

# Atlantic States Marine Fisheries Commission

## Spiny Dogfish Management Board

May 12, 2014  
4:00 – 5:00 p.m.  
Alexandria, Virginia

### 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.

1. Welcome/Call to Order (*M. Gibson*) 4:00 p.m.
2. Board Consent 4:00 p.m.
  - Approval of Agenda
3. Public Comment 4:05 p.m.
4. Review spiny dogfish possession limits **Possible Action** 4:15 p.m.
  - MAFMC Industry Advisory Committee Report (*J. Armstrong*)
  - Technical Committee Report (*S. Newlin*)
  - Rhode Island Proposal for Alternative Management (*R. Ballou*)
5. Review Consistency of Federal and State Management of Spiny Dogfish (*M. Hawk*) **Possible Action** 4:40 p.m.
6. Review NOAA Fisheries' Amendment 3 Proposed Rule for spiny dogfish (*M. Hawk*) 4:50 p.m.
7. Elect vice chair (*M. Gibson*) **Action** 4:55 p.m.
8. Other Business/Adjourn 5:00 p.m.

The meeting will be held at the Crowne Plaza Hotel Old Town, 901 N. Fairfax St, Alexandria, VA 703-683-6000

*Vision: Sustainably Managing Atlantic Coastal Fisheries*

# MEETING OVERVIEW

## Spiny Dogfish Management Board Meeting

Monday, May 12, 2014

4:00 – 5:00 p.m.

Alexandria, Virginia

Chair: Mark Gibson (RI) Assumed Chairmanship: 10/12	Vice Chair: Vacant	Law Enforcement Committee Representative: Frampton
Spiny Dogfish Technical Committee Chair: Scott Newlin	Spiny Dogfish Advisory Panel Chair: Vacant	Previous Board Meeting: February 6, 2014
Voting Members: ME, NH, MA, RI, CT, NY, NJ, DE, MD, VA, NC, SC, GA, FL, NMFS, USFWS (16 votes)		

### 2. Board Consent

- Approval of Agenda

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 possession limits (4:15 – 4:40 p.m.) Possible Action

#### Background

- The specifications for 2014/2015 spiny dogfish fishing season were approved by the Board in October 2013
- Mid-Atlantic Fisheries Management Council (MAFMC) and New England Fishery Management Council (NEFMC) recommended different possession limits to NOAA Fisheries for 2014 and 2015 fishing seasons
- The Board is discussing appropriate possession limits for the states to recommend to NOAA Fisheries for consideration

#### Presentations

- Industry report by J. Armstrong (**Briefing materials**)

#### Board actions for consideration at this meeting

- Submit a public comment letter to NOAA Fisheries
- Modify 2014/2015 possession limits with a 2/3 majority vote

**5. Review consistency of state and federal management of spiny dogfish (4:40-4:50 p.m.)**

**Possible Action**

**Background**

- The Shark Conservation Act of 2010 prohibits processing-at-sea of sharks, including spiny dogfish
- The Fishery Management Plan for Spiny Dogfish allows processing-at-sea with a 5:95 fin-to-carcass ratio
- Goal of management is to support consistency between federal and states plans

**Presentations**

- Report on state versus federal management by M. Hawk

**Board actions for consideration at this meeting**

- Initiate addendum to modify Spiny Dogfish FMP

**6. Review NOAA Fisheries Amendment 3 Proposed Rule for Spiny Dogfish (4:50 - 5:00 p.m.)**

**Background**

- Amendment 3 to the federal Spiny Dogfish FMP proposes removing seasonal allocation of the federal quota and allowing rollover of specifications, among other things (**Briefing materials**)
- Public comment period is open until May 27, 2014 (for the Notice of Availability)

**Presentations**

- Report on Amendment 3 Proposed Rule by M. Hawk

**Board actions for consideration at this meeting**

- Submit a public comment letter to NOAA Fisheries

**7. Elect Vice Chair (4:55 – 5:00 p.m.) Action**

**Background**

- Spiny Dogfish and Coastal Sharks Board are now separate
- Vice chair is empty and needs to be filled

**Board actions for consideration at this meeting**

- Elect Vice Chair

**8. Other Business/Adjourn**



**Mid-Atlantic Fishery Management Council**

800 North State Street, Suite 201, Dover, DE 19901-3910

Phone: 302-674-2331 | Toll Free: 877-446-2362 | FAX: 302-674-5399 | www.mafmc.org

Richard B. Robins, Jr., Chairman | Lee G. Anderson, Vice Chairman

Christopher M. Moore, Ph.D., Executive Director

## **M E M O R A N D U M**

**DATE:** April 10, 2014  
**TO:** Joint Spiny Dogfish Committee  
**FROM:** Jim Armstrong  
**SUBJECT:** Industry Comments on 2014-2015 Spiny Dogfish Possession Limits

### **Background**

For the 2014 and 2015 fishing years, while the Councils agreed on the commercial quotas, the Mid-Atlantic Council recommended a 4,000 lb (status quo) possession limit and the New England Council recommended elimination of commercial possession limits. Under the Spiny Dogfish FMP, disagreement on a particular management measure is resolved by the NMFS Regional Administrator selecting an alternative that has not been rejected by both Councils. There is no trip limit alternative that has been rejected by both Councils, so any trip limit can be selected by the Regional Administrator. In order to assist NMFS in fully considering the likely operational and economic impacts of different possession limits, further information was needed from active and invested spiny dogfish fishery participants. This information will also be used for improving the description of economic and social impacts in the 2014-2015 Spiny Dogfish Specifications Environmental Assessment.

In order to achieve this, a public meeting aimed at gathering industry perspectives on commercial spiny dogfish possession limits was held at 7 p.m. April 8, 2014 via webinar. There were approximately 37 participants and 17 individuals contributed comments. A summary of the comments is provided here (Table 1) and will also be incorporated into the Council's Spiny Dogfish Specifications for the 2014 and 2015 fishing years.

In general, commenters were opposed to eliminating trip limits (15 of 17 comments). Most of these supported maintaining existing trip limits (9/15), increasing the trip limit modestly (3/15), or having state and vessel-specific flexibility in (4/15) trip limits. One commenter supported both current and vessel-specific trip limits. Two commenters were in support of eliminating federal trip limits.

Under current market constraints, the vessel price for spiny dogfish (~0.15/lb) is about 32% below the long term 2008-2012 average (~0.22/lb) and opposition to unlimited possession was generally based on the expectation that it would overwhelm market supply and drive the price down even further. There was also concern that the food market which is mostly supplied by the gillnet and hook fishery would not accept a lower quality product from large trawl catches. A common theme among these commenters was the need for further development of the market including a domestic market and for market stability. Support for elimination of the trip limit came from two New England Council members. One was primarily concerned about the vast number of dogfish discards at the current trip limit and the other thought the ASMFC would be better able to respond to the need to change the trip limits.

Table 1. Paraphrased comments from participants in the Spiny Dogfish Webinar that was held at 7 p.m. April 8, 2014.

Participant	Name	Affiliation	Trip Limit Recommendation	Comments
1	Terry Alexander	Fisherman, NE Council Member	Unlimited	A lot of boats with too many discards, sometimes thousands of pounds, need to be able to land them in order to build/improve market, also need to catch them because they are eating more valuable fish
2	Doug Feeney	Fisherman, Chatham	4,000	Trying to establish a viable food market for dogfish, high volume low value will negatively affect quality. Fertilizer market should be handled separately.
3	Ted Leganza	Fisherman, Chatham	4,000	Price has gone down as the trip limit has increased. Now getting same amount as we used to get for 2,000 lbs because the price is half of what it used to be. As trip limit goes up processors won't take fish as often and price goes down. Worried about how high volume fishery will affect market
4	James Fletcher	Commercial Organization, NC	State specific in southern states in EEZ, whatever is needed in northern region	If possession is unlimited then only a few boats will be able to participate in the fishery. Should have separate management measures for male and female spiny dogfish. Male fishery should be unlimited. Whatever is set needs to be in place for several years. Name change is needed "chip fish" to help develop market.
5	Chris Hickman	Fisherman, Hatteras	State specific	Haven't been able to harvest the NC quota at either 4,000 or 10,000 lbs. The market needs to be improved before supply increases dramatically. Unlimited possession has the potential to overload the market.

6	Ray Kane	Fisherman, Chatham	4,000	The market has changed a lot over the history of the fishery that pre-dates the FMP. Markets Were getting 0.33/lb at one point. We need to focus on sustainability of the fishery and unlimited possession will work against that. A different market for fertilizer will need to be managed differently. 4,000 lbs is probably too high.
7	Bonnie Brady	Commercial Organization, Long Island	Alternative scenarios for different vessels including cumulative trip limit	Need to be able to adjust as market conditions change and not just keep things as they are.
8	Kevin Wark	Fisherman, Barnegat Light	4,000	Need to move in incremental steps as market develops. Unlimited sends wrong message, creates unstable atmosphere. We'd like a bigger limit but we can't make any money until the market opens up. When it was wide open we fished ourselves out. We're wasting out time with unlimited under the current market.
9	Scott MacDonald	Fish Buyer, Virginia Beach	4,000	Reason we're not catching them is that there is no market. We need to develop markets. Until then we are asking for trouble and will have all the problems we had before if we go unlimited.
10	David Gelfman	Fisherman, Chatham	4,000	A lot of effort to catch the current trip limit. Larger trip limit will result in lower quality catch. Will pit small boats against large boats. The food market needs high quality product. It is currently a small boat fishery but that would change with a big trip limit increase.
11	Chawner Hurd	Organic Fertilizer Industry	4000 for food market	It is a shame that people are leaving the fishery and the small boats fishery should be preserved. Very interested in the idea of a separate fishery for the fertilizer trade and food trade.

12	John Whiteside	Processor Representative	5,000	Based on numbers in presentation, the number of boats and number of days, it works out to about 5,000 lb. There is likely not a perfect number. A small increase like this could be sustained by the market. At unlimited, the resource would likely not be sustainable and the quality of the product would decline which would affect price and market.
13	Peter Kendell	Fisherman, NE Council Member	Increase to 7,000	Largely inaudible comments. Increased poundage necessary to offset trip expenses and make trips worthwhile.
14	Claire Fitz-Gerald	Commercial Organization, MA	4,000	Need to focus on ways to ensure the quality of the product for the food market. Unlimited possession would work against that. Need to develop other markets such as the domestic food market. Processors are telling guys not to fish with the increase to 4,000, so the market is definitely not ready to handle increased supply at this time.
15	Ted Platz	Fisherman, RI	5,000	Agree with Kevin Wark. Need to go in incremental steps. Pushing supply should be done but at a reasonable level to optimize price and not flood market. In terms of food product vs fertilizer, handling and quality are not issues at 4,000 lbs. Need to land more product while being careful not to upset price structure.
16	Greg DiDomenico	Commercial Organization	4,000	Echo reasons already voiced, but would like to explore alternative trip limits for larger vessels - druggers while keeping gillnet trip limit at 4,000.
17	Dave Preble	Fisherman, NE Council Member	Unlimited	Don't want to micromanage the fishery. Don't want an unregulated fishery. The trip limits should be able to change quickly and the Commission can do that more quickly than the feds.



# Atlantic States Marine Fisheries Commission

1050 N. Highland Street • Suite 200A-N • Arlington, VA 22201  
703.842.0740 • 703.842.0741 (fax) • www.asmfmc.org

---

## Spiny Dogfish Technical Committee Meeting Summary

Conference Call  
April 17, 2014

**Technical Committee Members:** Scott Newlin (chair, DE FW), Jim Armstrong (MAFMC staff), Tobey Curtis (NMFS), Eric Schneider (RI DEM), Holly White (NCDMF), Angel Willey (MD DNR), Matt Cieri (ME DNR), Greg Skomal (MADMF), Jack Musick (VIMS)

**ASMFC Staff:** Marin Hawk

The Spiny Dogfish Technical Committee (TC) held a conference call to discuss possession limits in the United States Atlantic spiny dogfish fishery. For the 2014 and 2015 fishing years, the Mid-Atlantic Council and New England Council recommended different possession limits to NOAA Fisheries (4,000 lbs and no limit, respectively). Under the federal Spiny Dogfish FMP, disagreement on a particular management measure is resolved by the NMFS Regional Administrator selecting an alternative that has not been rejected by both Councils. There is no trip limit alternative that has been rejected by both Councils, so any trip limit can be selected by the Regional Administrator.

Any fishermen who holds a federal permit for spiny dogfish must abide by the federal specifications. Fishermen who hold only a state permit and fish only in state waters are not required to abide by the federal trip limit. So, trip limits may differ in federal and state waters. However, the Atlantic States Marine Fisheries Commission (Commission) strives to maintain complementary management of species in federal and states waters. In light of the recommendations to the Councils, the Spiny Dogfish Management Board (Board) will be discussing the appropriate trip limit for spiny dogfish at the May 2014 meeting.

The spiny dogfish fishery is managed under a coastwide quota which is based on a scientifically determined total allowable catch. Because the quota is in place, TC members agreed that it does not matter how quickly the quota is harvested, as long as it is not exceeded. Since possession limits serve as an effort control, they do not impact the stock biologically. **The TC agrees trip limits are a management decision because there is no scientific justification for a large or small possession limit.**

That being said, the TC also agreed that a 4,000 pound possession limit ensures accurate quota monitoring. If a quota is harvested too quickly, reporting may not keep up which could result in overages. **The TC recommends maintaining the *status quo*, or a modest increase (5,000 lbs), which would still ensure accurate quota monitoring.**





Rhode Island  
Department of Environmental Management

**DIVISION OF FISH AND WILDLIFE**

3 Fort Wetherill Road  
Jamestown, RI 02835

401 423-1920  
FAX 401 423-1925  
TDD 401 222-4462

*Discussion Memo*

To: Spiny Dogfish Board

From: RI Commissioners

Subject: Problems Affecting RI Spiny Dogfish Fishery; Proposals for Alternative Management

Date: April 28, 2014

At the February 2014 Spiny Dogfish Board meeting, a request was made to address the current 4,000 lb possession limit for dogfish as an agenda item at the May 2014 Board meeting. In advance of the meeting, this memo is provided as a basis for discussion. It sets forth RI's perspectives on the problems affecting our fishery, and issue, and presents options for addressing the problems via alternative management strategies.

For a host of reasons, described below, we find the current possession limit problematic. We note that recent discussions on the issue at Mid-Atlantic and New England Fishery Management Council meetings have been divergent. We urge the Board to take up the issue, with a view to achieving improved management of the fishery.

**Background**

Pursuant to the Commission's Spiny Dogfish FMP, the fishery is managed via two different approaches, one for the New England region and another for the Mid-Atlantic region. The NE states (Maine through Connecticut) are lumped into a northern region, which is allocated 58% of the dogfish quota, and managed based on a 4,000 lb possession limit, which is complemented by an identical federal regulation. The Mid-Atlantic States (New York through North Carolina) are lumped into a southern region, which is allocated 42% of the quota, and managed via individual sub-allocations to each state. The management program for the southern region enables the Mid-Atlantic States to enact their own trip limits in state waters; in contrast, the management program for the northern region binds all the states to a 4,000 lb. trip in state waters. All federal permit holders in both regions are bound by the 4,000 lb limit.

The NEFMC recently voted to eliminate the daily possession limit for dogfish, while the MAFMC recently voted to retain the current 4,000 lb. limit. It is our understanding that NOAA Fisheries plans to respond by developing a proposed rule with a range of alternatives -- including the two options set forth by the Councils, as well as other intermediate options. We further understand that NOAA Fisheries will allow the public comment period to remain open through the ASMFC's meeting, to enable the Board and Commission to review the alternatives and offer a recommendation.

The NEFMC's recommendation to eliminate the federal trip limit is intended to allow markets to develop, and enable industry to increase landings, in keeping with the large and underutilized dogfish quota. It also is intended to provide states the opportunity to adjust their trip limits based on the needs of their fisheries.

### **Problems with the Dogfish FMP; Need for Change**

- The current management program for dogfish runs contrary to the needs and interests of the Rhode Island commercial fishery. The program unduly constrains RI-based fishermen, truckers, and dealers, who find it increasingly difficult to operate in an economically efficient manner under the 4,000 lb. limit. This constraint is ironic given the proximity of RI to the main dogfish processing facilities in New Bedford, MA.
- Total commercial landings of dogfish for the current fishing year, which ends April 30, 2014, are projected to be about 16 million lbs., which is about 40% of the total coastwide quota (40.8 million lbs.). This significant underutilization of the resource clearly indicates that the current management program is failing to achieve full and optimum utilization of the resource. On this point alone, there is ample justification for pursuing an increase to the 4,000 lb. limit.
- The coastwide quota for the 2014/2015 fishing year, which begins May 1, 2014, will increase by 8.6 million lbs., to 49.4 million lbs. Absent any changes to the management program, the increased quota is likely to result in an even larger underage. For the northern region, if landing levels remain the same, the projected underage next year will be in the range of 20 million lbs.
- The most recent estimation of dead discards in the fishery is 11.6 million lbs. annually, which equates to 72% of this year's commercial landings. A large portion of discards results from catch rates that exceed the daily possession limit. The need to reduce regulatory discards – by converting them into landings – lends further, and compelling, justification to a proposed increase to the possession limit.
- The price paid to fishermen has declined from 20-22¢/pound in prior years to 10-12¢/pound in recent years.
- The low price of dogfish, combined with the low daily possession limit, make it uneconomical for small-boat fishermen to harvest the resource, particularly in the

small ports that lack dealers. For example, the average small boat (35 feet) in RI has two crew members, and generally travels 7-12 miles to the dogfish grounds. At 12¢/pound, a 4,000 lb. limit results in gross revenue of \$480/day. Assuming fixed operational costs of about \$250/day, that leaves just \$230/day for the captain and crew. Such inadequate earnings pose a disincentive for fishermen to target dogfish, particularly small boats operating out of small ports. Moreover, the current dynamics of the fishery and market pose a disincentive to land incidental catches, so those catches are typically discarded.

- For RI dealers, the economics of the fishery are equally problematic. RI dealers need to make a minimum of 7-10¢/pound to cover the costs of transporting fish from Sakonnet Pt. or Newport to New Bedford, MA. Dealers cannot justify offloading one or two vessels because, at such low volumes, they cannot cover their fixed costs (e.g., fuel, ice, drivers, insurance, vehicle maintenance). The only way a RI-based dealer can justify transporting dogfish is if they engage in volumes, in the range of 20,000 to 40,000 lbs, which would require offloading five to ten boats at the 4,000 lb. limit. Since small harbors in RI, such as Sakonnet Pt. and Newport, lack the capacity to achieve such volumes, the 4,000 lb. limit essentially prevents these ports from participating in the fishery. The management program therefore fails to provide equitable access to the resource, and thus fails to achieve one of the goals set forth by the FMP.
- Dogfish are generally viewed as nuisance species, and known to be a voracious predator, which further emphasizes the importance of facilitating increased harvest opportunities. For example, fishermen who target cod and monkfish with gill nets frequently have to discard significant portions of their target catch, due to dogfish predation. This occurs on both long and short sets of gill net gear, and also occurs on day sets of less than four hours. Dogfish often eat the bellies out of cod in a few hours, and then devour the balance of the catch on longer sets.
- The following examples, drawn from different components of the RI commercial fishery, illustrate the adverse effects of dogfish vis-à-vis the current management program:
  - Groundfish sector fishermen with cod allocations essentially cannot fish for cod due to high dogfish bycatch levels. Most of these fishermen fish about 25 miles offshore, where dogfish and cod comingle during the winter. A typical fisherman targeting cod with groundfish mesh may catch 6,000-12,000 lbs. of dogfish. In order to target and land, say, 300 lbs. of cod, a fisherman would have to handle up to 12,000 lbs of dogfish during the day, 8,000 lbs. of which would have to be discarded. This makes no sense from either a fishery management or business perspective. A far better approach would be to enable the discards to be converted to landings, in keeping with the discard-reduction goals and objectives set forth by the Commission, Councils, and NOAA Fisheries.

- Trawlers from Pt. Judith targeting flat fish also encounter large numbers of dogfish on a regular basis, resulting in significant regulatory discards, due solely to the low trip limits. Not only would these vessels benefit by being able to land the bycatch, they could also target dogfish a few days a week and thereby reduce fishing pressure on other inshore stocks.

### **Alternative Management Approaches**

The provisions of the current Dogfish FMP are fairly limited and ostensibly offer only two options to address the problems described above. Both options have pros and cons associated with them.

1. **Raise the trip limit.** The first strategy would be to raise the daily possession limit, across-the-board, to a level that accommodates current catches – i.e., landings plus regulatory discards. For RI, that level would be in the range of 8,000-10,000 lbs. However, that level may not meet industry’s overall needs and interests; and it may have varying impacts depending on gear, season, and the size and location of ports.

So, an across-the-board increase of that amount may not be a preferred solution. Moreover, it is recognized that a doubling of the current daily trip limit could cause a spike in effort, which could disrupt the market and place downward pressure on prices. Accordingly, as set forth below, RI would support a more moderate increase in the daily trip limit, to either 5,000 or 6,000 lbs.

2. **Utilize conservation equivalency.** Sections 4.3, 4.3.1, and 4.3.2 of FMP set forth provisions governing proposal and adoption of Alternative State Management Regimes. The criteria are generally similar to other conservation-equivalency provisions in other FMPs, in that any proposal offered by a state must have the same conservation value as the mandatory measure contained in the FMP. The state must demonstrate that its alternative proposal will not contribute to overfishing of the resource. The proposal must be submitted in writing, as part of the annual FMP review process or annual compliance reporting. Upon receipt and review of the proposal and the advice of the PRT, the Board may approve it, based on a determination that the proposal is consistent with the “target fishing mortality rate applicable,” and the goals and objectives of the FMP. The situation pertaining to dogfish is unique in that the resource is being collectively under-harvested. Also unique is the applicability of a state-based conservation-equivalency proposal pertaining to a regional management program, with a regional quota. The question arises: given the nature of the Dogfish FMP as it pertains to the northern region, what constitutes the same conservation value as the mandatory measure?

The existing criteria in the FMP relating to conservation equivalency are limited, and primarily focused on overfishing standards. The dogfish population is rebuilt, not overfished, and not subject to overfishing. Moreover, the resource is being significantly under-harvested, and that is occurring in the face of upcoming quota

increases. Further, the goals and objectives of the FMP specify the need to minimize regulatory discards, and the need to allocate the resource fairly to all fishers. Taken together, these factors suggest that a proposal from RI to increase the RI possession limit could be in order; however, more guidance is needed from the Board on the matter.

### **Rhode Island's Proposed Approach**

RI is interested in managing its commercial dogfish fishery via a weekly aggregate program, similar to the aggregate programs already in place (per Commission approval) for scup and summer flounder. Such a program would afford the State the flexibility to address the constraints on, and other problems affecting, the State's commercial fishery, as described above. Importantly, the program would improve the economics of the fishery and reduce regulatory discards. The program would likely involve some or all of the following provisions: a weekly aggregate limit, the exact amount of which has yet to be vetted and determined, but would likely be in the range of 20,000 lbs. (equating to about 70% of weekly totals allowed under the current daily limit); a cap on total allowable landings under the program; a requirement for a state-issued LOA to participate in the program; a specified season, or time period, for the program, including termination criteria based on regional landing levels; and reporting requirements.

RI's proposed approach – offered to the Board in advance of any in-state vetting -- would enable the State to position itself in a manner consistent with the needs and interests of its commercial fishery. Such positioning would be similar to other states in the southern region, such as North Carolina, which has enacted a 10,000 lb. possession limit to provide its state-waters fishermen with the advantages associated with a sufficiently large possession limit.

Pending the outcome of the Board's review of this memo, and subsequent in-state discussions with local industry interests, RI plans to pursue this approach via the submission of an alternative state management proposal pursuant to Sections 4.3, 4.3.1, and 4.3.2 of the FMP.

### **Summary: Request to the Board**

RI seeks the Board's guidance on and response to the issues raised in this paper, with particular reference to the following three potential action items:

1. **Consider increasing the trip limit in the northern region to either 5,000 or 6,000 pounds.** Although an even higher limit could be justified and recommended, it is recognized that significantly higher limits could trigger market, price, and bycatch concerns. Moreover, it may be preferable to move forward via incremental increases, allowing the market to respond and adjust, and helping to keep in check any major shifts in effort. Thus, RI is proposing a moderate increase, aimed at moving the fishery in the right direction. *The Board has already voted to retain the 4,000 lb. possession limit for the 2014/2015*

*season. Thus, in order to make this proposed change at the May 2014 meeting, the Board would have to vote to reconsider the issue, with at least two thirds of the Board voting in favor, followed by a simple majority vote to increase the trip limit.*

2. **Consider the need for a Federal trip limit.** If the Board moves to adopt a new trip limit, *consider an additional motion to send a recommendation to NOAA Fisheries requesting repeal of the existing (4,000 lb.) federal trip limit.* This recommendation would align the position of the Commission with that of the New England Council. The federal regulation is duplicative and unnecessary and reduces the flexibility of States and the Commission to adopt new strategies.
  
3. **Consider the appropriateness, applicability, and guidelines for a conservation equivalency proposal.** RI wishes to move forward with a state-based conservation equivalency proposal, involving the aggregate program described above, and is prepared to do so at the first available opportunity. In advance, the State *seeks the Board's guidance on the potential use of conservation equivalency as a basis for the State's proposal*, per the relevant provisions of the FMP. The State *also seeks guidance from the Board on a set of guidelines that would govern the submittal and review of such a proposal.* For purposes of discussion, the State suggests that, at a minimum, any proposal should include, and be evaluated pursuant to, the following information:
  - The State-specific problems addressed by the proposal.
  - How the proposal comports with the goals and objectives of the FMP and relates to the existing management program; specifically, how the proposal will achieve the same conservation value as the measures set forth in the FMP
  - How the program will be administered and enforced by the State.
    - Identify if a special permit will be required, and how the landings will be tracked, recorded, and monitored.
    - Identify how landings under the program will be capped and not result in overfishing.
    - Identify the timing of the program.
    - Identify terms and conditions on when the program will terminate (e.g., if/when regional landings reaches 75 % of the regional allocation).
  - Reporting protocols.

CAPE COD COMMERCIAL  
**FISHERMEN'S  
ALLIANCE**

**Small Boats. Big Ideas.**

February 3, 2014

Mark Gibson, Chairman  
Atlantic States Marine Fisheries Commission  
1050 N. Highland Street  
Suite 200 A-N  
Arlington, VA 22201

Dear Chairman Gibson,

I am writing on behalf of the local fishing fleet to express our concern over the New England Fishery Management Council's recent vote to eliminate trip limits for the dogfish fishery. This measure, if implemented, will threaten the economic viability of small boat commercial fishing businesses on Cape Cod and throughout New England.

A lack of market demand, rather than a lack of availability, has limited catch in this fishery. This fishery has traditionally relied on a strong export market and decreases in international demand have resulted in a product surplus and depressed pricing. This trend has been increasingly evident in recent years as fishery managers have raised the commercial quota and trip limit, and fishermen have worked harder for less money. As it stands now, the profit margin for dogfish is already so low that many fishermen can't afford to leave the dock. Removing the trip limit entirely would exacerbate this problem and, furthermore, pose a potential safety risk for small boat fishermen overloading their boats in an effort to compete in a no-limit market.

In light of this, we urge members of the Atlantic States Marine Fisheries Commission to strongly consider the negative impacts this measure will have on commercial fishermen. It is in the fleet's best interest for the Commission to retain the 4000 pound daily trip limit consistent with its decision at its 72<sup>nd</sup> Annual meeting last October.

Thank you for your attention to this critical issue.

Sincerely,



John Pappalardo  
CEO

---

**BOARD OF DIRECTORS** Nick Muto, *Chairman* • Phil Marshall, *Vice Chairman* • Elliott Carr, *Treasurer* • Andy Baler, *Clerk*  
Eric Hesse • Bruce Kaminski • Kurt Martin • William Martin • Jim Nash • Tye Vecchione • Greg Walinski

---

1566 Main Street, Chatham, MA 02633 (508)945-2432 [info@capecodfishermen.org](mailto:info@capecodfishermen.org) [www.capecodfishermen.org](http://www.capecodfishermen.org)

April 22, 2014

Marin Hawk  
FMP Coordinator  
Atlantic States Marine Fisheries Commission  
1050 N. Highland Street  
Suite 200 A-N  
Arlington, VA 22201



Dear Marin:

Thank you for taking the time to address our questions and concerns about Atlantic state and Atlantic State Marine Fisheries Commission (ASMFC) spiny dogfish regulations with respect to finning (slicing off a shark's fins and discarding the body at sea).

As mentioned, it has recently come to our attention that at least one Atlantic state (Maryland) has maintained a 5% fin to carcass ratio as the method for enforcing the ban on finning spiny dogfish. Pursuant to the Shark Conservation Act (SCA), the National Marine Fisheries Service (NMFS) has revised federal spiny dogfish regulations to reflect the best practice for finning ban enforcement: requiring that sharks be landed with fins still naturally attached. Any state measures still allowing spiny dogfish fins to be removed at sea would therefore be in conflict with federal rules for this species.

We recall and appreciate the Commissioners' desire to ensure state and federal shark finning rules are consistent. We stress that the SCA text that suggests exceptions to the fins-attached standard refers to smooth but not spiny dogfish.

**Accordingly, we request that the ASMFC and individual states take immediate steps to ensure that at-sea removal of spiny dogfish fins is prohibited (i.e. replace any remaining fin-to-carcass ratio limits with requirements that spiny dogfish sharks be landed with fins still naturally attached).**

We take this opportunity to reiterate that spiny dogfish fins, while not preferred, do have value for use in shark fin soup, and do enter international trade in substantial quantities. While there is little incentive for widespread finning of dogfish, we strongly support the consistent use of best practices across jurisdictions to ensure proper enforcement and to safeguard all shark species from the wasteful practice of finning.

We thank you and the ASMFC Shark Board for considering our views. We look forward to learning more about this situation in other states and how inconsistencies might be remedied.

Sincerely,

A handwritten signature in black ink, appearing to read "Sonja Fordham".

Sonja Fordham  
President



Management; U.S. Fish and Wildlife Service; 4401 N. Fairfax Drive, MS 2042-PDM; Arlington, VA 22203.

We request that you send comments only by the methods described above. We will post all comments on <http://www.regulations.gov>. This generally means that we will post any personal information you provide us (see the Information Requested section below for more information).

**FOR FURTHER INFORMATION CONTACT:** For information about the proposed listing, contact Jennifer Norris, Field Supervisor, U.S. Fish and Wildlife Service, Sacramento Fish and Wildlife Office, 2800 Cottage Way, W-2605, Sacramento, California 95825; by telephone 916-414-6600; or by facsimile 916-414-6712. Persons who use a telecommunications device for the deaf (TDD) may call the Federal Information Relay Service (FIRS) at 800-877-8339.

#### SUPPLEMENTARY INFORMATION:

##### Background

On October 3, 2013, we published in the **Federal Register** a proposed rule to list the western yellow-billed cuckoo as a threatened species under the Act (78 FR 61621). During the public comment period, we received numerous requests from Federal and State agencies and the public to extend or reopen the public comment period on the proposed rule beyond the December 2, 2013, due date. On December 26, 2013, we reopened the comment period for an additional 60 days (78 FR 78321). In order to ensure that the public has ample opportunity to review and comment on our proposed rule, we are reopening the comment period for an additional 15 days.

##### Information Requested

We intend that any final action resulting from this proposed rule will be based on the best scientific and commercial data available and be as accurate and as effective as possible. Therefore, we request comments or information from other concerned Federal and State agencies, the scientific community, or any other interested party concerning the proposed listing rule. Please see the Information Requested section of the October 3, 2013, proposed listing for a list of the comments that we particularly seek (78 FR 61621).

For more background on our proposed listing, see the October 3, 2013, **Federal Register** (78 FR 61621). The proposed rule is available at the Federal eRulemaking Portal at <http://www.regulations.gov> (see **ADDRESSES** section above).

If you previously submitted comments or information on the proposed rule, please do not resubmit them. We have incorporated them into the public record, and we will fully consider them in our final rulemaking. Our final determination concerning this proposed rulemaking will take into consideration all written comments and any additional information we receive.

Please note that submissions merely stating support for or opposition to the action under consideration without providing supporting information, although noted, will not be considered in making a determination, as section 4(b)(1)(A) of the Act directs that determinations as to whether any species is an endangered or threatened species must be made "solely on the basis of the best scientific and commercial data available."

You may submit your comments and materials concerning the proposed rule by one of the methods listed in **ADDRESSES**. We request that you send comments only by the methods described in **ADDRESSES**. If you submit information via <http://www.regulations.gov>, your entire submission—including any personal identifying information—will be posted on the Web site. If your submission is made via a hardcopy that includes personal identifying information, you may request at the top of your document that we withhold this information from public review. However, we cannot guarantee that we will be able to do so. We will post all hardcopy submissions on <http://www.regulations.gov>. Please include sufficient information with your comments to allow us to verify any scientific or commercial information you include.

Comments and materials we receive, as well as supporting documentation we used in preparing the proposed listing, will be available for public inspection on <http://www.regulations.gov>, or by appointment, during normal business hours, at the U.S. Fish and Wildlife Service, Sacramento Fish and Wildlife Office (see **FOR FURTHER INFORMATION CONTACT**). You may obtain copies of the proposed rule on the Internet at <http://www.regulations.gov> at Docket No. FWS-R8-ES-2013-0104, or contact the U.S. Fish and Wildlife Service, Sacramento Fish and Wildlife Office (see **FOR FURTHER INFORMATION CONTACT**).

##### Authority

The authority for this action is the Endangered Species Act of 1973, as amended (16 U.S.C. 1531 *et seq.*).

Dated: March 31, 2014.

**Stephen Guertin,**

*Acting Director, U.S. Fish and Wildlife Service.*

[FR Doc. 2014-07986 Filed 4-9-14; 8:45 am]

**BILLING CODE 4310-55-P**

## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

#### 50 CFR Part 648

[Docket No. 140331031-4031-01]

RIN 0648-BC77

#### Fisheries of the Northeastern United States; Spiny Dogfish Fishery; Amendment 3

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

**ACTION:** Proposed rule; request for comments.

**SUMMARY:** This rule proposes regulations to implement measures in Amendment 3 to the Spiny Dogfish Fishery Management Plan, which was developed by the Mid-Atlantic and New England Fishery Management Councils. The proposed management measures include implementing a research set-aside program, updating essential fish habitat definitions, allowing rollover of specifications, and eliminating the seasonal allocation of the commercial quota. These administrative measures are intended to improve the implementation of the Spiny Dogfish Fishery Management Plan and provide benefits to the spiny dogfish fishery.

**DATES:** Comments must be received on or before May 12, 2014.

**ADDRESSES:** Copies of the amendment, including the Environmental Assessment and Initial Regulatory Flexibility Analysis (EA/IRFA) and other supporting documents for the action are available from Dr. Christopher M. Moore, Executive Director, Mid-Atlantic Fishery Management Council, Suite 201, 800 N. State Street, Dover, DE 19901. The amendment is also accessible via the Internet at: <http://www.nero.noaa.gov>.

You may submit comments, identified by NOAA-NMFS-2014-0036, by any one of the following methods:

- **Electronic Submissions:** Submit all electronic public comments via the Federal e-Rulemaking portal. Go to [www.regulations.gov/#/docketDetail;D=NOAA-NMFS-2014-0036](http://www.regulations.gov/#/docketDetail;D=NOAA-NMFS-2014-0036), click the "Comment Now!" icon,

complete the required fields, and enter or attach your comments.

- *Mail:* NMFS, Greater Atlantic Regional Fisheries Office, 55 Great Republic Drive, Gloucester, MA 01930. Mark the outside of the envelope "Comments on Spiny Dogfish Amendment 3."

*Instructions:* Comments must be submitted by one of the above methods to ensure that the comments are received, documented, and considered by NMFS. 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. All comments received are a part of the public record and will generally be posted for public viewing on [www.regulations.gov](http://www.regulations.gov) without change. All personal identifying information (e.g., name, address) submitted voluntarily by the sender will be publicly accessible. Do not submit confidential business information, or otherwise sensitive or protected information. NMFS will accept anonymous comments (enter "N/A" in the required fields if you wish to remain anonymous). Attachments to electronic comments will be accepted in Microsoft Word or Excel, WordPerfect, or Adobe PDF formats only.

**FOR FURTHER INFORMATION CONTACT:**  
Tobey Curtis, Fishery Policy Analyst,  
(978) 281-9273.

**SUPPLEMENTARY INFORMATION:**

**Background**

The Atlantic spiny dogfish (*Squalus acanthias*) fishery is jointly managed by the New England and Mid-Atlantic Fishery Management Councils (Councils). The Atlantic States Marine Fisheries Commission (Commission) also manages the spiny dogfish fishery in state waters from Maine to North Carolina through an interstate fishery management plan (FMP). The Federal Spiny Dogfish FMP was implemented in 2000, when spiny dogfish were determined to be overfished. The spiny dogfish stock was declared to be successfully rebuilt in 2010, and it continues to be above its target biomass. Currently, the stock is not overfished or experiencing overfishing.

The regulations implementing the FMP at 50 CFR part 648, subpart L, outline the management procedures and measures for the spiny dogfish fishery. The Councils have developed and submitted Amendment 3, which is intended to update the FMP and improve management of the spiny dogfish fishery. Specifically, the Councils have recommended: (1) Adding an option for allocation of a

small percentage (up to 3 percent) 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 (i.e., specifications rollover); and (4) eliminating the seasonal allocation of the commercial quota in order to minimize conflicts with spiny dogfish fishing operations that occur in both state and Federal waters. These proposed management measures are described in more detail below.

*Research Set-Aside (RSA)*

A number of FMPs include an RSA program, in which a percentage of the quota is set aside to fund research. In Amendment 3, the Councils are proposing to allow up to 3 percent of the spiny dogfish commercial quota to be set aside as RSA quota. The revenues generated by those landings would be used for scientific research aimed at improving our understanding of the spiny dogfish stock and its related fisheries, consistent with the Councils' research priorities. For example, the spiny dogfish commercial quota for fishing year 2014 is currently specified at 41.784 million lb (18,953 mt). Based upon the funds requested through the RSA Federal Funding Opportunity announcement (refer to: <http://www.nero.noaa.gov/mediacenter/2013/03/ma13rsaawards.html>), up to 1.254 million lb (569 mt) of spiny dogfish could be used for RSA (i.e., 3 percent of the 2014 commercial quota).

*Essential Fish Habitat (EFH)*

The Magnuson-Stevens Act requires that EFH be defined for all managed stocks, and that it should be periodically reviewed and updated. EFH designations are used by NMFS when consulting with other agencies on Federal activities, and up-to-date designations lead to more effective consultation and protection of EFH. Spiny dogfish EFH was most recently updated in 2007 (<http://www.nefsc.noaa.gov/nefsc/publications/tm/tm150/>). Amendment 3 includes updated text and maps, using the most recent fishery-independent data, to describe EFH for the following spiny dogfish size and sex categories: Recruits (juvenile males and females <36 cm); sub-adult females (36–79 cm); sub-adult males (36–59 cm); adult females (>79 cm); and adult males (>59 cm). Detailed EFH maps and text descriptions are provided in the supporting documents (see **ADDRESSES**).

*Rollover of Specifications*

This measure would allow the specifications (annual catch limit, commercial quota, etc.) of the current fishing year to carry forward to the subsequent fishing year, in the event that rulemaking and implementation of revised specifications are delayed. If the implementation of new final specifications is delayed beyond the start of the new fishing year (May 1), the previous year's specifications would apply to the new fishing year until replaced by the final rule. The Councils are recommending this measure to maintain consistency across FMPs.

*Commercial Quota Allocation*

The current regulations implementing the Spiny Dogfish FMP (§ 648.232) require that the commercial quota be allocated between two seasons: Season 1 (May through October) receives 57.9 percent of the quota; and Season 2 (November through April) receives 42.1 percent of the quota. These seasons were designed to match the regional distribution of the spiny dogfish population as it migrates up and down the Atlantic coast, and to ensure that each state's fisheries would be able to land spiny dogfish during the year.

In contrast to the Federal regulations, the Commission allocates the commercial quota to individual states/regions, rather than by season. These different management approaches have occasionally resulted in misaligned in-season fishery closures between Federal and state waters, and confusion within the industry regarding where they can fish. This rule proposes to remove the Federal FMP's seasonal quota allocation, and replace it with a single, annual coastwide commercial quota. The Federal spiny dogfish fishery would only be closed when 100 percent of the coastwide commercial quota is projected to be landed. The states, through the Commission's FMP, would be responsible for controlling their spiny dogfish allocations to ensure the participation of all states. This measure is expected to help alleviate potential misalignment issues with the Commission, while still constraining total spiny dogfish catch to the specified Federal limits.

**Classification**

Pursuant to section 304(b)(1)(A) of the Magnuson-Stevens Act, the NMFS Assistant Administrator has made a preliminary determination that this proposed rule is consistent with the Spiny Dogfish FMP, other provisions of the Magnuson-Stevens Act, and other applicable law.

This proposed rule has been determined to be not significant for the purpose of E.O. 12866.

The Councils prepared an IRFA, as required by section 603 of the Regulatory Flexibility Act (RFA). The IRFA describes the economic impact this proposed rule, if adopted, would have on small entities. A description of the action, why it is being considered, and the legal basis for this action are contained at the beginning of this section of the preamble and in the **SUMMARY** of this proposed rule. A summary of the IRFA follows. A copy of this analysis is available from the Councils (see **ADDRESSES**).

This action does not introduce any new reporting, recordkeeping, or other compliance requirements. This proposed rule does not duplicate, overlap, or conflict with other Federal rules.

*Description and Estimate of Number of Small Entities to Which the Rule Would Apply*

This rule will impact fishing vessels, including commercial fishing entities. In 2012, 2,666 vessels held spiny dogfish permits. However, not all of those vessels are active participants in the fishery; only 489 vessels landed spiny dogfish in 2012. If two or more vessels have identical owners, these vessels should be considered to be part of the same firm, because they may have the same owners. When permit ownership data is considered, in 2012, 1,976 fishing firms held at least one spiny dogfish permit. According to the Small Business Administration (SBA), firms are classified as finfish or shellfish firms based on the activity which they derive the most revenue. Using the \$5M cutoff for shellfish firms (NAICS 114112) and the \$19M cutoff for finfish firms (NAICS 114111), there are 1,953 directly regulated small entities and 23 directly regulated large entities. There are 488 active fishing firms, of which 482 are small entities and 6 are large entities. On average, for small entities, spiny dogfish is responsible for a small fraction of landings, and active participants derive a small share of gross receipts from the spiny dogfish fishery. While all 1,953 directly regulated small entities will be affected by the Amendment 3, many of these small entities do not currently participate in this fishery and would be likely to experience only negligible economic impacts, if any.

*Economic Impacts of the Proposed Action Compared to Significant Non-Selected Alternatives*

According to the Council's analysis in the EA (see **ADDRESSES**), Amendment 3 is not expected to result in any direct negative or positive economic impacts. The management measures and alternatives included in this action are administrative in nature, and have no inherent direct economic costs or benefits. Possible indirect, minor positive economic impacts are anticipated from the RSA and EFH alternatives. Under the RSA alternatives, the preferred alternative (Alternative 1b) of allowing an RSA quota of up to 3 percent of the commercial quota, and Alternative 1c, which would allow up to 5 percent of the commercial quota for RSA, are expected to result in minor positive economic impacts relative to no action (i.e., no RSA; Alternative 1a). This conclusion was based on cases where research funded by RSA would result in improved management of the spiny dogfish fishery. Both the no action (i.e., no update to EFH; Alternative 2a) and preferred (i.e., updated EFH; Alternative 2b) EFH alternatives may result in indirect, minor positive economic impacts, as the designation of EFH can inform Federal activities and help minimize potentially negative habitat impacts. Under the commercial quota allocation alternatives, the no action alternative (i.e., maintain current seasonal allocation of the quota; Alternative 4a) was expected to result in minor, indirect negative economic impacts in situations where misalignment in Federal (Council) vs. state (Commission) fishery closures could result in lost revenues. The preferred alternative (i.e., remove allocation of the quota; Alternative 4b) is anticipated to alleviate the potential negative economic impacts associated with the current management misalignment. Both the no action alternative (i.e., no rollover of specifications; Alternative 3a) and the preferred alternative (i.e., allow rollover of specifications; Alternative 3b) associated with the rollover of specifications from one year to the next in the event of delayed implementation of specifications are expected to have no economic impact (positive or negative).

**List of Subjects in 50 CFR Part 648**

Fisheries, Fishing, Reporting and recordkeeping requirements.

Dated: April 4, 2014.

**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 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 *et seq.*

■ 2. In § 648.232, revise paragraphs (a), (b), and (e); and add paragraphs (c)(3) and (f) to read as follows:

**§ 648.232 Spiny dogfish specifications.**

(a) *Commercial quota and other specification measures.* The Spiny Dogfish Monitoring Committee shall recommend to the Joint Spiny Dogfish Committee a TAL (i.e., annual coastwide commercial quota) and any other measures, including those in paragraphs (a)(1) through (8) of this section, that are necessary to ensure that the commercial ACL will not be exceeded in any fishing year (May 1–April 30), for a period of 1–5 fishing years. If research quota is specified as described in paragraph (f) of this section, the effective commercial quota will be those commercial landings available after the deduction for the research quota. The measures that may be recommended include, but are not limited to:

- (1) Minimum or maximum fish sizes;
- (2) Seasons;
- (3) Mesh size restrictions;
- (4) Trip limits;
- (5) Research quota set from a range of 0 to 3 percent of the commercial quota;
- (6) [Reserved]
- (7) Other gear restrictions; and
- (8) Changes to AMs and ACT control rules.

(b) *Joint Spiny Dogfish Committee recommendation.* The Councils' Joint Spiny Dogfish Committee shall review the recommendations of the Spiny Dogfish Monitoring Committee. Based on these recommendations, requests for research quota, and any public comments, the Joint Spiny Dogfish Committee shall recommend to the Councils a TAL, and possibly other measures, including those specified in paragraphs (a)(1) through (8) of this section, necessary to ensure that the ACL specified in § 648.230 will not be exceeded in any fishing year (May 1–April 30), for a period of 1–5 fishing years.

(c) \* \* \*

\* \* \* \* \*

(3) If the annual specifications are not published in the **Federal Register** prior to the start of the fishing year, the previous year's annual specifications will remain in effect. The previous year's specifications will be replaced by the current year's specifications as of the effective date of the final rule implementing the current year's specifications.

\* \* \* \* \*

(e) *Landings applied against the commercial quota.* All spiny dogfish landed for a commercial purpose in the states from Maine through Florida shall be applied against the annual coastwide commercial quota, regardless of where the spiny dogfish were harvested.

(f) *Research quota.* See § 648.22(g).

■ 3. In § 648.233, revise paragraph (a) to read as follows:

**§ 648.233 Spiny dogfish accountability measures (AMs).**

(a) *Commercial EEZ closure.* The Regional Administrator shall determine the date by which the annual coastwide quota described in § 648.232 will be harvested and shall close the EEZ to fishing for spiny dogfish on that date for the remainder of the fishing year by publishing notification in the **Federal Register**. Upon the closure date, and for the remainder of the fishing year, no vessel may fish for or possess spiny dogfish in the EEZ, nor may vessels issued a spiny dogfish permit under this part land spiny dogfish, nor may dealers issued a Federal permit purchase spiny

dogfish from vessels issued a spiny dogfish permit under this part.

\* \* \* \* \*

■ 4. In § 648.235, revise paragraph (a) introductory text and paragraph (b), and remove paragraph (c).

The revisions read as follows:

**§ 648.235 Spiny dogfish possession and landing restrictions.**

(a) *Possession limit.* Vessels issued a valid Federal spiny dogfish permit under § 648.4(a)(11) may:

\* \* \* \* \*

(b) Regulations governing the harvest, possession, landing, purchase, and sale of shark fins are found at part 600, subpart N, of this chapter.

[FR Doc. 2014-07976 Filed 4-9-14; 8:45 am]

**BILLING CODE 3510-22-P**