

**PROCEEDINGS OF THE**  
**ATLANTIC STATES MARINE FISHERIES COMMISSION**  
**SPINY DOGFISH MANAGEMENT BOARD**

**The Westin Crystal City**  
**Arlington, Virginia**  
**Hybrid Meeting**

**February 3, 2026**

**Approved August 5, 2026**

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## **ATTENDANCE**

### **Board Members**

|                                                  |                                                   |
|--------------------------------------------------|---------------------------------------------------|
| Megan Ware, ME, proxy for C. Wilson (AA)         | Emerson Hasbrouck, NY (GA)                        |
| Steve Train, ME (GA)                             | Joe Cimino, NJ (AA)                               |
| Renee Zobel, NH (AA)                             | Adam Nowalsky, NJ, proxy for Sen. Gopal (LA)      |
| Nichola Meserve, MA, proxy for D. McKiernan (AA) | John Clark, DE (AA)                               |
| Ray Kane, MA (GA)                                | Roy Miller, DE (GA)                               |
| Jason McNamee, RI (AA)                           | Craig Pugh, DE, proxy for Rep. Carson (LA)        |
| David Borden, RI (GA)                            | Michael Luisi, MD, proxy for k. Charbonneau (AA)  |
| Eric Reid, RI, proxy for Sen. Sosnowski (LA)     | Russel Dize, MD (GA)                              |
| Matt Gates, CT (AA)                              | Ethan Simpson, VA, proxy for J. Grist (Acting AA) |
| Bill Hyatt, CT (GA)                              | Chris Batsavage, NC, proxy for K. Rawls (AA)      |
| Rep. Joseph Gresko, CT (LA)                      | Rep. Brian Turner (LA)                            |
| Jesse Hornstein, NY, proxy for M. Gary (AA)      | Laura Deighan, NMFS                               |

**(AA = Administrative Appointee; GA = Governor Appointee; LA = Legislative Appointee)**

### **Ex-Officio Members**

### **Staff**

|                  |                |                 |
|------------------|----------------|-----------------|
| Bob Beal         | Caitlin Starks | Chelsea Tuohy   |
| Toni Kerns       | Tracey Bauer   | Katie Drew      |
| Tina Berger      | James Boyle    | Jeff Kipp       |
| Madeline Musante | Emilie Franke  | Samara Nehemiah |

The Spiny Dogfish Management Board of the Atlantic States Marine Fisheries Commission convened in the Jefferson Ballroom of the Westin Crystal City Hotel, Arlington, Virginia, via hybrid meeting, in-person and webinar; Tuesday, February 3, 2026, and was called to order at 1:30 p.m. by Chair Joe Cimino.

### **CALL TO ORDER**

CHAIR JOE CIMINO: I'm going to call us to order. This is the Spiny Dogfish Management Board meeting. My name is Joe Cimino. I am the Administrative Commissioner for New Jersey, happy to be chairing today. I have with me James Boyle and also special guest star from the Mid-Atlantic Council; Jason Didden is joining us online.

### **APPROVAL OF AGENDA**

CHAIR CIMINO: Those two will be getting us through our agenda items today. To that end, I'm looking for approval of the agenda. Any concerns of the agenda as it is? Not seeing any we will consider that approved by consent.

### **APPROVAL OF PROCEEDINGS**

CHAIR CIMINO: Then approval of the proceedings from the May 2025 meeting. Were there any additions or corrections to that? Not seeing any we will consider that approved as well.

### **PUBLIC COMMENT**

CHAIR CIMINO: We will go to public comment. If there are any members of the public, looking online as well that want to make comments on, I'm going to say stuff not on the agenda, we are taking final actions on the specifications, and I will go back to the public for that item at that time. Go ahead, Toni.

MS. TONI KERNS: Just quickly, to let everybody know which Board members are on the webinar, and again, I will do my best. But I believe we have Chris Batsavage and Brian Turner from North Carolina. We have Steve Train from Maine, Representative Gresko from

Connecticut, Emerson Hasbrouck from New York, and Laura Deighan for NOAA Fisheries.

CHAIR CIMINO: Thank you, Toni, appreciate that. Moving on from public comment.

### **DISCUSS SPINY DOGFISH ACCOUNTABILITY MEASURES**

CHAIR CIMINO: We will now get into the discussion on Dogfish Accountability Measures. Actually, are we starting with Jason? Okay, so Jason, heard you on mic check. If you are ready, we will go over the actions from the Joint Council Framework.

### **REVIEW ACTIONS BY NEW ENGLAND AND MID-ATLANTIC FISHERY MANAGEMENT COUNCILS ON SPINY DOGFISH ACCOUNTABILITY MEASURES FRAMEWORK**

MR. JOE DIDDEN: Most of these are pretty standard. I'll just flag and highlight that the MAFMC, the Mid-Atlantic Council's Risk Policy P-star is controlled how much the acceptable biological catch is lower than the overfishing level, and generally depends on stock size. Is the stock size lower relative to its target, then there are more precaution and a bigger buffer. Again, pretty standard here. They do bounce back and forth a little bit between metric tons and pounds, so just some quick conversions there. Two primary components to this presentation, first go to the specifications and then some changes to accountability measures that were adopted by the Council.

For specs, in a review where we are currently, very briefly on the assessment, talk about some recent fishery performance and get into the adopted specifications. The current fishing year specifications, it's a May 1 fishing year, so we're still in this right now and the things all flagged here is the commercial quotas at 9.3 million pounds, it's the bottom figure.

We take a large amount out for expected dead discard. There are different discard mortality rates for different gear types. Assessment overview, the

terminal year of the last assessment was 2022. The assessment found that we were at the target, just about at the target in 2022, but finding lower annual productivity, apparently due to fewer of the biggest females, and not none, they are just definitely on the fishery and the survey encounter some, but just fewer relative to previous decades.

The future is kind of uncertain about long term spiny dogfish productivity. It was a new stock assessment model for that assessment, with the 2022 terminal year, stock synthesis 3, and we're in our first round of projections after that assessment. It will take a few assessments until we get a sense of, is this long term predicted yield around 7,500 metric tons consistent with what we see.

There are a lot of uncertainties, especially around growth of spiny dogfish that affect the productivity, but that is where we are right now. I will review a bit of, we did get a data update and updated projections, but I would just flag, it's not like getting a new assessment. The data update is just kind of informational from survey trends since the assessment.

The projections, again, it's not a full assessment update. It just uses the realized catch in some of the years after the assessment, between now and the upcoming specs. This is one of the data update highlights. This flags the orange circle that is the last year of data in the assessment, and then they had one year, there is one year of missing data and then an up year, and then a down year pretty similar to the terminal year for the spring survey.

Just in terms of how the fishery has performed a bit. The landings kept up with the quota in the late 2000s as it was increased, but then have been kind of trailing off and they didn't keep pace, but they continue to increase in quota after 2012. Then they've been generally down trending since then. Prices adjusted for inflation have been very slightly down trending in the last five or six years.

If you look at it nominally it's basically the same, but some erosion of real prices due to inflation in the most recent years there. Just a little background in terms of where the fishery occurs, 2024 wasn't super different compared to the kind of five years up to and including 2024, the fishery you see off the Cape there, off New Jersey and then off Virginia.

The blue line here is right around the current fishing year. You can see compared to '24, which is the orange, August was a bit slower and then you have a little bit of a slower time in December. The last few weeks have been pretty strong. We're like, maybe two or three weeks behind where we were in '24, in terms of total landings in the '25 fishing year, which again is continuing through April. As part of the Mid-Atlantic's specifications process we asked the Advisory Panel for input. Those are all available on the website. But again, there is more details in the Fishery Performance Report for each year that is included.

But some highlights, they kind of flagged demand for this product is relatively stable but low, a lot of marketing challenges with it. They have pretty much just one processor, so that adds complexity for the fisheries further south away from Massachusetts. But they have said that they can take more product than they have had in the last year or two.

Weather is always a constraint for Virginia, and that winter fishery. The Advisory Panel continues to highlight that any kind of up and down management just leads to shoreside gentrification, and that if they do lose that last processor it will pretty much end the fishery. They flagged that there are a variety of regulatory restrictions that limit production, the trip limit, area and gear restrictions.

There hasn't been a lot of interest in the recent years to change that trip limit, but they do flag that it is a limit on production when you look at trips you do see a lot of trips right at the trip limit. They continue to flag that they see some seasonal ups and downs, but really no long-term trends.

They flag that the discard numbers seem unreasonably high. They did dig into that a little bit, and when we broke things down on like a per trip basis in the trawl fishery it accounts for a lot of the dead discards. It was just maybe a thousand or a couple thousand pounds of spiny dogfish per trip, which didn't seem super unreasonable for trawl fishery trips.

Although fishermen continue to flag, and our advisors continue to flag that they think the total discards seem unreasonably high, whether it is the discard estimates or the assumptions about discard mortality. We did get the Council in recent years has done some suspending of its risk policy to obtain some more quota.

We have gotten some comments about concern about that given kind of the spiny dogfish biology makes them vulnerable to overfishing. The Advisory Panel also provided some specific alternative recommendations. That was considered by the Spiny Dogfish Joint Committee and the Councils it went through.

I'm going to more focus on what the Councils output and which were for the most part pretty aligned in a lot of the recommendations from the Advisory Panel for some of the accountability measures. The AM, the accountability measure options that I'll get to later. Basically, there were three ABCs considered for total catch for '26 and '27.

The Council's risk policy adds a little bit of a buffer there to achieve a higher percent or a lower percent of overfishing. They have the 7300 metric tons under the Council's Risky Policy. It's 100 metric tons for going right up to the OFL. But the SSC really strongly cautioned against that.

The Council had flagged that they were considering suspending the risk policy and potentially setting catches right up to the OFL. The SSC provided that information but really cautioned against it, and recommended just maybe staying where the Council was at for '25,

the current fishing year. The OFL goes up a little bit in '26, because the projections have the stock increasing a bit. But the SSC said, well if you're looking for a little more fish here, but maybe considering going right up to the full '26 OFL, and that is what the Council's ended up going with for an ABC under that 2025 OFL, which again has a little bit of a buffer compared to fishing right at the OFL, the overfishing limit.

After the SSC met then it went to the Monitoring Committee, things like discard set aside, Canadian set-aside, then to the Spiny Dogfish Committee then to the Councils. There was a difference in the Council's initial selection for the accountability measures. It had the Mid-Atlantic, New England and then came back to the Mid-Atlantic again.

What did the Councils adopt? Basically, keeping the same ABCs as 2025, but because of the differences in discard data it would set aside just a little bit more for discards in the '26/'27 fishing years for '25. The quota goes from 9.3 million pounds to 9.2 million pounds. This is just the math working. The Canadian set aside is minimal. The recreational landing set aside is minimal.

It's really that discard set aside, and that was kind of driving the quota differences once the ABC was decided on. The Council set it on using the projection percentage that the assessment had used. Again, we looked at a number of different options, recent averages, and the Council settled upon just using the assumption that the assessment projections used, which is among the lower of the options, which increases the quota a bit.

Still a little bit higher than the current discard set aside. That is kind of the not much change, in terms of the specifications. The other framework alternative kind of looked at, right now we have 100% payback of any annual catch limit overages. That is likely to reduce future quotas if we have overages and they have to be paid back.

The idea was that maybe we can avoid disruption from these accountability measure paybacks if they don't seem really necessary to keep the stock near

to target. It wasn't binding from the 2023 overage, but the 2024 quota was reduced by a little over a million pounds due to an overage in 2023. We ended up still not bumping up against that quota, but just kind of flag that this does have the potential to impact quotas, even though it didn't appear to impact the fishery in '24.

One thing that Toni Kerns has continued to flag is that there are some kinds of theoretical disconnects between the Federal approach and the Commission approach, potentially resulting in double paybacks. Doesn't seem like it's kind of been a huge issue to date, but certainly kind of monitoring that in thinking that may have to adjust in the future if needed, either at the Commission or the Councils or both levels if we seem to get into some kind of double payback pension, and Toni can describe that more if folks want to dig into that more at this point.

The AM modifications next. The first one, and this is kind of the primary thing was that if the stock is at or below 75% of the depth biomass you do 100% payback like we have now. If it's above the target you wouldn't have to do payback. Still might revisit management measures and evaluate kind of what went wrong to avoid kind of continual overages. There wouldn't be these automatic paybacks. Then in between the target and 75% of the target you would have an even slide based on biomass. This line figure just shows that exact same thing from the previous page. You are at Point A, so 100% of the stock target size and the payback would be 0%. If you're at point B down at 75% or below of the target stock size, then full paybacks. Notice there is an even side in between, so you can look at any example, but I just said, well, we're at half paybacks be required it's 87.5%. It's just an even side of required automatic paybacks based on biomass.

There was some discussion of treating all catch sources as the same or only having this kind of relaxed paybacks apply to discards or recreational estimates. Instead, the Councils

just went kind of treat all catch sources the same, since in terms of impact on stock you would expect that 100 metric ton discard overage would have the same stock effect as 100 metric ton landings overage.

Yes, the discard estimate may be high, but it may also be low. That's why the Council settled on no action for this one, just treat all catch sources the same. Three is that if we got down to 50% somehow and a rebuilding plan was triggered, you would have to do full paybacks all the way through the rebuilding plan, until you got back to 100%

Not kind of allow some of those relaxed paybacks between 75 and 100% if you are kind of in the middle of and have not completed a rebuilding plan. Again, if you are in a rebuilding plan you have to do full ACL paybacks until you are out of it. Councils also decide to go to three-year averaging, so just compare that three-year average of the ACLs since we are averaging the catches, and that again should buffer from like a random high year on discards or something like that.

Then the scaling would also be in effect, so it would just be the most recent projected biomass in the three-year average would be used for determining the scaling back in that kind of sliding scale line for paybacks. There was one other alternative set and it was to close federal waters, potentially above the quota, kind of the way the situation where like northern states went above a bit and it caused an early closure of federal waters later in the fishing year, when like Maryland and Virginia were fishing.

The Mid-Atlantic Council originally adopted this at the Mid's meeting during the shutdown. NMFS indicated that it seemed risky for potential of creating ongoing overages that weren't addressed, especially in combination with the other alternatives, including the one where all catch sources are treated the same, which means you can potentially not pay back a landing's overage if you are in good stock condition.

This kind of just seems like too much kind of added risk of creating ongoing overages. That was

expressed at the Mid's meeting. It was further discussed at the New England meeting. New England decided that this did not make sense to include adopting this. Then when it came back to the Mid, the Mid aligned with New England and rescinded this particular provision.

Then big picture, quotas just about the same for the '26 and '27 fishing years starting May 1, and then some relaxations of some of the payback provisions in the Federal FMP when the stock is at or near the target, or above the target. I think that's it for me, I'll take questions. Thanks.

CHAIR CIMINO: Okay, thank you, Jason. Jason covered a lot of information there, including some information on the upcoming specs. I'll just remind the Board that we have a separate agenda item for that issue. James also has some information and some slides on the AM. But since Jason did cover so much information, let's go to questions directly on his presentations. I would look for any hands around the table, or Toni will look online for us. I see John Clark. Go ahead, John.

MR. JOHN CLARK: Thank you for the presentation, Jason. I was just curious about the processor. I know it's been an ongoing issue as to whether the quota is high enough to keep him in business, and is that still an issue or have these recent quotas been high enough to keep him running?

MR. DIDDEN: I mean they have been running, but I would think they would likely say they are in a kind of continued tenuous position, at the recent levels of landings and up to kind of the current quotas. That's my sense.

CHAIR CIMINO: David, go ahead.

MR. DAVID V.D. BORDEN: Jason, do you have a sense of what portion of the discards are caused by the trip limit? We're at the point with this stock where the ABC is basically the same, relatively close to the discard level. The question would be, how much of those discards

could we convert with a different trip limit, like a two-day trip limit or a weekly one, or something like that.

MR. DIDDEN: Most of the dead discards are in the large mesh and small mesh trawl fisheries. Kind of might be Gulf of Maine or Southern New England or Mid-Atlantic, kind of more or less. I don't think with the directed fishery is running, the gillnet fishery is really not where the discards are. In terms of directed fishing, it doesn't seem like adjusting the trip limit is going to have a big effect. I don't know, in terms of the trawl fishery.

Most of the discard reasons in the trawl are no market. I don't have a slide on that, but I know I've looked at that. It's unclear to me whether or not you could kind of stimulate a directed trawl fishery through a higher trip limit if the processor wants trawl-based spiny dogfish. At least for the gear types where most of the dead discards are coming from, it's not clear to me that you would have a big kind of conversion of the total discards to landings.

MR. CIMINO: I don't see that John or David necessarily needed a follow up from you, maybe a little bit unorthodox, but considering how the questions are going, you saw that John Whiteside had his hand up. John, if you had anything to add to this, either to John Clark's question or David's, go ahead please.

MR. JOHN WHITESIDE: Yes, I mean obviously I would like the quota to be higher. We feel it is artificially low. It does constrain sales and we have lost sales, and Peter has spoken about that in other meetings. I should have started off with good afternoon, yes, John Whiteside representing East Coast/Sea Trade, the last remaining processor.

Yes, we would like that. It does constrain us. Buyers do see that the quotas have been cut two-thirds and that does impact things. As for a quick comment on multiday or week trip limit for dogfish I think would be just terrible, just because of the quality of fish that would be coming in at that point. This is a product that needs to be caught, landed, processed,

shipped in very short order on all of it. It's not something that can stick around. Thank you.  
CHAIR CIMINO: Yes, thanks, John. I apologize; I should have introduced you there. Any other hands, questions for Jason? Not seeing any. I'm going to go to James, as I mentioned James has some slides on the AM as well.

#### **CONSIDER COMPLEMENTARY COMMISSION ACTION**

MR. JAMES BOYLE IV: I just have a few slides on sort of complementary management with the Boards path forward and actions to consider are. One objective of the Spiny Dogfish FMP is to strive for complementary management in Federal and State waters. I have a very quick couple slides on that.

Under the Commission's FMP overages within state or region will be paid back by that state or region in the subsequent fishing year on a pound per pound basis. However, as Jason alluded to during the development of this framework, there were some issues raised about the possibility of a double payback in the Federal and the Commission FMPs.

While the framework seems to resolve that issue under the current circumstances, it's still a possibility. Here is a general breakdown of the different conditions, for example overages, when the stock is at or above its target biomass as it is currently. Any overages from commercial landings will be paid back under the Commission FMP by the state or states or regions that incurred the overage, and there will be no additional payback necessary from the Federal FMP.

However, if the stock falls below the target biomass, then it depends on the catch source. If there is an ACL overage that is solely due to discards and not commercial landings, then the Federal FMP will require payback from the next applicable ACL. Now that payback varies under the framework because of the three-year averaging, and because of the scaling.

But for all intents and purposes, some payback will be required on the next applicable ACL, and the Board will have the option to implement a matching coastwide quota, which will be similar to the action the Board took in 2024 when the Board changed the coastwide quota to match the reduced Federal quota in response to the revised discards estimate.

In the situation where there is an overage that is a combination of or solely due to commercial landings or combination of commercial landings and discards, then there could be a scenario where the states or regions that in current overage are required under the Commission's FMP to pay back that overage, and the Federal FMP will also include that, and by reducing the ACL by a certain amount accordingly.

Then if the Board matches the reduced Federal quota there are essentially two paybacks of the same overage. Now this can be somewhat alleviated under the current FMP, because the Board is not required to match the Federal quota, so the Board could set a different quota, knowing that it will be taken out under our payback systems.

There is some flexibility there as well. But this is the issue that was raised during the framework action. The possible actions for the Board to consider are to take no action and maintain the payback provision as is. At this point the Board could choose to initiate an addendum to consider incorporating some of all of the new provisions recommended by the Council to the Federal FMP, including scale paybacks or utilizing a three-year average, or the Board is free to initiate action for some other changes they see fit regarding this item. With that I'm happy to take any questions.

CHAIR CIMINO: Thank you, James, any questions for James? Yes, Megan.

MS. MEGAN WARE: A question on timing if we go down the route of an addendum. I think there is maybe more uncertainty as to when the Federal regs will actually be implemented and changed, so I'm curious if there has been a conversation of, who goes first, or is there a better situation if the

Commission finishes its process first, versus Federal government.

MR. BOYLE: I have not had that conversation. I would defer to NOAA Fisheries if they have an opinion on that. I'm not sure. Under a normal addendum process if it were initiated today, then we would be looking at final action if everything goes smoothly during summer meeting.

CHAIR CIMINO: Further questions or I'm certainly willing to move into discussion on this, thoughts on whether or not there is a feeling that we need to try and get ahead of this or as Megan mentioned, maybe wait and see what happens. Nichola.

MS. NICHOLA MESERVE: I'll move to the second part of an opinion, I guess. My read of the situation is that while there are some potentials for double deductions or the other issue is a state not be able to take its quota in full before a federal closure happens. That is something we talked about for a while now.

But it seems to me that with the changes made to the accountability measures and the three-year averaging, as well as the fishery performance as of late not reaching the quota, that if this is maybe more of a wait and see type of situation. See if there are real impacts that an addendum is used to take care of the issues. Just my two cents.

CHAIR CIMINO: Thank you for getting us started. Other thoughts or I guess any other questions on timelines. I always think it's important to understand the difference between complementary and joint management as well. You should consider yearly training on that. Megan.

MS. WARE: Maybe this is a follow up of my question. I'm wondering if waiting to see a Proposed Rule might be advantageous here just as a starting point. Just because there were concerns raised by GARFO during the

Accountability Measures Framework. I think we resolved this, but it would give me a little more confidence just to the timing and what actually will get implemented.

CHAIR CIMINO: Yes, appreciate that. Just kind of to move this along, are there any concerns by any Board members on doing just that, any objection? No, not seeing any. Let's do that, I appreciate that. I think that is a good idea. With that, James, if you have everything you need on that we can go to, Toni, go ahead.

MS. KERNS: Hopefully the Proposed Rule will come out in a timeframe where this Board would meet while it is still active, and if there are any issues that are contained in the Proposed Rule, the Board could give feedback to staff and we could craft comments to NOAA Fisheries on that rule.

CHAIR CIMINO: Very good, I agree. We will move on to the next agenda item. Go ahead, Eric.

MR. ERIC REID: The \$64,000.00 question is when is the Proposed Rule going to come out? I would look at my friends at the far end of the table to see if they have any idea, or online, that's fine, anywhere they are. But so many actions by this body and the Councils have been delayed because of the shutdown and for a variety of other reasons, staffing, et cetera, et cetera. I would really like to get some idea where this timeline actually is.

CHAIR CIMINO: Looks like we do have a hand online, so Laura if you are willing to respond and if you wouldn't mind introducing yourself as well. Thank you.

MS. LAURA DEIGHAN: Thanks, I saw Jsaon had his hand up, so I wasn't sure if he wanted to chime in first.

MS. KERNS: I think we want you to chime in.

MS. DEIGHAN: This is Laura Deighan, NOAA Fisheries. I don't know that I can speak to the timeline at this point. It depends on when we get the document from the Council, and then it will

have to go through the rulemaking process. I'm sorry not to have a better answer.

CHAIR CIMINO: Yes, that is understandable. I think there is really a couple of issues here. I didn't mention it earlier, but I think it is also very concerning that the terminal year of this assessment is getting further and further in the rear-view mirror, and we're uncertain on when we're going to get an actual update as well.

I think we're in a really tough spot, to be quite honest with you, on how to manage this. The Mid-Atlantic SSC, obviously major concerns with suspending the Risk Policy. There was talk of you know maybe we should be considering constant catch. For those of you that have lifted that with black sea bass, it's certainly not a great way to manage. Jason, if you had a response as well, go ahead.

MR. DIDDEN: I was just going to flag that when you kind of had communications with GARFO with NMFS that this requires an environmental assessment. Been working on a mackerel NEPA thing, but I'll soon be switching over to this. Should get a draft EA up to NMFS sometime in February. But since these involve regulatory changes, some of those have taken a very long time to kind of clear through various processes.

I wouldn't expect a Proposed Rule before April at the earliest would be my guess right now. But since there wasn't an overage in the '24 fishing year, that it's not like an immediate pressing kind of, like there is no overage in '24. It will take some time to evaluate if there was an overage in '25.

The quotas being so similar it's not like an immediately pressing thing. We have rollover so if May 1 comes the current specifications just rollover, so I definitely agree with Laura's kind of big picture wise, it's hard to predict. But there is not like an immediate impact on May 1 of the new regs being implemented or not.

CHAIR CIMINO: Thank you, Jason that is helpful. Follow up from Eric.

MR. REID: Yes, so if that is the case I would be fine with the wait and see attitude. I am concerned about this fishery, you know and there has been more than one comment about losing the last processor. When you're a processor, there is a lot of things you have to consider. What you make on any certain item. The ex-vessel price is 0.22 cents a pound according to my math. That might be high. Depending on the margins and all that, you have to think about what your plant time looks like, and the last thing I want to do is lose this processor and the fishery all in one shot.

CHAIR CIMINO: I think one thing that kind of hasn't really been mentioned too is that this is as species that impacts the ecosystem. This fishery is managed for this fish if you like it or not. It's certainly something that for better or worse, I think both Councils and the Commission are doing everything they can to keep this all going. With that I think we can get into the specification settings for '26 and '27 and I'll turn it over to James.

#### **SET SPECIFICATIONS FOR THE 2026/2027 AND 2027/2028 FISHING YEARS**

MR. BOYLE: Yes, again, just a couple of slides really quickly. In addition to the quota that Jason presented that the Councils have recommended for the next two fishing years. In 2024 the Commission maintained the trip limit for the northern region at 7,500 pounds through the 2026/2027 fishing year, which is consistent with the Federal Trip Limit.

If the Board chooses to set the quota for the 2027/2028 fishing year or beyond, then the Commission would need to respecify the trip limit for those years as well. If the Commission were to adopt the recommended quotas from the Council or quota from the Councils it would result in these regional state quotas shown on the table. That does not account for the potential 5% rollover. I can leave these up for reference and happy to take any questions or leave it for the discussion.

CHAIR CIMINO: Questions? We do have some draft motions, I believe. Not seeing any hands for questions. What is the pleasure of the Board here? Nichola.

MS. MESERVE: If staff has a motion that would have the wording for the Tier Specifications I would happy to make that. **Move to set the Spiny Dogfish quota for the 2026/2027 and 2027/2028 Fishing Years at 9,197,075 pounds, pending approval by NOAA Fisheries.**

CHAIR CIMINO: Motion by Nichola Meserve; second by Eric Reid. Discussion on the motion. Not seeing any hands, **any objection to the motion? No objection, we'll consider that approved by consent.** Thank you very much, Eric, James, anything else on that?

We do have another motion to set trip limits. Do we have a maker for this motion? I see Renee Zobel; second Matt Gates.

MS. RENEE ZOBEL: We'll slow it down for a second here. **Move to establish a 7,500-pound trip limit for the 2027/2028 fishing year for the northern region.**

CHAIR CIMINO: Matt, does it still have your heart since you heard it read? Okay. Very good, Matt still seconds. They have a motion and a second. Any discussion on the motion? Eric.  
MR. REID: Just to Mr. Borden's point a little while ago about having another look at what the trip limit is in the northern region. When he mentioned a weekly trip limit. I don't think he meant to be out a week doing it, it's more of an aggregate program. I just want to make sure that Mr. Whiteside understands that, because his response was, "they can't stay out and have fish turn to dogfood" instead of dogfish, I suppose. I just want to make sure that that is clear.

I don't think it's a bad idea to revisit that. We've done it before. But the economics of the fishery are really slim, and it may help the industry to keep dog fishing, if we work it out

where there is some sort of aggregate trip. But let them take advantage of economies of scale when they have the opportunity.

CHAIR CIMINO: I don't know if you're suggesting that necessarily as a task, because Jason or James if the APs have recently discussed that again. That is not a notion of multiple days, but instead of a combined tally across days. As Eric mentioned, this happened in this fishery and does exist for some other fisheries. I guess I'll start with a question then to either James or Jason as knowledge if that has been recently discussed or if not if that could be kind of brought to the advisory groups and possibly the Technical Committee or something.

MR. BOYLE: Speaking just for the Commission's AP it has not been discussed recently, at last in the last few years to my knowledge, and they could certainly be a task for the AP if that's what the Board would like.

CHAIR CIMINO: I see David Borden's hand and I just want to note that we would be recommending that that would also go to the Law Enforcement Committee.

MR. BORDEN: I would just like to thank Eric for clarifying that, because that is what my intent is. I know I think that a lot of people around the table know that Rhode Island has aggregates in a number of other species, and they work well. They get to the point that they improve the economics of the fishery.

I guess that leads to the question. If a state wanted to, this is also a motion, Mr. Chairman. I can come back to it if you prefer. Okay, so if a state, this is to staff, if a state wanted to pursue like an LOA or C proposal, to task that concept. When would that have to come back to the Board? Conservation equivalency?

CHAIR CIMINO: Toni.

MS. KERNS: The conservation equivalency would need to come back; it needs to be at least two months. In order for it to be discussed at the next

Board meeting it needs to come to us two months ahead of time, in order to get the appropriate feedback from the right committees. I would also have to think more through.

NOAA has a trip limit, so if they have a federal permit, they would have to follow the more restrictive of the two permits. I don't know if NOAA has an appetite to create LOAs or not, we would have to ask them about that. I'm not sure if Laura would be able to answer that at this moment in time. It would not be as simple as normal conservation equivalency would be, so it might take more time.

CHAIR CIMINO: Follow up.

MR. BORDEN: I'll just make this quick, because I know there are motions. I think that would be a useful idea for Massachusetts and Rhode Island to talk about jointly during some type of C proposal, and then if they could come to some kind of agreement and bring something back to the Board. I know that would require an LOA from NOAA in federal waters.

CHAIR CIMINO: A bit of a side discussion that I think was important. As I mentioned, we are doing everything we can to try and help keep this going. But it sounds like that is something we can do without a motion. It's to ensure that that is with that both at the state level and at our advising and technical levels. Then that could be revisited in the future.

We do have a motion before us, and so I'll look to see if there is any further discussion on the motion. Not seeing any hands, **any objection to the motion? Not seeing any; we'll consider that passed by consent.** We'll move on to the next agenda item, which is election of the Vice-Chair.

Actually, I'm sorry. I had mentioned that as a final action that we would have had public comment. I do apologize. I realize the Board has passed that motion, but I still will allow any

comments from the public on that. Not seeing any hands in the room, that surprises me. Not seeing any hands online. Okay, very good. Sorry about that. Let's see if we have a motion to elect a Vice-Chair. We do, John Clark, go ahead.

#### ELECT VICE-CHAIR

MR. CLARK: **It is my pleasure to nominate Renee Zobel as Vice-Chair of the Spiny Dogfish Board.**

CHAIR CIMINO: Very good, do we have a second? I have Ray Kane. Motion and second, any discussion? Not seeing any, **very good. Congratulations, Renee.** Appreciate that. My screen went blank there, James is that all we have? Other business and we'll go to Toni.

#### OTHER BUSINESS

MS. KERNS: At the CITES meeting the Tope shark as well as smooth-hound dogfish were put on notification for an Appendix II listing. These listings will go into effect in May of 2027, and Karyl Brewster-Geisz will give us an update on that during the Policy Board meeting, since we're not having Coastal Sharks Board meeting.

I am in the process of trying to figure out where exports are coming from, and what states are exporting smooth dogfish. John Whiteside, expect a phone call from me. Then what countries they are going to. In conversations with NOAA Fisheries and Fish and Wildlife Service, there is a possibility that we may have impacts to spiny dogfish.

I just want to make this Board aware, to pay attention to these conversations that we're having about smooth-hound and the Appendix II listing, because of the comingling of these two fisheries. I'll keep you guys up to speed as I know it. It is the plan for Fish and Wildlife Service to come to the Policy Board meeting in May to give us a full breakdown of how they are approaching it. There will be somebody from Fish and Wildlife here on Thursday. If you have some questions we can ask them then. But they are figuring out how to respond to this. Tope, which is a Pacific shark, T-O-P-E, I think is how

you spell it. But I could be wrong. It is a new shark for me. I believe that the smooth-hound are a look-alike of a tope shark and that is why they were listed.

Yes, I am remembering correctly. It was not on our radar that smooth-hounds would get listed, because the original proposal was for two species, but it was not the Atlantic species of smooth-hounds. That caught us off guard when they did list it.

MR. REID: Could you remind me of the Latin name of what you're talking about? Is it *Mustelus Canis* or is it something else?

MS. KERNS: The tope?

MR. REID: No, I don't care. The one in the Pacific I don't have any control over.

MS. KERNS: Tope is *Galeorhinus galeus*, I can't say the scientific names, Eric.

MR. REID: Yes, but what about the smooth-hound, what about our shark? I think it's *Mustelus Canis*, I just want to make sure we're all talking about the same shark. It's got a million different names.

MS. KERNS: Very different. I'm not an expert in the look-alikes. Look-alikes under CITES, as I learned as I ventured into the land of CITES can be very wildly unexpected. I believe a snapping turtle is a look-alike for a crocodile at some life stage.

CHAIR CIMINO: I was worried I didn't know what the color taupe was. But mistaking a snapping turtle for a crocodile is way worse. Our state directors had gotten a heads up on this from Toni, because she is looking for some information. I guess Toni really, I'm glad that the Board and the rest of the folks listening in are hearing this. Any information on how the experts go, we'll have folks reach out to you.

MS. KERNS: Yes, I just chose that I could reach out to the state directors to try to get a better handle on the exports for smooth-hounds and then how the fishery is or is not comingled. As I figure that out I will, James and I through James, will report back to this Board and we'll be reporting back to the Coastal Sharks Board. Mr. Chairman, you do have a member of the public with their hand raised, Peter Hughes.

CHAIR CIMINO: Since it is a fellow New Jersey-an. I'm going to go to Peter Hughes.

MR. PETER HUGHES: Well, hi everybody, thanks for inviting me. The answer to Eric's question. When we exported smooth-dogs into Greece, we started exporting them as *Mustelus Canis*. But the Greek recognized them as *Mustelus Mustelus*.

I have some concerns that spiny dogfish at one point were threatened to be listed, and that that was going to cause severe marketing problems for U.S. fisheries being sold in the international markets. This really, really does bear watching to see what happens. But those were the names that we export. Horndogs were *Squalus Acanthias*. Thank you.

CHAIR CIMINO: Thank you for that follow up, Mr. Hughes, and we know where to reach you if we have further questions. Anyone else on this item? Not seeing any other hands, so moving on from Other Business.

## ADJOURNMENT

CHAIR CIMINO: Unless there is any objection we will adjourn. Thank you, we are adjourned.

(Whereupon the meeting adjourned at 2:25 p.m. on Tuesday, February 3, 2026)