Asia/Africa) will require lower, not higher prices, and manipulating price (by limiting catch) to address small boat concerns hinders the possibility of greater overseas markets.

Factors Influencing Catch

- Markets are crucial to getting prices high enough to stimulate fishing activity. Low catches relative to the quota in recent years are due to low prices/effort. Some European markets constraints have been mitigated, others persist.
- There may be some spiny dogfish landings in Europe in the near future related to retention rules, which may impact demand for imports.
- Abundance does not currently drive catches; boats have no problem obtaining their trip limits.
- There are relatively few boats willing to go out for dogfish at current prices, but a small price increase could change that (see Cape Cod info below)
- European markets are shifting away from sharks, limiting US dogfish exports to Europe.
 - o The Shark Alliance did not promote European boycotts of US spiny dogfish/other legally caught sharks (though other entities seek/have sought to do this).
 - o Europe seems to have the U.S. figured out in terms of pricing, while traditional European demand may be declining due to changing tastes.
- General sentiment about sharks and shark fins have hurt the market and created barriers to shipping (about 19 container lines have adopted internal policies to not carry any shark products and there are bans in several states). There is interest in purchasing spiny dogfish internationally but ENGO opposition as well, despite MSC certification and the sustainability of the U.S. East Coast spiny dogfish fishery.
- Market & regulatory issues discourage new processors. The one New York processor closed after Hurricane Sandy – market issues discouraged their re-entry.
- The web of federal, state, and international rules (on fishing and sales) discourage entry into the processing sector generally. The Council processes, and favoring of small boats and a few processors, have exacerbated and perpetuate these issues.
- Virginia had mild winter and boats fished through the winter (including Jan & Feb), improving early 2016 landings.
- On Cape Cod:
 - o In 2013, the price for dogfish was extremely low (~10 cents/lb) and processors instituted forced days off.

- In 2014, the price was much better (upper 20s cents/lb) and there were no days off.
- 2015: 18-22 cents per pound; 2016: 20-24 cents, 30-34 cents if trucked to New Bedford. They have seen more vessels participating.
- It is not clear what exactly is driving these price changes, but they have a big impact on fishing/total catches.

Input on Regulations

- Some advisors would like to see a slow and steady approach that does not create large changes in catches and/or prices.
- Raising trip limits may collapse prices if additional markets are not developed.
- An occasional trip limit for trawlers (once or twice a month) around 30,000 pounds could help provide fish to any markets that develop.
 - A double limit once a week was raised as an alternative possibility
 - Regarding different kinds of trip limits, enforcement/monitoring needs to be ensured.
 - Some in Massachusetts are interested in a seasonal (October through December) trip limit increase that would not hurt smaller boats in the summer or crash the market. Discussions are considered preliminary, but may be in the 7,500 – 10,000 pound trip limit range.
 - There was concern that such adjustments could hurt more southern ports, and more details would be needed to evaluate.
- At least one advisor is interested in allowances to harvest male dogfish in excess of the typical trip limit and possibly a separate quota (which is currently made up of mostly female dogfish). A male only fishery would need an Amendment and/or benchmark assessment but recent research suggests it may be feasible. An advisor noted that males can be targeted currently.
- It would be useful to have a NE permit covering smooth dogfish to reduce regulatory burdens.

Research Priority Ideas

- Domestic and/or non-European markets.
 - Lack of southern processor(s) is an issue restricting southern landings.
- Separation of spiny and smooth dogfish in NOAA trade database (buyers in particular may want to know) and ground-truthing of this database by NOAA Fisheries/Council, etc. NOAA cannot separate spiny and smooth dogfish – this is a code by another international trade agency – a petition could be made but may not be successful given the relatively low value of dogfish.
- Longer term tracking of export trends. <https://www.st.nmfs.noaa.gov/commercial-fisheries/foreign-trade/applications/trade-by-product>

- Better tracking of dogfish used/sold as fertilizer.
- Investigate ways to increase the quality of meat (i.e. how can it be processed on deck, etc.), which in turn would increase the price of the product. There is no shortage of dogfish and if we can get the price higher I think this would have a snow ball effect on the market.
- New benchmark assessment needed including:
 - o Exploration of how spiny dogfish recovered so much faster than predicted (Could be useful for managing multiple other shark fisheries).
 - o Increased engagement with fishermen as part of scientific research.
 - o Better estimate of the population of male dogfish and availability of dogfish to the relevant surveys generally.
 - o Obtain reproductive and other biological information across the range of the species before the next assessment.
 - o Prioritize the biological information that needs updating before the next assessment.

Other Issues Raised

- There needs to be a clear division of male and female dogfish in terms of the assessment versus catch limits versus monitoring.
- Consider having NAFO manage the fishery outside the EEZ to facilitate the creation of a male-only fishery.
- There was a concern voiced over the process used to change the trip limit on the ASMFC side of things in terms of public notice – this was passed along to ASMFC staff.
- A name change for spiny dogfish (“chipfish” has been suggested in addition to “cape shark”) could help the market, and could allow access to a prison protein market (<http://www.wsj.com/articles/SB122290720439096481>).
 - o Massachusetts advisers noted that “Cape Shark” is an approved market name (http://www.accessdata.fda.gov/scripts/fdcc/?set=seafoodlist&id=Squalus_acanthias&sort=SLSN&order=ASC&startrow=1&type=basic&search=dogfish)



October 2016 Council Meeting Report

October 4 – 6, 2016

Galloway, New Jersey

The following summary highlights actions taken and issues considered at the Mid-Atlantic Fishery Management Council's October 2016 meeting in Galloway, New Jersey. Presentations, briefing materials, and audio recordings are available on the Council's website at www.mafmc.org/briefing/october-2016.

River Herring and Shad

The Council met to develop recommendations on whether to develop an amendment to consider adding RH/S as Council-managed stocks. Based on a comprehensive review of existing and planned conservation and management efforts, the Council determined that management of river herring and shad (RH/S) through a Council fishery management plan (FMP) is not warranted. However, the Council reaffirmed its commitment to participating with partners in the conservation and management of RH/S, noting that it will continue to protect RH/S stocks by proactively using the tools provided in the recently-approved Ecosystem Approaches to Fisheries Management (EAFM) Guidance Document. The Council will also continue to use catch caps to incentivize harvesters to reduce river herring and shad bycatch.

The Council's decision not to add these stocks to the fishery management plan for Atlantic mackerel, squid, and butterfish was largely based on the fact that RH/S are already managed by the Atlantic States Marine Fisheries Commission and that the catch caps set by the Council have kept incidental catch very low compared to historic levels. There is no evidence that RH/S are targeted in Federal fisheries, and the Council concluded that an FMP would not substantially improve the condition of RH/S stocks.

More details about this decision can be found in the press release at http://www.mafmc.org/s/pr16_16_RHS-Management.pdf. For additional background information and documents about river herring and shad, go to <http://www.mafmc.org/rhs/>.

Spiny Dogfish – 2017 Specifications

The Council reviewed spiny dogfish specifications for 2017, which will be year 2 of 2016-2018 multi-year specifications. After considering input from the Scientific and Statistical Committee and the Spiny Dogfish Advisory Panel and Monitoring Committee, the Council made no changes to the previously-recommended specifications, which are described at:

<https://www.greateratlantic.fisheries.noaa.gov/nr/2016/August/16dogfish20162018specsphl.pdf>.

Blueline Tilefish Framework

The Council met at the first framework meeting to consider modifying the recreational measures for blueline tilefish. The measures previously selected by the Council for 2017 are a season of May-October with a possession limits of 7 fish per-person for inspected for-hire vessels, 5 fish for uninspected for-hire vessels, and 3 fish for private vessels. During the meeting, staff presented an overview of possible options. The Council confirmed that it wants to proceed with development of the framework and requested that staff develop a range of alternatives that include a 5-fish uniform limit, extending the season later in the year, and/or a higher possession limit for multi-day trips by inspected for-hire vessels.

New Jersey Special Management Zone Consideration

In November 2015 the New Jersey Department of Environmental Protection (DEP) petitioned the Council to designate 13 artificial reef sites as Special Management Zones (SMZs) in the Exclusive Economic Zone (EEZ) under provisions of Amendment 9 to the Summer Flounder, Scup and Black Sea Bass FMP. The justification for

this request was based on the need to ameliorate gear conflicts between hook and line fishermen and fixed pot/trap gear at those sites.

During the meeting the Council received a report from the SMZ Monitoring Team (MT), which was formed to evaluate the NJDEP request. The report concluded that the designation of the NJDEP 13 reef sites appears to be compatible with the Magnuson-Stevens Act and other applicable federal laws. Based on evaluation of all relevant factors, the MT recommended that the Council designate all 13 New Jersey's artificial reefs located in the EEZ as SMZs. This designation would stipulate that no fishing vessel or person on a fishing vessel may fish in the 13 New Jersey Special Management Zones with any gear except hook and line and spear fishing (including the taking of fish by hand). The MT analysis indicated that commercial fishing vessels deploying pot/trap gear off the coast of New Jersey would likely face minimal to no losses in ex-vessel revenue if the artificial reefs are designated as SMZs. The Council discussed the MT's recommendations and decided to hold public hearings in November 2016 in NJ and NY to solicit public comments on the NJ SMZ request. The Council will review the public comments and take final action at its December 2016 meeting.

Draft Environmental Assessment for Amendment 10 to the Highly Migratory Species FMP

The Council received a presentation on Draft Amendment 10 to the 2006 Consolidated Atlantic Highly Migratory Species (HMS) Fishery Management Plan. Draft Amendment 10 would update and revise existing HMS EFH, modify existing HAPCs or designate new HAPCs for several species, and analyze fishing and non-fishing impacts on EFH by considering environmental and management changes and new information since 2009. NMFS will conduct public hearing conference calls and webinars to allow for opportunities for interested members to submit verbal comments on Draft Amendment 10. Instructions for providing written comments are available at <https://www.federalregister.gov/d/2016-21621>.

Communication and Outreach

Council staff presented an overview of the Council's communication and outreach program and a proposed list of additional activities to be undertaken in 2017 and 2018. The Council provided input and suggestions which will be incorporated into a formal communication plan.

Executive Committee – 2017 Implementation Plan

The Executive Committee reviewed a draft list of priorities and activities for the 2017 implementation plan. The Committee recommended adding two items to the list of "Possible Additions." These include an action to address squid trimester issues and an action to change harvest regulations in the surfclam and ocean quahog fisheries. Council staff will incorporate the Committee's recommendations and present a revised draft for Council consideration at the December meeting. As part of this discussion, the Council reviewed a document which outlines the general process and timeline for development of an original FMP or amendment. This document is available on the Council's website at <http://www.mafmc.org/s/FMP-Work.pdf>.



Greater Atlantic Region Bulletin

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(978) 281-9315

<http://www.greateratlantic.fisheries.noaa.gov>

Date Issued: 8/15/2016

New Spiny Dogfish Measures Approved and Implemented Through 2018

Commercial Trip Limit Increased to 6,000 lb

Effective Date: August 15, 2016

The 2016 through 2018 spiny dogfish management measures, including catch limits, are now effective. These limits were developed and recommended by the Mid-Atlantic and New England Fishery Management Councils.

Commercial Spiny Dogfish Quotas Through Fishing Year 2018

Fishing Year	ACL (millions of lb)	Commercial Quota (millions of lb)	Percent Change from 2015
2016	51.9	40.4	-20%
2017	50.7	39.1	-23%
2018	49.8	38.2	-25%

We are increasing the Federal trip limit from 5,000 lb to 6,000 lb, effective immediately.

Additional information can be found online at: www.greateratlantic.fisheries.noaa.gov/. Please contact the Sustainable Fisheries Division at 978-281-9315 with any questions.

For small entity compliance guides, this bulletin complies with section 212 of the Small Business Regulatory Enforcement and Fairness Act of 1996. This notice is authorized by the Regional Administrator of the National Marine Fisheries Service, Greater Atlantic Region.