

# MID-ATLANTIC FISHERY MANAGEMENT COUNCIL

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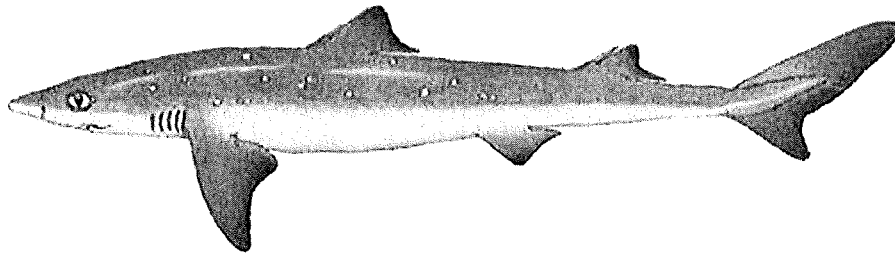
## **Agenda**

### **Spiny Dogfish Amendment 3 Council Action**

*Council Action Needed: Recommend alternatives for analysis in Amendment 3 to the Spiny Dogfish FMP*

- 9:00 AM            Review of issues to be addressed in Amendment 3, brief problem statement for each issue, and presentation of alternatives recommended by FMAT for each issue (Armstrong)
- 9:30 AM            Council discussion / action – Alternatives to be analyzed in Amendment 3

**AMENDMENT 3  
TO THE  
SPINY DOGFISH  
FISHERY MANAGEMENT PLAN**



**Alternatives for Analysis  
by the  
Fishery Management Action Team**



## Why is Amendment 3 Being Developed?

Amendment 3 is being developed to improve the efficiency and administration of the Spiny Dogfish FMP. Specifically, in this Amendment the Council will consider: 1) adding an option for allocation of a small percentage (3-5%) of the commercial quota for use in the Research Set-Aside (RSA) Program, 2) updating the definitions of essential fish habitat (EFH) for all life stages of spiny dogfish, 3) maintaining existing annual management measures until replaced via rulemaking, and 4) eliminating the seasonal allocation of the commercial quota to minimize conflicts with spiny dogfish fishing operations that occur in both state and federal waters.

## Management Alternatives under Consideration

### 1 Allow allocation of a small percentage of commercial quota as research set Aside (RSA) as part of specification process

**Alternatives:** 1A: no action (no RSAs).  
1B: allow allocation of up to 3% of commercial quota as RSA  
1C: allow allocation of up to 5% of commercial quota as RSA

**Problem statement:** In 2001, all of the Council's FMPs were adjusted to allow for the set-aside of annual quota to support research and data collection. At the time the adjustment was developed, the Spiny Dogfish FMP had not yet been established and thus the existing FMP does not allow for the benefits associated with the RSA program.

**Council recommendation:** Pending

**Impact analysis:** Pending

### 2 Update Essential Fish Habitat (EFH) Definitions for all Life Stages of Spiny Dogfish:

**Alternatives:** 2A: No action (Do not update EFH definitions)  
2B: Update EFH definitions

**Problem statement:** In order for the plan to be fully compliant with the MSA, the EFH definitions must be reviewed every five years, and if necessary, updated. A review / update of EFH is overdue for spiny dogfish and needs to be included in this amendment to the FMP.

**Council recommendation:** Pending

**Impact analysis:** Pending

### **3 Allow Carryover of Status Quo Management Measures into New Fishing Year until Replaced via Rulemaking**

**Alternatives:** 3A: No action  
3B: Allow Carryover

**Problem statement:** Under the current FMP, if the fishing year (May 1 – Apr 30) starts before the implementation date for the final rule, the status quo trip limit is maintained in the regulations, however, the fishery operates without a quota or cap on total annual landings. In order to correct this, the FMP needs to be changed to maintain all existing management measures, including the quota, until these are replaced via rulemaking.

**Council recommendation:** Pending

**Impact analysis:** Pending

### **4 Commercial Quota Allocation Scheme**

**Alternatives:** 4A: No action (Maintain existing two-period seasonal allocation scheme)  
4B: Eliminate Allocation of Commercial Quota  
4C: Establish Regional/State-by-State Allocation Identical to that Established for State Waters Fisheries through the ASMFC Plan

**Problem statement:** There are numerous problems that exist in the absence of a Joint Council and Commission FMP for spiny dogfish. One of these is the confusion and potential for inadvertent possession violations that occurs when waters under the different jurisdictions are open / closed at different times. This is largely due to a mismatch in the way the annual quota is allocated. Under the Commission plan, the quota is geographically allocated, while under the federal plan, the quota is seasonally allocated. The federal FMP needs to be amended in order to minimize disruption of fishing operations that occur in both federal and state waters.

**Council recommendation:** Pending

**Impact analysis:** Pending