

Atlantic States Marine Fisheries Commission

Spiny Dogfish Management Board

*November 11, 2026
11:15 a.m. – 12:00 p.m.*

Draft Agenda

The times listed are approximate; the order in which these items will be taken is subject to change; other items may be added as necessary.

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| 1. Welcome/Call to Order (<i>J. Cimino</i>) | 11:15 a.m. |
| 2. Board Consent | 11:15 a.m. |
| • Approval of Agenda | |
| • Approval of Proceedings from August 2026 | |
| 3. Public Comment | 11:20 a.m. |
| 4. Review Accountability Measures Proposed Rule (<i>J. Didden</i>) Possible Action | 11:30 a.m. |
| 5. Other Business/Adjourn | 12:00 p.m. |

The meeting will be held at Hotel Viking (One Bellevue Avenue, Newport, RI; 855.860.4254) and via webinar; click [here](#) for details.

MEETING OVERVIEW

Spiny Dogfish Management Board
November 11, 2026
11:15 a.m. – 12:00 p.m.

Chair: Joe Cimino (NJ) Assumed Chairmanship: 8/25	Technical Committee Chair: Vacant	Law Enforcement Committee Rep: Jack Chapin (MA)
Vice Chair: Renee Zobel (NH)	Advisory Panel Chair: Vacant	Previous Board Meeting: August 5, 2026
Voting Members: ME, NH, MA, RI, CT, NY, NJ, DE, MD, VA, NC, NMFS (12 votes)		

2. Board Consent

- Approval of Agenda
- Approval of Proceedings from August 2026

3. Public Comment – At the beginning of the meeting, public comment will be taken on items not on the agenda. Individuals that wish to speak at this time must sign-in at the beginning of the meeting. For agenda items that have already gone out for public hearing and/or have had a public comment period that has closed, the Board Chair may determine that additional public comment will not provide additional information. In this circumstance, the Chair will not allow additional public comment on an issue. For agenda items that the public has not had a chance to provide input, the Board Chair may allow limited opportunity for comment. The Board Chair has the discretion to limit the number of speakers and/or the length of each comment.

4. Discuss Spiny Dogfish Accountability Measures (11:30 a.m. - 12:00 p.m.) Possible Action

Background

- In December 2025, the MAFMC and NEFMC took final action on a framework adjustment to the federal Spiny Dogfish FMP, which proposes several changes to overage accountability measures. NOAA Fisheries published the proposed rule in October 2026 (**Briefing Materials**).

Presentations

- Review Proposed Rule on spiny dogfish accountability measures by J. Didden
- Consider Complementary Commission Action by J. Boyle

5. Other Business/Adjourn

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

The Westin Crystal City
Arlington, Virginia
Hybrid Meeting

August 5, 2026

These minutes are draft and subject to approval by the Spiny Dogfish Management Board.
The Board will review the minutes during its next meeting.

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INDEX OF MOTIONS

1. **Approval of agenda** by consent (Page 1).
2. **Approval of Proceedings of February 3, 2026** by consent (Page 1).
3. **Move to approve conservation equivalency for a Northern Region weekly aggregate trip limit of 37,500 pounds from September 1-December 31, 2026** (Page 3). Motion by Nichola Meserve; second by Renee Zobel. Motion passes by unanimous consent (Page 5).
4. **Move to adjourn** by consent (Page 10).

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ATTENDANCE

Board Members

Megan Ware, ME, proxy for C. Wilson (AA)	Rep. Joseph Gresko, CT (LA)
Renee Zobel, NH (AA)	Jesse Hornstein, NY, proxy for M. Gary (AA)
Doug Grout, NH (GA)	Joe Cimino, NJ (AA)
Dennis Abbott, NH, proxy for Sen. Watters (LA)	Adam Nowalsky, NJ, proxy for Sen. Gopal (LA)
Nichola Meserve, MA, proxy for D. McKiernan (AA)	Jordan Zimmerman, DE (AA)
Raymond Kane, ME (GA)	John Clark, DE, proxy for R. Miller (GA)
Rep. Sarah Peake, MA (LA)	Michael Luisi, MD (AA)
Nicole Lengyel Costa, RI, proxy for J. McNamee (AA)	Joe Grist, VA (AA)
Eric Reid, RI, proxy for Sen. Sosnowski (LA)	Chris Batsavage, NC, proxy for M. Loeffler (AA)
Shanna Madsen, CT (AA)	Laura Deighan, NMFS
Bill Hyatt, CT (GA)	

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

Ex-Officio Members

Staff

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

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; Wednesday, August 5, 2026, and was called to order at 9:45 p.m. by Chair Joe Cimino.

CALL TO ORDER

CHAIR JOE CIMINO: Obviously, we had some technical difficulties this morning. I think we're settling in. I'm going to call the Spiny Dogfish Management Board to order here. I am the Chair, Joe Cimino; most of you know me. I am the Administrative Commissioner from New Jersey.

I have James Boyle here with me. Just a quick spoiler alert, we're going to be with you a lot today, just to let you know, on that agenda. I am going to go to Toni before we do anything else to name the Commission members that are online. Toni, if you could do that for us.

MS. TONI KERNS: Can do, we have Chris Batsavage, Ron Owens, Scott Wagemann, Russ Dize, Marina Owens and Sarah Peake, and then we also have Laura Deighan from NOAA Fisheries.

CHAIR CIMINO: Great, thank you, appreciate that and I think we had mic checks for everyone, so hopefully those Board members will be able to fully participate.

APPROVAL OF AGENDA

CHAIR CIMINO: I will go on to our first agenda items, which are approval of the agenda. I'm sure everyone has had a chance to look at the agenda. Are there any additions or edits to the agenda? Not seeing any; we'll consider the agenda approved by unanimous consent.

APPROVAL OF PROCEEDINGS

CHAIR CIMINO: Move on to the proceedings from the February, 2026 meeting. Does any Board member have any concerns with the proceedings, any edits? Not seeing any we will consider the

proceedings from the February, 2026 meeting approved by unanimous consent.

PUBLIC COMMENT

CHAIR CIMINO: I will take public comment now on any items not on the agenda for the Dogfish Board. No hands in the room, no hands online.

CONSIDER NORTHERN REGION CONSERVATION EQUIVALENCY PROPOSAL

CHAIR CIMINO: We will move on from public comment and go into our next agenda item; which is Consideration of the Northern Region Conservation Equivalency Proposal. This is an action item for us, so I will turn it over to James.

MR. JAMES BOYLE IV: We received a conservation equivalency proposal to test out a weekly trip limit as opposed to daily trip limits. As a quick reminder, the Northern Region daily trip limit is set by the Board during specifications, and is currently 7,500 pounds, which is also the same as the Federal Trip Limit.

PROPOSED WEEKLY TRIP LIMIT

MR. BOYLE: The Northern Region states, with the exception of Maine, submitted a conservation equivalency proposal to allow a weekly limit of 37,500 pounds, which is equivalent to five days under the daily trip limit, from September 1 to December 31 of this year, for just their federally permitted harvesters with the condition that if 80% of the region's quota is utilized then it will revert back to daily limit.

The proposal is also contingent on receiving a complementary exempted fishing permit from NOAA Fisheries, to allow those harvesters who participate in the program without the restriction of the federal daily limit, again which is 7,500 pounds. In applying for that permit there was an additional note.

It's not in the proposal in the materials, that it will be limited to 50 vessels and 4 trips per week, which represents slightly more than the number of

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federally permitted vessels in the region, and about the average number of trips per week over the past two years. The Exempted Fishing Permit is under review, and comments are accepted until August 12.

This proposal comes in response to consistent underutilization of the Northern Region quota, with the goal to make trips more economically viable in the fall fishery, when the resource moves offshore, as well as provide information for future specifications. The Law Enforcement Committee first reviewed the proposal and provided a few comments. Overall, there were no objections.

They did note some minor concerns that it would be difficult to monitor a weekly limit at sea, and therefore it puts a little bit more burden on the shoreside monitoring. The PRT and TC met jointly, and the AP followed that up to provide their comments. The PRT and TC discussion focused around three questions. First was, what is there likely to be an increase in discards if the processor received large batches of landings that outpace their capacity?

Second was, are states able to ensure that a harvester can be monitored if they land in multiple states, that they don't exceed the weekly limit? The last was, were there any biological concerns for these larger trip limits, especially were any brought up in past proposals? To address the first question.

There was additional information from Massachusetts that a communications link directly between the processor and the harvesters is being developed that would allow them to let them know and prevent landings from exceeding capacity. For the second question, since the proposal only includes federally permitted harvesters, they have daily reporting requirements that can be monitored by every state in the Northern Region on a daily basis between all the states.

Finally, there were no biological concerns mentioned brought up to the PRT or TC, and in the discussion, they said past concerns revolved around market concerns that should be alleviated by the

seasonality of the proposal being set for the fall fishery. The AP did not add any concern; they didn't have any concerns.

There was, John Whiteside echoed comments from the PRT and TC meeting that they are establishing that communication system between the processor and the harvesters. He additionally noted that this process had already been established in the state fishery, and so since there is a single processor for the coast, this should be a relatively simple system to set up. With that I'm happy to take any questions.

CHAIR CIMINO: Any question for James on this? Not seeing any in the room, Toni, do we have any online? Okay, not seeing any online. I'm not going to speak to the proposal. I appreciate the review of the proposal. I will just, as a state director, I think we have knowledge as state directors that some folks may not have.

That is just that the system of allowing transfers in and amongst states has just been fantastic for the utilization of the safe harvest levels for species like bluefish, dogfish, even menhaden, being able to move that around to where the fish are available. I personally fully support this proposal, and would like to see it move forward for those reasons.

We have a safe harvest level. This is a species that the migration pattern set it up, and I don't think that the danger of when New England is utilizing it would put southern states in any sort of jeopardy or challenge to how we manage this quota. Really appreciate the work that has gone into making this come forward. I'll just leave it at that, and this is an action item, so we are looking for a motion. I do see a hand from Joe Grist and then I'll go to Nichola.

MR. JOSEPH GRIST: Just a comment. I want to second what you just said, Mr. Chairman. The states involved they reached out to me a couple months ago about the idea. Obviously, Virginia has received quite a bit of quota transfer during the year from this.

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We're fully supportive. We think that there is a way that can utilize their quota that best serves their industry. They can try and do it and see how this works out. That type of system wouldn't work well for my state, but it may work very well for theirs. If it works out well for them, we're fully supportive of this.

CHAIR CIMINO: Thank you, Joe. Nichola.

MS. NICHOLA MESERVE: Just regarding a transfer, I would be happy to make a motion and move this along. Part of the reason for the 80% quota used reverting back to the daily limit was to avoid any potential for quota overage, but also with the idea that it would likely still leave some quota available for transfer.

You know with the program ending no later than December 1, it would be in a timeframe that it could still be used elsewhere. There was thought into that, and hopefully this will resolve in both Northern Region quota utilization increasing as well as the coastwide quota, and supporting the process there. That said, I would be happy to make a motion, if you are ready, Mr. Chairman, to approve the conservation equivalency proposal.

CHAIR CIMINO: Yes, I think so, we didn't see any other hands for questions or comments, so yes, if you are ready.

MS. MESERVE: I would **move to approve conservation equivalency for a Northern Region weekly trip limit of 37,500 pounds from September 1 to December 31, 2026.**

CHAIR CIMINO: Second on the motion from Renee Zobel. Discussion on the motion. Yes, apologies, let's start with the maker and the seconder now.

MS. MESERVE: Not much to add, James did a great job laying out the overview of it and the comments on it. I guess I just wanted to reflect upon the CESS Report that is also on the agenda. We haven't gotten to it yet, but it really reiterates a number of the reasons for this proposal, finding that the fishery is contracting due to low core utilization,

market and processing constraints and increased operating costs.

Fuel costs right now particularly are driving, I believe, some of the lower landings in this fishery. The CESS Report also found that greater flexibility through increased daily or weekly landing aggregates could be beneficial and generate the volume fishers need to offset the application cost and remain profitable.

It also had as a research recommendation the evaluation of daily versus weekly landing limits. I think this proposal is trying to achieve a number of things there in that CESS Report, and in a restricted manner with thought put into seasonality of it, not having great implications in other states fisheries as well. Just hope for the Board's support for this.

CHAIR CIMINO: Yes, thanks, I appreciate that, particularly because the meeting materials for the CESS Report came out kind of late, but our Committee on Economics and Social Sciences has provided a report on this. The timing of it is a bit awkward, since we're taking final action and then we're going to discuss that. But I appreciate you highlighting some of that. I'll go to Renee. Do you have anything to add on the motion?

MS. RENEE ZOBEL: Not really anything to add, just this is a thoughtful and creative approach to utilize a little bit more of the Northern Region quota. Nichola read it out beautifully, a lot of thought, we went back and forth quite a bit on iterations on how to approach this. Thanks to Nichola for leading the charge to try and engage our industry and do something to test a little more creativity.

CHAIR CIMINO: Any further discussion on the motion? We do have a hand online, Laura, did you have something to add?

MS. LAURA DEIGHAN: Yes, this is Laura Deighan with NOAA Fisheries. I just wanted to note that this same project is under consideration with GARFO. Process is that the applicant applies for an exempted fishing permit. We review the application, make sure that it has sufficient

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information, and then we publish it in the Federal Register for public comment.

Once that comment period closes, we consider the information we received, and determine whether we can approve it or not. It's currently in the public comment phase. If anybody is interested in submitting public comments, you can go on [Federalregister.gov](https://www.federalregister.gov), search for dogfish EFP, you might need to filter by year for 2026, and then you will be able to find that and submit any comments that you might have.

CHAIR CIMINO: Yes, thank you so, so much. That is also an important component of this, so for those of you that have not been tracking this idea, as Renee said, this kind of novel notion on how to deal with this. There is a proposal in the Federal Register right now open to public comment on an exempted permit to allow this.

I encourage anyone interested to look into that. If there aren't any other hands from the Board, I will go to the public. Certainly not trying to rush us here. Not seeing any hands around the table, Mike, did you have your hand up? Mike Luisi, go ahead.

MR. MICHAEL LUISI: I'm fully supportive of the motion, from everything that's already been said it falls in line with what I think is necessary. I'm thinking back a few years ago. I believe we've had a weekly trip limit conversation before. I could be wrong in that. Maybe somebody can remind me. I'm thinking back maybe a coordination with the Council and this Board, maybe during the time when I was Chair of the Council.

I just can't remember the years and the dates. But if this conversation has been had before, can someone, if they remember it, remind me of some of the problems and whether or not those problems were addressed through this proposal? Again, I'm comfortable with where we are and I'm going to support this, just a little information would be helpful if anyone remembers those times and those discussions.

CHAIR CIMINO: Appreciate that, Mike, I'm going to pause to see if there are any individuals that might respond to that. I'm not sure if Jason's online for the Council, but Nichola, did you have your hand up? Go ahead.

MS. MESERVE: My recollection, in terms of talking about either a larger daily limit or consideration of a weekly limit was, at the time where the landings coastwide were much higher, and that there were concerns about market implications and the processor capacity. But based on where we are now with the landings, I think that that concern no longer exists to the same degree as before. The open line of communication between the harvesters and the processors will help to avoid that, should they see a risk.

CHAIR CIMINO: Good, Mike, okay thank you, appreciate that. Not seeing any other hands from Board members, I will open it up to the public. I believe John Whiteside had his hand up. John, go ahead.

MR. JOHN WHITESIDE: Thank you, good morning. I was, as you mentioned earlier, I was a part of the MAFMC Dogfish AP meeting yesterday. I am in support of that, and also Pierre Juillard spoke in support as well, he is the primary person from East Coast Noyes Sea Trade on the last remaining processor.

I do want to point out that there was quite a bit of confusion with the way this was worded in the Federal Register, and there were a number of fishermen who spoke, thinking that this was 37,500 pounds per trip, and that they could make 4 trips. I tried to clarify that, but I think if there is a way to have some clarifying statement on this that would be great, even if it was just when the like the press release afterwards and also highlighting that when the 80% of the northern TAL is reached, then it reverts back to the standard trip limit. I think that would help in alleviating as much of the concern and questions that were raised yesterday.

CHAIR CIMINO: Thank you, John, I really appreciate those comments. I can't lift the floor in the room,

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but I'm assuming that NOAA is taking note, and staff here at ASMFC are as well. That is something that we can do to the press release and assuming that NOAA as well will make sure that that clarification is part of what happens as we move forward. Appreciate that. Not seeing any other hands online. It doesn't look like it. I'll look to the Board on final action on this. Is there any objection to the motion to moving this forward? Yes, go ahead.

MR. ERIC REID: Given the last little discussion, does the motion need to be changed that says weekly aggregate limit as opposed to weekly trip limit, which is the point of the confusion? Does that need to change?

CHAIR CIMINO: I think if there is, but obviously first and foremost it is part of the public record, but if there is no objection to putting that in the motion, it can only help in clarity, I would assume then. We can do that as a friendly to add aggregate.

MS. MESERVE: I would be fine with that amendment to it.

CHAIR CIMINO: Okay, so we are putting that in the motion and I will just look around quickly if there are any concerns or comments on that addition. Hopefully that helps clarify things, and as I mentioned, we will do our best to clarify if this motion gets approved, in the press release that that is the intent here and I guess whatever Mel can do on the Federal Register to also. If they have any inquiries to also make sure that is clear. Okay, not seeing any concerns with the addition to the motion, so one last call.

Any objections to the motion? Not seeing any we will consider that motion approved by unanimous consent. Thank you, everybody. I hope this is a help to the industry and I think all the states will continue to work together on this.

REVIEW COMMITTEE ON ECONOMICS AND SOCIAL SCIENCES REPORT ON COMMERCIAL FISHERY

CHAIR CIMINO: With that I will go to our next agenda item, which is a review from the Committee

on Economics and Social Sciences, and so we have a report. Tara is coming up, so Tara Scott will be here to present that, as Nichola gave us a bit of a preview on some of that, so appreciate that and Tara, welcome.

DR. TARA SCOTT: Thank you, my name is Tara Scott, in my day job I work for NOAA Fisheries, but I am here representing the CESS. As I was saying, I work for NOAA, but I am here representing the CESS, to help provide a little bit more practical insight to guide you through your future management decisions.

Apologies for the late briefing, but hopefully it will still continue to support future management. In the fall of 2025, the CESS was tasked with looking at available socioeconomic information for the commercial fishery to help it with the assessment of low quota, and then potentially adjustments to the trip levels. I'm just going to walk you through sort of our general approach, what we've done for other Boards, a review of the literature, and then because the literature is rather old, we decided to do a snapshot of the fishery, just to provide a little bit more of current conditions, and then our recommendations for future research. As I mentioned, our approach is similar, we did not do an extensive analysis but if you need additional analyses then the Committee will be able to help with those in the future.

You guys are very well aware of the fishery, so I am not going to go over that. But I think it's really important to understand that this fishery is driven by two different very distinct markets. Domestically it is a very low consumer driven food grade product. It is mainly used for bait for fertilizer or for biomedical purposes.

Whereas, internationally it is a completely different story. The European Union and the United Kingdom, it is highly sought for as a white fish substitute, so it is commonly used in things like fish and chips, and then in Germany it is used for the belly flaps, which is where the premium price comes in, sort of this belly flaps and in the fresh market.

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Again, most of the product is frozen, just because in order to get it overseas air shipment cost, and then freighter is pretty high, so it tends to be frozen. Because of the ex-vessel price, the price that were seeing at the dock is so low, many of these harvesters are having to catch the large volume of fish, just to make ends meet, and so they are bumping up against the daily limit just to try to break even.

Catching more fish for them unfortunately is not translating in to making more money. As I mentioned their literature is pretty old, but we found three relevant pieces of analyses that were done specifically for the spiny dogfish fishery. Looking at the global demand, the relationships and then also a paper by one of my fellow CESS members, Mike Carroll and his colleague Wiersma.

I am going to go through sort of what those say first, and then we'll transition into the current conditions. Starting first with the Del'Apa Paper, which was in 2013, it used a social network analysis, which is basically just sort of mapping how people, groups, organizations sort of connect with one another.

The study really highlighted the tension that goes on between those long-term biological rebuilding goals that mix with more of the short-term social and economic goals that managers are constantly faced with. The research also highlighted that there is this critical dynamic between the European Union and the UK, and the fact that they hold a significant part of the market leverage.

That is because historically 90% of the global demand has been supplied by the U.S. fishery. Of that 90% that we are supplying, that we were supplying to the European market and the Asian market, about 90% of that was directly consumed by the European Union, so that type of demand really drives our domestic prices that we're receiving at the dock.

When the U.S. restricts its exports, whether that be through quota restrictions or through logistic hurdles, obviously the folks in the UK and Europe

are not stopping eating dogfish, what they are doing is they are looking for those whitefish substitutes or they are potentially looking for a supply from other countries that may often have either unregulated or less regulated fisheries. Typically, the supply was coming from South America, Africa or Asia. Like I said, once we shift away or we reduce our market shares, it is very hard to get that back, and that has been quite evident over the most recent years.

The next paper was again by Del'Apa and colleagues. What they found was that as I've already sort of mentioned, that once you move away from these markets, the foreign markets, so once we've lost our market share in the European Union, they are finding the other substitutes, it is going to be very hard to come back from that.

While we have biologically succeeded in helping to ensure a sustainable stock, at the same time it was at the loss of sort of crucial processing capacity, because it was felt that it wasn't needed, because they couldn't ensure a consistent inflow of product in order to provide that supply to the foreign market, or there was no longer a need for it.

This sort of brings us to sort of that critical economic constraint in the fishery, it's really a processing bottleneck and not what Del'Apa found was operationally dogfish meat has to be processed within a certain window of time, and because it is already a large volume, low market fishery it is forcing fishermen to land large volumes, to sort of make sure that they are maintaining economic viability at that trip level.

Unfortunately, with the loss of the southern processing infrastructure, it meant that there was not enough capacity to handle that flow coming in. Del'Apa concluded that the management actions need to consider the sort of through put when they are looking to adjust the volume, whether that is through trip limits or through quota.

If you don't consider those, then you are going to have significant inefficiency. Finally, the third paper, again from our CESS colleague Wiersma and

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Carroll. This was the most recent study, it was in 2018, and this was commissioned by the state of Massachusetts. It looked at more of the global demand and looking at the processing capacity issue.

What they found was that there was an absolute cap, not only on the global demand but also on the daily throughput in the processing sector. They found that sort of the sweet spot or where we were getting ready to over supply the market, and crash prices was about 20 million pounds annually. That was the global market threshold.

Then on a daily threshold rate the processing sectors could take in about 120,000 pounds per day, before they experienced inventory glut. Anything after that amount, the price would drop drastically at around 40%. For a fishery where they are already receiving relatively low, around 22 cents a pound, a 40% drop in ex-vessel price, I mean the story tells itself.

Again, 2018 there was an issue of potential over supply, flooding the market, causing the price to drop, simply that is not the case anymore. The study mentioned that if you simply raise the trip limits without considering the processing capacity, again, you would financially harm the fishers, because of this potential for a price crash. Again, because that was 2018 when the study was done there is a lot of management actions that have occurred, a lot of changes in the market. I wanted to provide a quick snapshot of 2019 to 2024. Again, this was sort of the window of times that we also had complete data for. But over this time period as the slide suggests, it has been a fishery that is contracting, and is continually contracting.

Over the time period volume has fell sharply with a 51% drop, over a 51% drop in landings, from 17.4 million in 2019 down to 8.4 million in 2024. We're seeing a drop in participation. The number of vessels has reduced from 248 down to 142, and that is a vessel that has any spiny dogfish landings, that is not saying that they are a directed vessel.

Then the number of active dealers that are actually buying spiny dogfish has also contracted from 58 pounds to just 39. We see for the fleet dynamics this concentration of effort. As I said, we see the decline. It is even more notable when you look for the vessels and the fishers who are primarily harvesting or directing on spiny dogfish.

There were 22 vessels in 2019 that harvested more than half of the landings. In 2024 that number is down to 13, so 13 vessels who are catching 50% of the landings. Then in terms of how these fish are caught, again it is primarily dominated by bottom gillnet fishing. Over the last five years about 77% of the catch had been landed with bottom gillnet.

The other issues that the data revealed was that there is a geographic shift. Again, this does not come as a surprise, but because of the loss of processor capacity an infrastructure in the southern region, we have seen a decline. Historically North Carolina was a major percent with over 1.1 million pounds of landings in 2019.

At the time that we processed and pulled the data in 2024, they had just at 160,000 pounds, that is pretty substantial. Seeing that shift, again highlights the coordination that needs to happen between the processing and the harvesting sector for this fishery. The loss of the southern fleet has left most of the rest of the fleet entirely dependent on just a few buyers.

The few remaining processors, as it's been noted in the Mid-Atlantic Council reports and their APs, there is a single large processor if it is still operating. This creates what we economists call a monopsony, which is where it is a market condition where there are many sellers, so there are many fishers, but there are very few buyers.

They are able to sort of control the price, but they are also able to control the flow, and how much is being accepted. Because the buyers have limited labor and freezer space, they can impose these daily or weekly catch limits that are sort of artificially suppressing effort across the fleet. Just for awareness for the top three processors, they are

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doing about 67% of all of the landings. Again, a majority of that is flowing through that single large processor.

A lot has happened since 2018 when Mike Carroll and his colleague did their research on the processing sector. I want to be very careful in how we use the literature in order to inform you on future management measures. From the papers we saw that the assumptions were that there was going to remain sort of this high level of quota and a potential for over supply. Obviously, that is no longer an issue. We now are seeing under utilization of the resource, so it is not biologically constrained it seems to be processing constrained by the logistics. But also, several events have happened, Brexit, COVID, you have tightening restrictions on sustainability standards with a high MSE cost and the certification and the costs that go along with that, so that single processor.

There are a lot of things that have happened, not just in the domestic fleet but also in the global market that make these not as easily translated into the current conditions that we see today. Taking that information and sort of trying to figure out how best to provide information to you.

We can sort of say with some clarity that while quotas are currently far below that global over supply level, it's a further loss of the infrastructure for processing means that those bottlenecks still exist, and that still can trigger those market corrections during peak landing times, so still cautioning on that.

At the last Board meeting in February, Mr. Didden showed that the ex-vessel prices were sort of stabilizing at around 20 to 22 cents per pound. But when you adjust that for inflation they have substantially declined. As other Commissioners have noted, the price of fuel has gone up considerably over the last year, which is also further constraining the resources and the possibility of these fishermen.

For fishermen again, they are sort of caught in this really difficult position, where their faced with these

rising overhead costs; fuel, transportation cost in North Carolina, Virginia, other southern states having to truck that up to the processor is an added cost, and so making sure that you are considering those costs that are being borne to the southern fleet compared to those in others should also be considered.

I just wanted to also note that right now we have underutilization occurring, which drives inconsistent flow to the processors. In these low quota conditions, it is sort of allowing. It should be noted that if you allow fishers to sort of combine these trips, to manage these sorts of weekly volume flows, then they are able to help offset that transportation cost, and sort of combine their trips.

Get it together within a particular window of time that will allow them either to be part of the fresh product or part of the frozen, depending on how far away they are. But it has to be in coordination with that processor, so that they don't have that over supply creating that glut, and then again dropping down that ex-vessel price.

Given all of these conditions, sort of similar to the conclusion in the literature, so any adjustment to the volume of harvest you should consider that processing threshold. Then in terms of future research needs, again this is kind of our wish list, that we know that obviously a lot of key things can't happen without proper funding.

But we think that it is really important that the limitation on this fishery really is no longer biological. It is not about how many fish there are, it's really about that critical loss of market access into the European Market, and then the collapsing processing infrastructure that helps to have that flow of product into the market. To inform any of the decisions, we think it would be really important to focus on sort of the harvest that they are again getting a better idea of the vessel expenses, the fuel, the off-loading fees, overland transport fees, as well as the fleet's financial dependency on the stock. Many of these fishermen do not fish dogfish all year long, again because it is usually along the coast.

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The Board will review the minutes during its next meeting.

What other opportunities are available and what contributes to their portfolio when dogfish are not available. It is also important for the infrastructure piece of the processors to really understand what their current capacity is. Again, the threshold that was provided in the Wiersma/Carroll paper was 120,000 pounds a day.

There needs to be a study that sort of looks independently at what that new level is, and if additional quota or weekly limits are considered, would they be able to handle that capacity? That would need additional work; predicative modeling, market power analysis, which is really investigating the dealer's ability to sort of set that price and set those artificial sorts of daily or weekly limits, so that would be important.

Then, looking at the global flow. Again, the 2018 paper was the last paper, but there have been a lot of events that have gone on that changed that dynamic, so it would be really helpful for another analysis to determine if that 20-million-pound threshold still stands, or if there is additional room for U.S. to increase our current market share, should stocks recover and quota increase.

Then finally, one of my colleagues at NOAA reminded me that sometimes dogfish are seen as a nuisance species, and so it might be important to consider other ecological tradeoffs or impacts to higher value fisheries and what is the value associated with ensuring the population remains sustainable but does not adversely impact other fisheries as well. That would be an area that the CESS would support looking at as well. With that I will take any questions.

CHAIR CIMINO: I really appreciate the work that the CESS did on this. I think for the Commission dogfish is somewhat unique. You know you just kind of hit on some of the ecological concerns which are always there. But I think this is one of those species, unlike the Mid-Atlantic Council, which has several that there isn't a rec component to. The environmental concerns are different than we deal with in a lot.

This part of it, being able to focus on the economics of this commercial fishery is so important. It is something that both the Mid and the Commission have been working on. I really appreciate all the work that the CESS has done and for those of you that play the Six Degrees of Separation from Joe Cimino in the fisheries world, Tara and I are direct contact. While she was finishing up her PhD at VIMS we worked together at VMRC. Thank you for the presentation, Tara. Any questions for Dr. Scott? Go ahead, John Clark.

MR. JOHN CLARK: Thank you for the presentation, Tara, very interesting. Just curious when the stock went down so much and there wasn't as much export to the EU. I know attempts were made to develop a domestic market. If it's a high value product, why has it been so difficult to develop alternate markets, other than just the UK and the EU?

DR. SCOTT: Yes, thank you for your question. The Wiersma and Carroll paper did discuss trying to drive demand in the domestic market. Unfortunately, a lot of that development, the consumer demand is just not here in the U.S. The connotation associated with shark in general, most people are, if they see it on a menu, if it even shows up on a menu, it is very low presence in the domestic market.

I believe there was some development to try to get it for use in like institutionalized for education, prison systems, even industrialized biomedical. But from the reading of the literature and from most of the information I've read, that that development is not well funded and so it has not increased since 2018. Again, there are other supply chain issues. But even if we were able to process, even if there was demand domestically for it, we still don't have the processing capacity, especially in the southern region, in order to support that.

CHAIR CIMINO: Further questions, Mike Luisi.

MR. LUISI: Thank you for the presentation. Just curious. You mentioned that the EU has very high sustainability standards that need to be followed. If

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we are supplying that product we need to follow those standards. I'm just curious what you might understand regarding when our product from the United States is no longer available or it is cut off. Does the EU hold Asian countries, African countries and South American countries to those same standards? They seem to have used that as a secondary market to fill the void, but I am just curious as to whether or not they are held to those standards. I am assuming they are not, but I'm curious.

DR. SCOTT: My specialty is domestic fishing not foreign global trade. But from what I read in the literature, the EU still has its higher standards. If they would just be substituting with another white fish, it may not be dogfish. Whereas, Asian countries or South American countries may not have those same standards. It's providing that supply into those other areas, and the European Market is taking basically the U.S. higher standards MSE Certified product.

CHAIR CIMINO: Further questions? Okay, not seeing any around the table. I will look to the public online and in the room. I see a hand; there is a public mic. If you could introduce yourself, I would appreciate it, thank you.

MS. SONJA FORDHAM: Sonja Fordham, Shark Advocates International, nice to see you. Thank you for the presentation. I apologize if I missed some, they are hard to see from back here, but I am going to have a closer look later. I just wanted to say, in response to EU trade standards, EU certainly has high trade standards when it comes to CITES listed species, spiny dogfish not yet listed under CITES. My recollection there was some kerfuffle a number of years ago about the standards EU has for mercury, and there was a study that set them off for mercury. I'm not sure if I'm remembering that right. What I really wanted to say is, I think in addition to, it's not just this loss of access to markets, I would say, but also changing markets. I don't think that fried belly flaps are all the rage in German beer gardens like they used to when we first started them back in the 1990s. But mainly I just wanted to flag a report on global trade and

shark meat that is being read by scientists at Dalhousie that is in its final stages. I was trying to check from the authors if they had a date, but don't have a date yet, but should be coming out. I think that it's pretty close, and that it should shed some light on the situation. Thank you.

DR. SCOTT: Yes, we have noticed, again most of the literature is pre-2019, and so we only had a little bit of information to go on. That is why we recommend another global demand analysis be conducted, and additional research in that area, to have a better understanding of what the current conditions are.

CHAIR CIMINO: Thank you both, thank you for the comments and thank you, Tara. I think we had one other hand; I believe John Whiteside had his hand up. Go ahead, John.

MR. WHITESIDE: I've only been involved in the fishery for 22 years now, and in that time, there has been no mercury issues regarding spiny dogfish in the EU. I also would dispute that belly flaps are not popular in Germany's beer gardens. But we would look for better science in the U.S. in getting accurate surveys of what the biomass actually is. The industry as a whole is extremely skeptical at the very low numbers that are reported.

CHAIR CIMINO: Appreciate the comment. Back to us, James, this was informational. Is there anything in particular that we are looking for on that? No, okay. Once again, appreciate the work of the Committee. I think we've been seeing more in the last year or two from you guys, and that is fantastic.

ADJOURNMENT

CHAIR CIMINO: Thank you so much, I appreciate that. With that we will move on to our last agenda item. Is there any other business to come before Spiny Dogfish Board? Not seeing any, with that we can adjourn, as long as there are not any objections. No objection, so we will adjourn.

(Whereupon the meeting adjourned at 10:38 a.m.
on Wednesday, August 5, 2026)

These minutes are draft and subject to approval by the Spiny Dogfish Management Board.
The Board will review the minutes during its next meeting.

LEGAL STATUS

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LEGAL STATUS

Magnuson-Stevens Fishery Conservation and Management Act Provisions; Fisheries of the Northeastern United States; Framework Adjustment 7 to the Atlantic Spiny Dogfish Fishery Management Plan

A Proposed Rule by the [National Oceanic and Atmospheric Administration](#) on 10/13/2026

 This document has a comment period that ends in 17 days. (11/12/2026)

1 comment received. [View posted comments](#)

PUBLISHED CONTENT - DOCUMENT DETAILS

Agencies: Department of Commerce

National Oceanic and Atmospheric Administration

Agency/Docket Number: Docket No. 261007-0005

CFR: 50 CFR 648

Document Citation: 91 FR 64873

Document Number: 2026-20863

Document Type: Proposed Rule

Pages: 64873-64876 (4 pages)

DOCUMENT HEADINGS

Department of Commerce
National Oceanic and Atmospheric Administration
50 CFR Part 648
[Docket No. 261007-0005]
RIN 0648-BO48

(□ printed page 64873)

AGENCY:

National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

ACTION:

Proposed rule; request for comments.

SUMMARY:

NMFS proposes measures included in Framework Adjustment 7 to the Spiny Dogfish Fishery Management Plan (FMP), as recommended by the Mid-Atlantic and New England Fishery Management Councils. Framework 7 proposes fishing year 2026 and projected 2027 specifications, which would establish allowable harvest levels for the spiny dogfish fishery to prevent overfishing while enabling optimum yield based on the best scientific information available. Framework 7 also proposes changes to the Atlantic spiny dogfish accountability measures intended to provide the commercial fishery with greater flexibility by no longer requiring full payback of annual catch limit (ACL) overages when the Atlantic spiny dogfish stock is considered healthy.

DATES:

Comments must be received by November 12, 2026.

ADDRESSES:

A plain language summary of this proposed rule is available at

<https://www.regulations.gov/docket/NOAA-NMFS-2026-1321>

(<https://www.regulations.gov/docket/NOAA-NMFS-2026-1321>). You may submit comments on this document, identified by NOAA-NMFS-2026-1321, by any of the following methods:

- *Electronic Submission:* Submit all electronic public comments via the Federal e-Rulemaking Portal. Visit <https://www.regulations.gov> (<https://www.regulations.gov>) and type NOAA-NMFS-2026-1321 in the Search box. Click on the “Comment” icon, complete the required fields, and enter or attach your comments.

Instructions: Comments sent by any other method, to any other address or individual, or received after the end of the comment period, may not be considered by NMFS. All comments received are a part of the public record and will generally be posted for public viewing on <https://www.regulations.gov> (<https://www.regulations.gov>) without change. All personal identifying information (e.g., name, address), confidential business information, or otherwise sensitive information submitted voluntarily by the sender will be publicly accessible. NMFS will accept anonymous comments (enter “N/A” in the required fields if you wish to remain anonymous).

Copies of the Environmental Assessment (EA) and other supporting documents for this action are available upon request from Dr. Christopher M. Moore, Executive Director, Mid-Atlantic Fishery Management Council, Suite 201, 800 North State Street, Dover, DE 19901. These documents are also accessible via the internet at <http://www.mafmc.org/supporting-documents> (<http://www.mafmc.org/supporting-documents>).

FOR FURTHER INFORMATION CONTACT:

Laura Deighan, Fishery Policy Analyst, Laura.Deighan@noaa.gov
(<mailto:Laura.Deighan@noaa.gov>) or (978) 281-9184.

SUPPLEMENTARY INFORMATION:

Background

The Mid-Atlantic and New England Fishery Management Councils (the Councils) jointly develop recommended management measures for spiny dogfish, with the Mid-Atlantic Council acting as the administrative lead. Additionally, the Atlantic States Marine Fisheries

Commission manages the Atlantic spiny dogfish fishery in State waters from Maine to North Carolina through an interstate fishery management plan. The Councils, pursuant to the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act), develop recommendations regarding fisheries in Federal waters, and both Councils must agree on any final recommendations to modify the Federal FMP. The Councils provide their recommendations to NMFS. Under the provisions of the Magnuson-Stevens Act, on behalf of the Secretary of Commerce, the Greater Atlantic Regional Fisheries Office's Regional Administrator reviews the Councils' proposed measures for consistency with the FMP, plan amendments, the Magnuson-Stevens Act, and other applicable law. The Regional Administrator is required to publish proposed regulations, consistent with the Council's recommendations, with such technical changes as may be necessary for clarity and an explanation of those changes for public comment (section 304(b)(1)(A) of the Magnuson-Stevens Act). After public comment, the Regional Administrator may publish revisions to the proposed regulations along with an explanation of any differences between the proposed and final regulations (section 304(b)(3) of the Magnuson-Stevens Act; 50 CFR 648.239(a)(3)(ii) ([https://www.ecfr.gov/current/title-50/section-648.239#p-648.239\(a\)\(3\)\(ii\)\)](https://www.ecfr.gov/current/title-50/section-648.239#p-648.239(a)(3)(ii))))).

At the Mid-Atlantic Council's October 2025 meeting and the New England Council's December 2025 meeting, the Councils recommended 2026 and projected 2027 Atlantic spiny dogfish catch limits. The Federal FMP requires the specification of an acceptable biological catch (ABC), ACL, annual catch target (ACT), total allowable landings (TAL), and a coastwide commercial quota. These limits and other related management measures may be set for up to 5 fishing years at a time, with each fishing year running from May 1 through April 30. This action proposes Atlantic spiny dogfish specifications for fishing year 2026 and projected specifications for fishing year 2027, as recommended by both Councils. The Commission voted to implement complementary specifications for State waters on February 3, 2026, during its winter meeting.

The NMFS Northeast Fisheries Science Center completed an Atlantic spiny dogfish management track assessment in September 2023, which included catch and survey data through 2022. The management track assessment found that the Atlantic spiny dogfish stock is not currently overfished or experiencing overfishing and remains above its biomass target. In 2025, the Science Center provided updated projections that incorporate new Atlantic spiny dogfish catch information through 2024. It also provided a data update with new survey data through 2024, which have not been incorporated into the

assessment and projections model. The 2025 data update showed negative trends in multiple indicators including the female biomass indices, female spawning stock biomass, and mean length of mature females. In September 2025, the Mid-Atlantic Council's Scientific and Statistical Committee (SSC) reviewed the 2025 data update and the 2026-2027 Atlantic spiny dogfish stock projections and noted increasing uncertainty in the projections due to the age of the data used in the projection model (*i.e.*, terminal year 2022).

Typically, the Mid-Atlantic Council's risk policy recommends setting the ABC with no greater than a 46-percent chance of overfishing for stocks just above the biomass target, such as Atlantic spiny dogfish. However, the industry has raised significant and ongoing concerns about the continued viability of the fishery with commercial quotas below approximately 12 million (□ printed page 64874) pounds (lb; 5,444 metric tons (mt)). As a result, in recent years, the ABC has been set equal to the overfishing limit (OFL), through NMFS emergency action in 2024 (89 FR 44924 (/citation/89-FR-44924), May 22, 2024), and by the Council suspending its risk policy when developing specifications for 2025 (90 FR 20128 (/citation/90-FR-20128), May 12, 2025). At the request of the Council, for 2026 and 2027 the SSC provided ABCs based on the Council's risk policy and ABCs equal to the OFLs (*i.e.*, a 50-percent chance of overfishing). The SSC also provided a constant 2026-2027 ABC equal to that of the 2025 ABC and OFL as a more precautionary alternative because of its concerns about the increased uncertainty in the projections. The Councils recommended 2026 and projected 2027 ABCs equal to that of 2025 (*i.e.*, 16.81 million lb; 7,626 mt), but below these years' OFLs, to balance the SSC's concerns regarding uncertainty and industry's concerns regarding the ongoing economic viability of the fishery.

At the Mid-Atlantic Council's October and December meetings and the New England Council's December meeting, the Councils also recommended changes to the Federal Atlantic spiny dogfish accountability measures. Section 303 of the Magnuson-Stevens Act requires FMPs to “establish a mechanism for specifying annual catch limits in the plan (including a multiyear plan), implementing regulations, or annual specifications, at a level such that overfishing does not occur in the fishery, including measures to ensure accountability.” The National Standard 1 Guidelines at § 600.310 outline accountability measure requirements and guidance.

The current Atlantic spiny dogfish accountability measures at § 648.233 include: a coastwide closure when the commercial quota is reached; an annual, single-year evaluation of total catch to determine whether the ACL is exceeded; and a full ACL overage repayment as soon as possible in a subsequent year. While the repayment provision has not been triggered frequently in recent years, an ACL overage occurred in fishing year 2023, and, as a result, the fishing year 2024 ACL and commercial quota were reduced by 1.08 million lb (491 mt; 89 FR 79452 (/citation/89-FR-79452); September 30, 2024). Given the industry's concerns about the recent quotas' impacts on the sustainability of the Atlantic spiny dogfish industry, the Councils recommended changes to the accountability measures to reduce the frequency and magnitude of overage paybacks. NMFS concurs with the Councils' recommendations pending review of public comments. The proposed changes outlined below are intended to minimize year-to-year fishery disruptions to the industry while maintaining a sustainable Atlantic spiny dogfish stock.

Proposed Measures

Proposed 2026 and Projected 2027 Atlantic Spiny Dogfish Specifications

This action proposes the Mid-Atlantic and New England Councils' recommended 2026 and projected 2027 Atlantic spiny dogfish catch specifications, which are consistent with the ABCs provided by the SSC and the best available science. The proposed 2026 and projected 2027 catch limits are based on a status quo ABC equal to that of 2025 (*i.e.*, 16.81 million lb; 7,626 mt). The specifications include deductions for estimates of other sources of catch (*i.e.*, Canadian landings, domestic discards, and domestic recreational landings). Atlantic spiny dogfish discards vary from year to year, which can create uncertainty when determining the appropriate amount to set aside within the specifications. Both Councils ultimately recommended using the average ratio of discards to catch (43.8 percent) for the most recent three fishing years (2022-2024) applied to the proposed ABC. The resulting recommended coast-wide commercial quota would be 9.2 million lb (4,172 mt), which is a 1.5-percent decrease from 2025, primarily due to an increase in the estimated discards. A comparison of the implemented 2025, proposed 2026, and projected 2027 specifications is summarized below in table 1.

Table 1—Comparison of Implemented 2025, Proposed 2026, and Projected 2027
Atlantic Spiny Dogfish Fishery Specifications

	2025		2026-2027 (proposed)		Percent change
	Million lb	Metric tons	Million lb	Metric tons	
OFL	16.81	7,626	17.82	8,084	+6
ABC	16.81	7,626	16.81	7,626	0
Canadian Landings	0.01	4	0.01	4	0
Domestic ABC	16.8	7,622	16.8	7,622	0
ACL = ACT	16.8	7,622	16.8	7,622	0
Domestic Discards	7.22	3,275	7.36	3,338	+1.9
TAL	9.58	4,347	9.44	4,284	-1.4
Domestic Recreational Landings	0.24	111	0.25	112	+0.9
Commercial Quota	9.34	4,236	9.2	4,172	-1.5

Proposed Accountability Measures

This action also proposes changes to the Atlantic spiny dogfish accountability measures. Under the proposed changes, ACL overages would be calculated based on the 3-year average catch and 3-year average ACL. This approach is provided for in the National Standard 1 Guidelines at § 600.310(g)(5) and is intended to provide greater stability in the commercial quota when accounting for overages. Atlantic spiny dogfish catch, particularly discards, can vary from year to year. Calculating overage paybacks based on a multiyear average smooths out this variability, where ACL overages in one year may be balanced out by underages in others. When the 3-year average catch exceeds the 3-year average ACL, the Councils recommend paybacks would: (1) not be required when the stock is at or above its target; (2) be scaled linearly when the stock is between 75 and 100 percent of its target (regardless of the source of the overage); and (3) be required in full when the stock is at or below 75 percent of its target. Full paybacks would always be required when the stock is in a rebuilding plan, consistent with the National Standard 1 Guidelines (50 CFR 600.310(g)(3) ([\). This approach is intended to provide the commercial fishery with greater flexibility by no longer requiring full payback of ACL overages when the Atlantic spiny dogfish stock is considered healthy, therefore maintaining higher coastwide \(□ printed page 64875\) commercial quotas while promoting the long-term sustainability of the stock and the fishery. This action does not propose changes to the existing in-season accountability measure that requires a coastwide Federal closure when the commercial quota is reached.](https://www.ecfr.gov/current/title-50/section-600.310#p-600.310(g)(3))

Classification

Pursuant to sections 304(b)(1)(A) and 305(d) of the Magnuson-Stevens Act, the NMFS Assistant Administrator has determined that this proposed rule is consistent with the Spiny Dogfish FMP, other provisions of the Magnuson-Stevens Act, and other applicable law, subject to further consideration after public comment. NMFS is issuing this rule pursuant to sections 304(b)(1)(A) and 305(d) of the Magnuson-Stevens Act, which provide specific authority for implementing this action. Section 304(b) of the Magnuson-Stevens Act authorizes NMFS to implement rules and regulations deemed necessary by the Councils, and here the Councils deemed the modifications to § 648.233 necessary to

implement Framework 7. In a previous action under section 304(b), the regulations at § 648.232 authorize NMFS to implement the Atlantic Spiny Dogfish specifications under section 305(d).

This proposed rule has been determined to be not significant for purposes of Executive Order 12866 ([/executive-order/12866](#)).

The Senior Lead Counsel for Regulation of the Department of Commerce certified to the Chief Counsel for Advocacy of the Small Business Administration that this proposed rule, if adopted, would not have a significant economic impact on a substantial number of small entities. The factual basis for this determination is as follows.

An evaluation of the potential socioeconomic impacts of the proposed measures was conducted in conjunction with the Atlantic Spiny Dogfish Framework Adjustment 7 EA.

The proposed action has the potential to impact entities that hold Federal spiny dogfish permits. Vessels may hold multiple fishing permits, and some entities own multiple vessels and/or permits. According to the Northeast Fisheries Science Center commercial ownership database, there were 1,791 spiny dogfish permits held by 1,329 entities in 2024. Of those, 1,319 qualified as small businesses (combined 2024 annual receipts not in excess of \$11 million), and 10 were classified as large businesses. Recent total spiny dogfish ex-vessel revenues have averaged approximately \$2.2 million annually (2022-2024), and 68 federally permitted vessels participated meaningfully in the fishery (landings over 10,000 lb; 4.5 mt) in 2022-2024.

The proposed 2026 and projected 2027 specifications would set the commercial quota approximately 140,000 lb (63.5 mt) lower than the current quota. Applying the 2022-2024 average inflation-adjusted ex-vessel price of about \$0.23 per pound suggests a potential aggregate revenue reduction of approximately \$31,700 per year. Averaged across the approximately 68 federally permitted vessels that landed at least 10,000 lb (4.5 mt) annually during 2022-2024, this would be an approximately \$470 per vessel per year reduction over the short term. Actual effects would vary among vessels and would likely be smaller if the quota remains non-constraining, as recent fishery performance suggests. Over the long term, maintaining a sustainable stock supports continued fishing

opportunity and future revenue, resulting in positive long-term economic impacts. Therefore, this change is not expected to have a significant economic impact on regulated entities.

The proposed changes to the accountability measures would reduce the influence of single-year variability in catch estimates and reduce future quota reductions when the stock is healthy and an overage is not expected to meaningfully affect the stock status. The proposed measures would retain full payback requirements when biomass is at or below 75 percent of the target or when the stock is under a rebuilding plan, which supports long-term stock sustainability and future fishing opportunity. The proposed changes are not expected to motivate fishery participants to change behavior in ways that would cause frequent quota overages because NMFS is required to close the commercial fishery when the quota is reached.

The proposed changes are not expected to impose new direct compliance costs on regulated entities. Overall, the short-term reductions in revenue are expected to be offset by the long-term positive impacts from maintaining a sustainable stock and the additional flexibility provided by the revised accountability measures. Therefore, the proposed changes are expected to have slightly positive economic impacts on regulated entities. There is no information indicating that the action would impact small businesses differently than large businesses or unduly inhibit the ability of small entities to compete. Therefore, this action is not expected to have a significant adverse impact on a substantial number of small entities. As a result, an initial regulatory flexibility analysis is not required and none has been prepared.

This proposed rule contains no information collection requirements under the Paperwork Reduction Act of 1995.

List of Subjects in 50 CFR Part 648 **(<https://www.ecfr.gov/current/title-50/part-648>)**

- Fisheries
- Fishing
- Reporting and recordkeeping requirements

Dated: October 7, 2026.

Samuel D. Rauch III,

Deputy Assistant Administrator for Regulatory Programs, National Marine Fisheries Service.

For the reasons set out in the preamble, NMFS proposes to amend 50 CFR part 648 (<https://www.ecfr.gov/current/title-50/part-648>) as follows:

PART 648—FISHERIES OF THE NORTHEASTERN UNITED STATES

1. The authority citation for part 648 continues to read as follows:

Authority: 16 U.S.C. 1801 (<https://www.govinfo.gov/link/uscode/16/1801>) *et seq.*

2. In § 648.233, revise paragraphs (b) and (c) to read as follows:

§ 648.233 Spiny dogfish Accountability Measures (AMs).

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(b) *ACL overage evaluation.* The average of the most recent 3 years of total catch (including both landings and dead discards) compared to the average of the ACLs from the same 3 years, in pounds, will be evaluated to determine whether there was an ACL overage.

(c) *Overage repayment.* If the average catch exceeds the average ACL (see paragraph (b) of this section), the amount of payback required shall be determined based on the following procedure, using the most recent projected biomass (B) and biomass at maximum sustainable yield (B_{MSY}) from the years used to calculate the 3-year average. If such a projection is not available for the 3-year timeframe, the nearest preceding B and B_{MSY} projections shall be used.

(1) *If the stock is not under a rebuilding plan and B is at or above 100 percent of B_{MSY} .* No payback is required.

(2) *If the stock is not under a rebuilding plan and B is between 75 and 100 percent of B_{MSY} .* The percent of the overage required to be paid back scales linearly from 100 percent when B is 75 percent of B_{MSY} to 0 percent when B is equal to 100 percent of B_{MSY} . The amount of the overage to be paid back is equal to the overage (as determined in paragraph (b) of this section) multiplied by the

difference between the most recent projected B_{MSY} and B (as described in paragraph (c) of this section), divided by one-quarter B_{MSY} (□ printed page 64876) $((B_{MSY} - B)/(0.25 B_{MSY}))$. The payback shall be deducted as soon as possible from a subsequent single fishing year ACL.

(3) *If the stock is not under a rebuilding plan and B is at or below 75 percent of B_{MSY} or the stock is under a rebuilding plan.* The exact amount of the overage (as determined in paragraph (b) of this section) shall be deducted as soon as possible from a subsequent single fishing year ACL.

[FR Doc. 2026-20863 (/d/2026-20863) Filed 10-9-26; 8:45 am]

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PUBLISHED DOCUMENT: 2026-20863 (91 FR 64873)