

Atlantic Sturgeon: Management Action to Reduce Bycatch in Monkfish and Spiny Dogfish Gillnet Fisheries

Joint NEFMC and MAFMC Action

Dogfish Board Meeting

May 2, 2024



New England
Fishery Management Council



MID-ATLANTIC | FISHERY
MANAGEMENT
COUNCIL

Reminder: Why this Action?



2021 Biological Opinion (BiOp) and its Action Plan required some action to reduce catch in large mesh gillnet.

New Biological Opinion



→ expected Jan. 2025

- **Why?** Recent bycatch exceeded sturgeon take allowance; mortality also increased
- **What will it include?** New stock assessment & Joint Council action
- **What may happen?** May trigger need for more bycatch reduction
 - Greater reduction now → less chance of jeopardy finding and less chance of more stringent measures in future
 - Could be Council- or NMFS-led

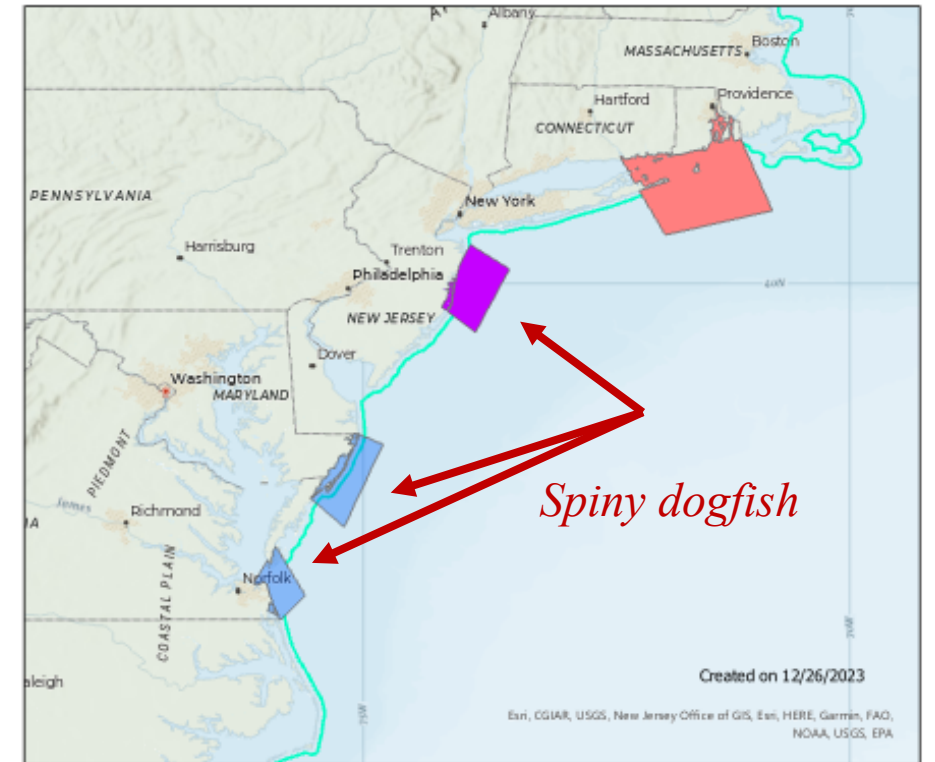
Reminder: Atlantic Sturgeon Population Status

- All 5 distinct population segments are listed as endangered under ESA except GOM DPS which is listed as threatened
- 2017 assessment report (ASMFC): Atlantic sturgeon is depleted coastwide
- **2024 assessment:**
 - **Assessment update only** → no external peer review; addition of recent years of data
 - **May:** Technical Committee will review draft assessment report
 - **Mid-July:** Assessment report publicly available
 - **August:** ASMFC August Board meeting

Summary: Sturgeon Alternative Packages

- Alternative 1: No action.
- Alternative 2: Higher sturgeon impacts; all time/area closures and gear restriction measures.
- Alternative 3: Intermediate sturgeon impacts; subset of time/area closures and gear restriction measures.
- Alternative 4: Lower sturgeon impacts; fewest time/area closures and gear restriction measures.
- Alternative 5: Only gear restriction measures.
 - Sub-alternative exemptions from dogfish overnight soak prohibitions for vessels using <5.25”

All Sturgeon Bycatch Hotspot Polygons for Monkfish and Spiny Dogfish Fisheries



- MNK_SNE_polygon
- Monkfish & Dogfish_NJ_polygon
- Dogfish_SouthernVA_polygon
- Dogfish_DE_MD_polygon
- 3 nm (state waters)

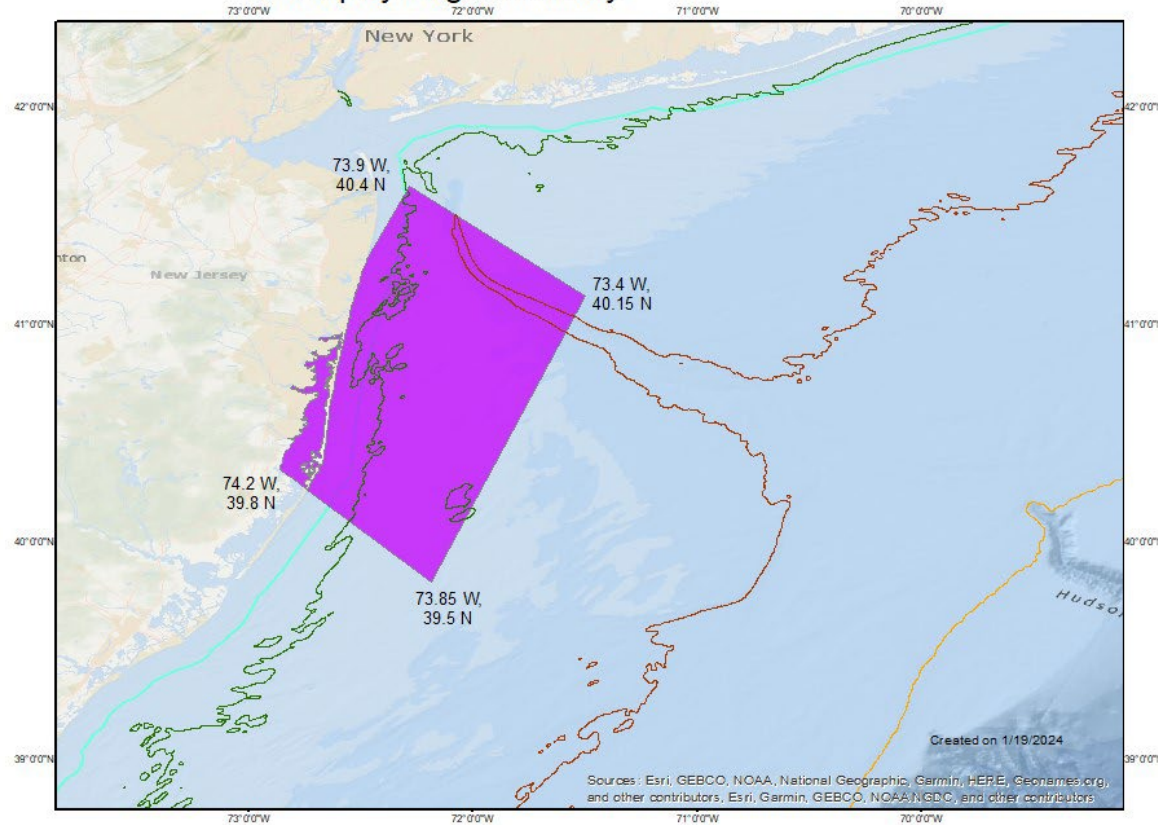
0 20 40 80 Miles



Sturgeon Bycatch Polygons

**New Jersey: Monkfish & Spiny Dogfish
(polygon is the same across both fisheries given sturgeon
are caught throughout this area)**

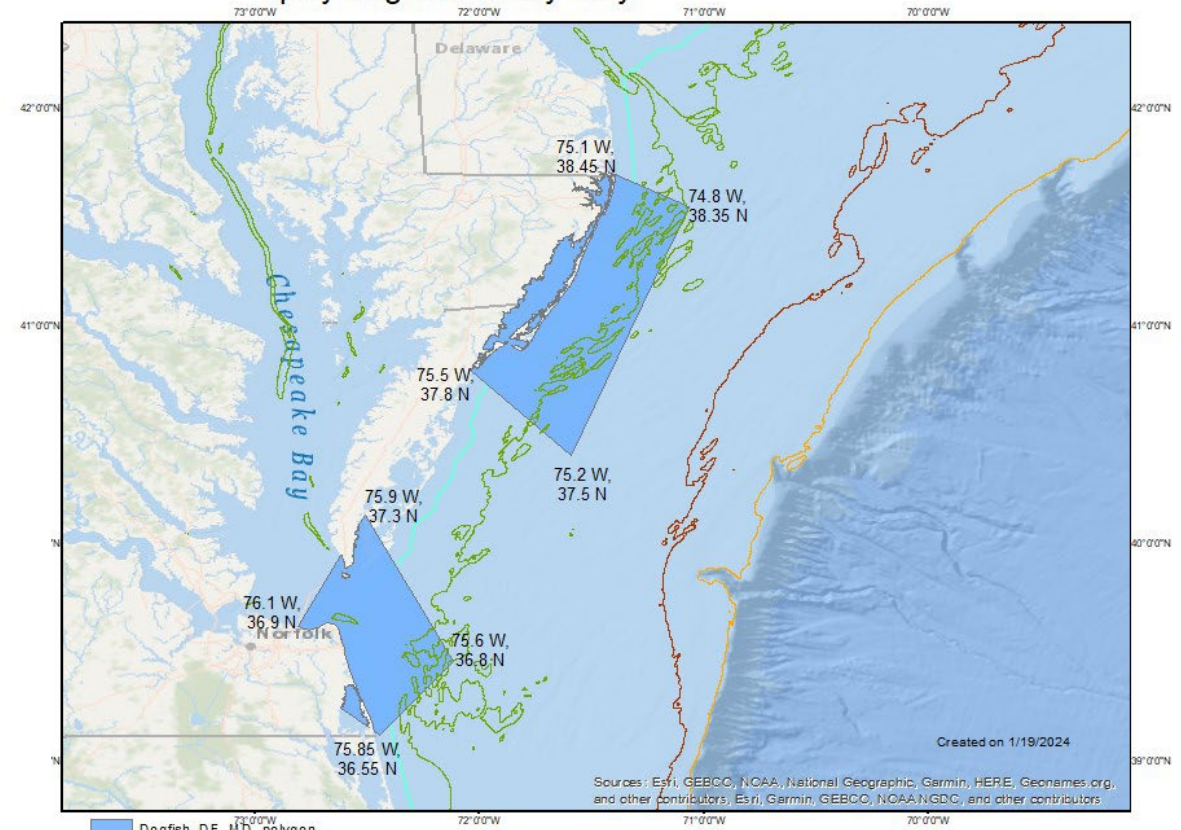
New Jersey Bycatch Hotspot Polygon - Monkfish Fishery
and Spiny Dogfish Fishery



Monkfish & Dogfish_NJ_polygon

0 5 10 20 Miles

Delaware, Maryland, Virginia Bycatch Hotspot Polygons -
Spiny Dogfish Fishery Only



- Dogfish_DE_MD_polygon
- Dogfish_SouthernVA_polygon
- 3 nm (state waters)
- 20 meter depth contour
- 50 meter depth contour
- 100 meter depth contour

0 10 20 40 Miles



**DE/MD/VA: Spiny
Dogfish only**

Summary: Impacts

1. Time/area closures are not as effective as anticipated because sturgeon risk is more spread out (based on modeling work; caveats noted in literature)
2. Amount of gear removed or displaced from closures appeared relatively low on a coast-wide basis but may still have high regional impacts.
3. Costs to industry from gear restrictions could be substantial but allow more flexibility for industry to adapt practices and keep fishing (vs. closures).

Council Preferred

Alternative 5: Gear-Only Sturgeon Package

Monkfish low-profile gear

Spiny dogfish overnight soak prohibition

Federal vessels targeting monkfish in federal & state waters

Which polygon?	Type of measure?	When?
New Jersey	Low-profile gillnet gear	Year-round

Federal vessels targeting spiny dogfish in federal & state waters

Which polygon?	Type of measure?	When?
New Jersey	Overnight soak prohibition	May 1 – May 31 & Nov. 1 – Nov. 30
DE / MD / VA	Overnight soak prohibition	Nov. 1 – March 31

***Measure would not apply to state vessels fishing only in state waters*

Alternative 5: Sub-Alternatives for dogfish under consideration

- Added by the MAFMC in February
- **Would apply to spiny dogfish overnight soak prohibition only**

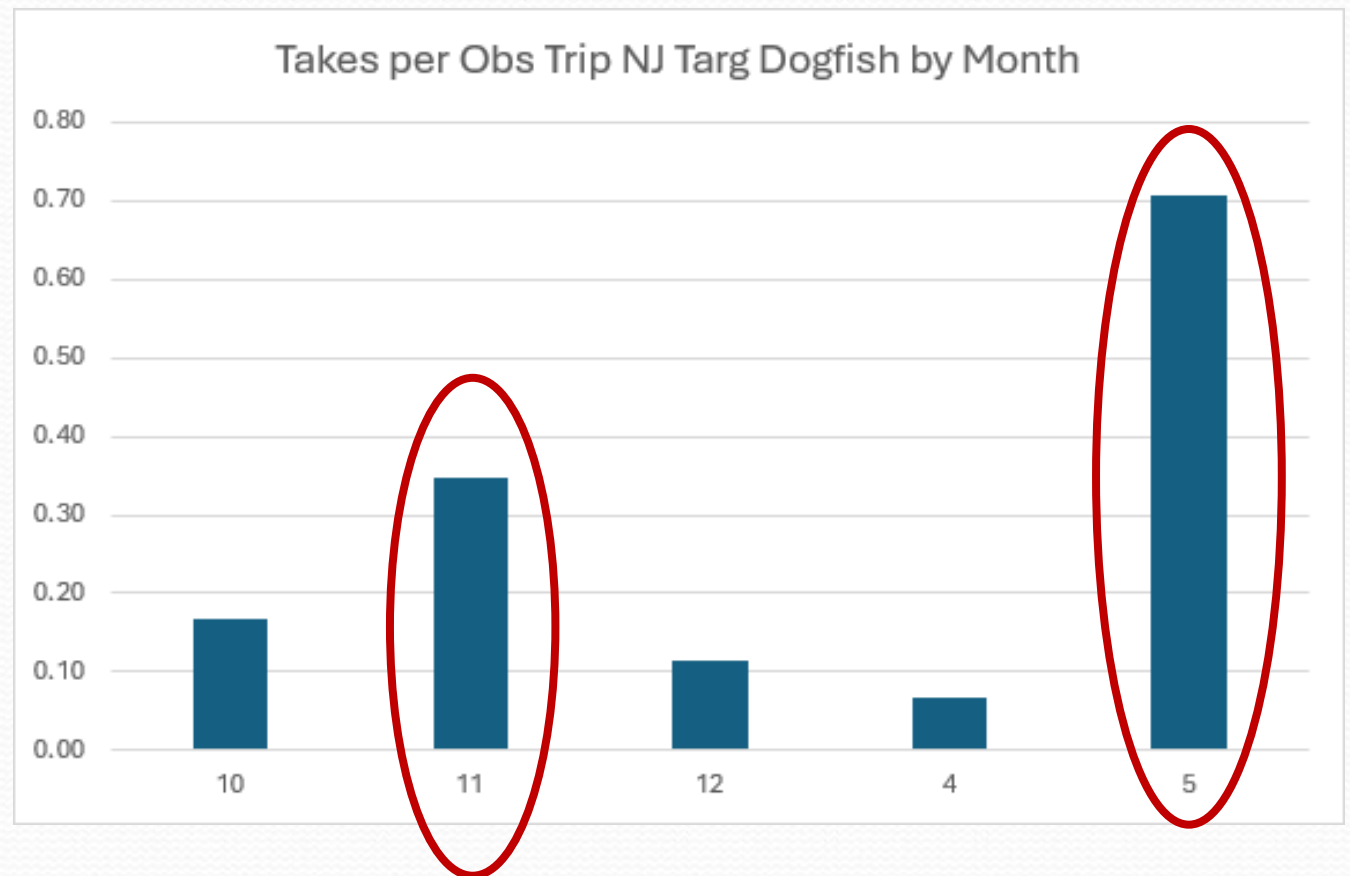
For vessels using < 5.25” gillnet mesh, would be exempt from overnight soak prohibition:

- Sub-alternative 5a: NJ polygon exemption
- Sub-alternative 5b: DE/MD/VA polygon exemption ← *Council-preferred*

Trips targeting spiny dogfish NJ

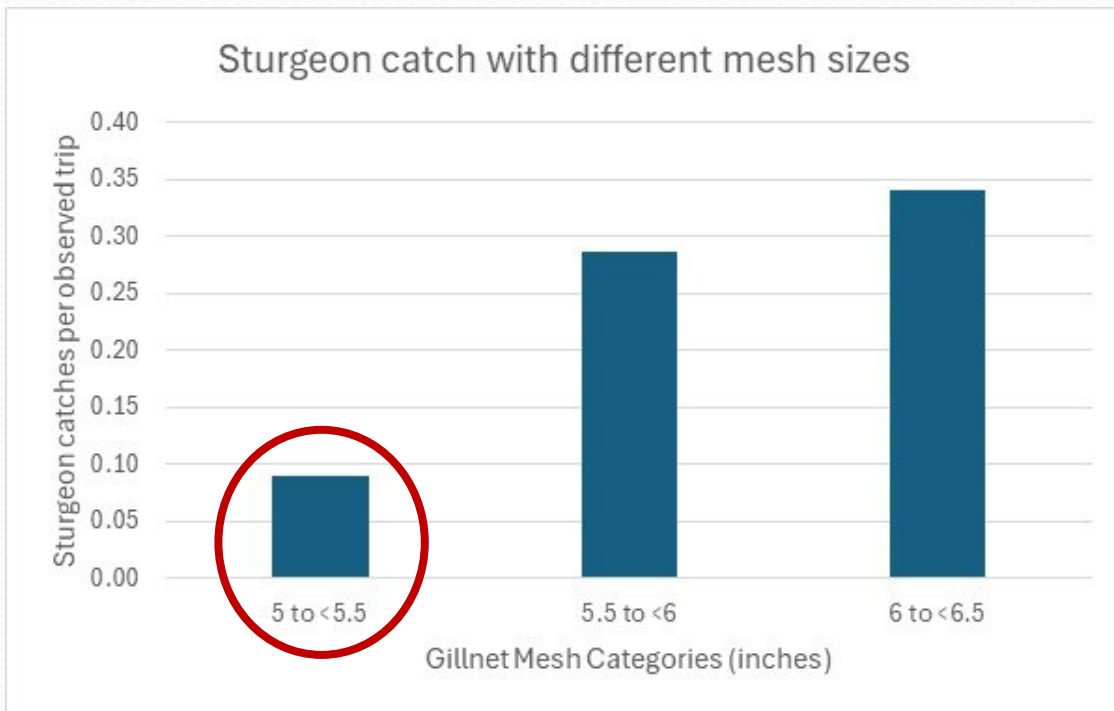
Regarding sub-alt 5a:

- Not enough observed trips with 5-inch mesh to evaluate differences in encounter rates for smaller mesh for NJ.
- November and May had the highest encounter rate – aligns with the two months proposed for no overnight soaks.

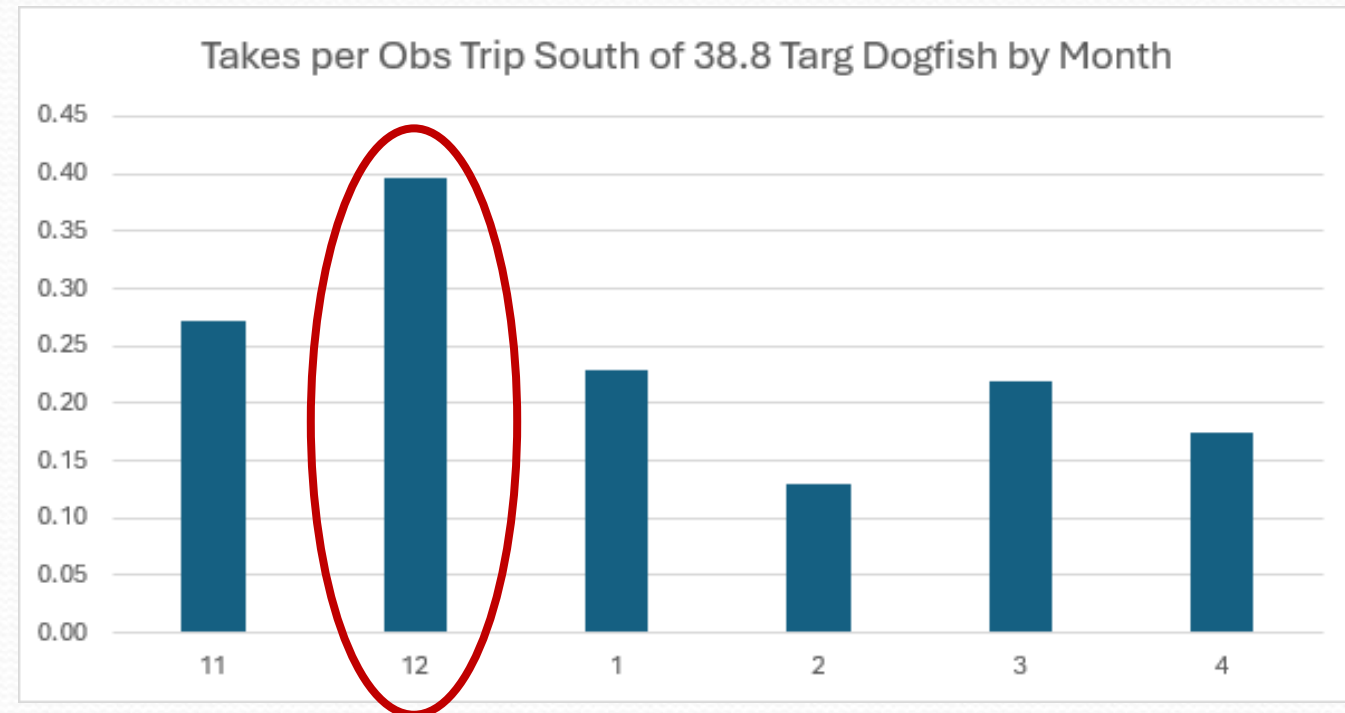


Trips targeting spiny dogfish below Lat 38.8 (Delmarva) *Rationale for sub-alt 5b*

By mesh category



By month



Dogfish Recommendations re-overnight soak prohibition

- **New Jersey**

- FMAT/PDT: prohibition of overnight soaks (Alt. 5); no exemptions for <5.25” mesh due to limited observer data
- Dogfish AP: Mixed opinions
- Joint Cte: Overnight soak prohibition in May & November, exemption for mesh < 5.25”; observer data from DE/MD/VA can serve as proxy for NJ → expect fewer sturgeon interactions with smaller mesh

Dogfish Recommendations re-overnight soak prohibition

- **DE/MD/VA**

- FMAT/PDT: prohibition of overnight soaks (Alt. 5); exemption for <5.25” in all months except for potentially December (highest takes/trip)
- Dogfish AP: exemption for <5.25” in all months; measure is equivalent to a closure → end the fishery
- Joint Cte: Overnight soak prohibition from Nov. through March, exemption for mesh < 5.25”; closure and overnight soak in area seems problematic; economic and protected species impacts should be balanced (as directed by Action Plan)

MAFMC and NEFMC Motion

-- Dogfish only


- Move to adopt Alternative 5:
 - NJ: **no** exemptions for mesh < 5.25”
 - e.g., overnight soak prohibition in May and November
 - DE/MD/VA: **exemption for gillnet mesh < 5.25-inches**
 - e.g., mesh < 5.25” could do overnight soaks year-round (sub-alternative 5b)
 - e.g., mesh \geq 5.25” could not do overnight soaks from November through March

MAFMC/NEFMC letter to NMFS

- MAFMC and NEFMC wrote a letter to NEFSC observer program to:
 - Develop and implement a carcass tagging program for dead sturgeon discards (similar to sea turtles and marine mammals)
 - Include a tagging program for live sturgeon discards.
 - Programs would apply to any fishery where sturgeon are caught regardless of gear type, area, etc.

Rationale: prevent the possibility of double-counting individual observed sturgeon takes.

Timeline

2023	
APR	Formation of FMAT/PDT; NEFMC - initiates Framework
APR-JUN	FMAT/PDT and Joint Dogfish and Monkfish Committee develop range of alternatives; Joint Dogfish and Monkfish AP input
JUN	MAFMC – FMAT/PDT tasking
JUN	NEFMC – approves range of alternatives for <u>monkfish only</u>
SEP	Joint Monkfish/Dogfish Committee with OLE/Coast Guard to refine alternatives
SEP	NEFMC – progress report, approve refined range of alternatives for monkfish, and range for dogfish
OCT	MAFMC – approve range of alternatives for dogfish & monkfish
Fall	FMAT/PDT continue to refine alternatives and begin analyzing alternatives
Fall	ASMFC meeting on alternatives
2024	
FEB	NEFMC – review, provide feedback on revised range of sturgeon alternative packages
FEB	MAFMC – review, provide feedback on revised range of sturgeon alternative packages
MAR	Joint AP meeting (March 5 th) and joint Committee meeting (March 13 th) to select preferred alternatives
APR	MAFMC and NEFMC final action
 TBD	Staff submits framework to NMFS
TBD	NMFS publishes proposed rule; NMFS publishes final rule/Implementation



Spiny Dogfish Federal and State Management



Spiny Dogfish Management Board
May 2024

Objectives of FMP



- Strives for complementary management of spiny dogfish in federal and state waters
- MAFMC and NEFMC Final Action selected preferred alternative
 - Final Rule still under development by NOAA Fisheries

No Overnight Soaks (8pm-5am)

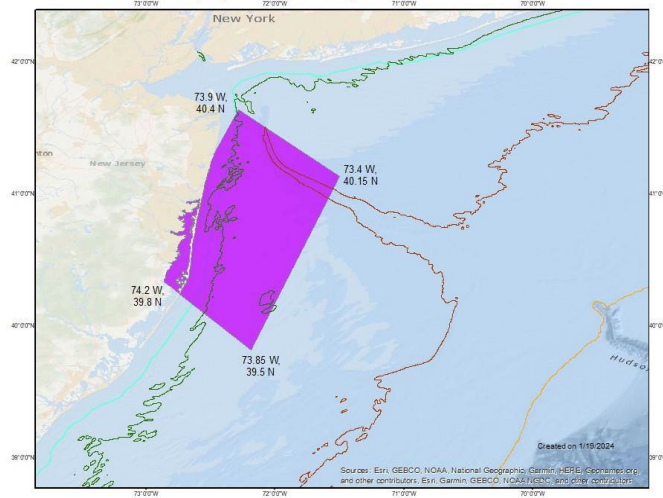
Area

NJ

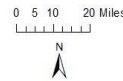
DelMarVA

Range of
Affected Areas

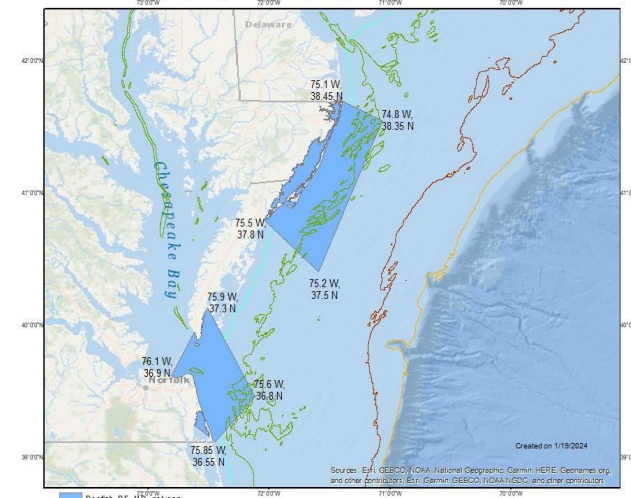
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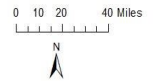
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Delaware, Maryland, Virginia Bycatch Hotspot Polygons -
Spiny Dogfish Fishery Only



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Time of Year

May and November

November-March

Exemption

None

Less than 5.25 inch mesh

Potential Actions



- No action
- Initiate Addendum to maintain consistency between state and federal Spiny Dogfish FMPs
- Other?