



*Working towards healthy, self-sustaining populations
for all Atlantic coast fish species or successful
restoration well in progress by 2015*



Review of Massachusetts *De Minimis* Proposal

May, 2012

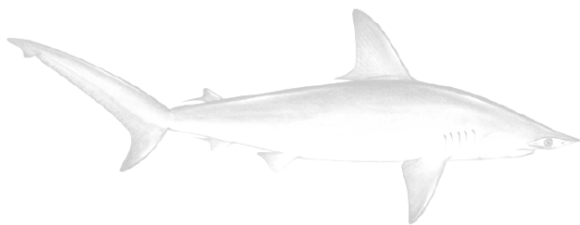




MA Proposal



- **Requests exemption from LCS closure provision of FMP.**
- **Would not have to close LCS fishery.**

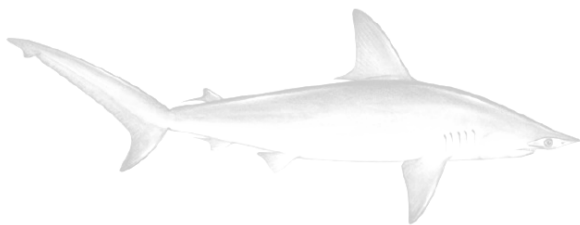




History



- **Board previously approved a *de minimis* proposal exempting MA from LCS possession limit based on similar rationale.**
 - **TC/PRT recommended approval.**





De Minimis



- **FMP grants exemptions on case-by-case basis.**
- **Evaluated based on whether implementation of a regulation is necessary for attainment of the FMP's objectives and conservation of the resource.**
- **PRT & TC review prior to Board action.**



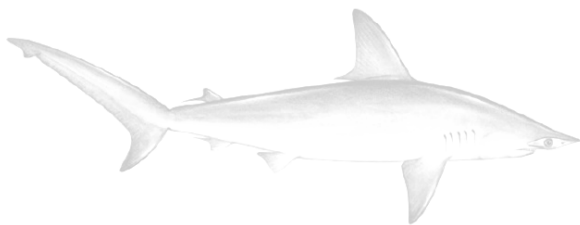


2.2 Goal



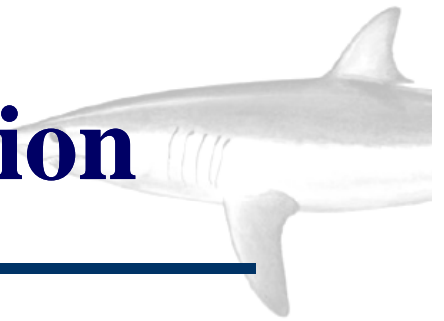
The goal of the Interstate Fishery Management Plan for Coastal Sharks is:

- **“To promote stock rebuilding and management of the coastal shark fishery in a manner that is biologically, economically, socially, and ecologically sound.”**





LCS Closure Regulation



4.3.4 Quota Specification:

The Spiny Dogfish & Coastal Sharks Board will not actively set quotas for any species contained in the SCS, Non-Sandbar LCS, or Pelagic species groups but will close the fishery for any species in these groups when NOAA Fisheries closes the fishery in federal waters.





MA Requests Exemption from LCS Closure



- **Non-Sandbar Large Coastal Sharks (LCS)
rarely found in MA state waters**
- **No active fishery**
- **From 1950 – 2009:**
 - **4 pounds of nurse shark (1992)**
 - **14 pounds of tiger shark (1997)**
 - **414 pounds of blacktip shark (2002)**
- **Unnecessary regulatory burden**
- **Have implemented all other FMP Measures
except possession limit**





TC/PRT Review



- **Unanimously recommends approval**
- **LCS closure in MA unnecessary for attainment of FMP's objectives and conservation of the resource.**
- **No LCS in MA state waters, the minimal landings are likely misidentified sandbar, dusky, and sand-tiger.**
- **One clarification: federal dealers can buy state waters caught sharks from non-federally permitted fishermen.**



	2012/2013 % Allocation	2012/2013 Allocation (Pounds)	Adjustments for 2011/2012 Overages (-) and rollovers (+)	Preliminary 2012/2013 Quota (Pounds)
Northern Region (ME - CT)	58.00%	17,400,000	-1,359,053	16,040,947
NY	2.707%	812,100	+26,935	839,035
NJ	7.644%	2,293,200	-101,508	2,191,692
DE	0.896%	268,800	+3,915	272,715
MD	5.920%	1,776,000	+39,927	1,815,927
VA	10.795%	3,238,500	-88,435	3,150,065
NC	14.036%	4,210,800	+20,844	4,231,644



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Draft Addendum IV to the Interstate FMP for Spiny Dogfish

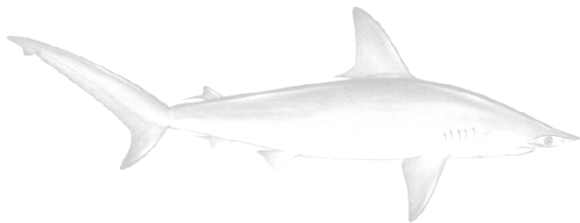




1.0 Introduction



- In February 2012, Board initiated addendum to
- 1.) Allow rollover greater than 5% of commercial allocation.
 - 2.) Update overfishing definition following TC's recommendations.





2.1 Statement of the Problem

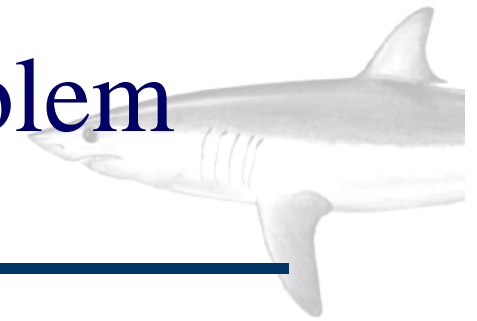
5% Rollover Provision:

- FMP allows up to 5% of a state's or region's allocation to be rolled over if stock is above target biomass.
- Could lose access to quota...
 - If federal waters close when a state has >5% of their quota remaining
 - Dogfish not available in their state waters.



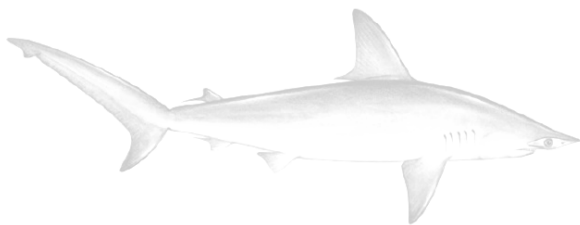


2.1 Statement of Problem Cont.



Overfishing Definition:

- Spiny dogfish quotas not calculated based on overfishing definition as defined in FMP.
- MAFMC updated their definition in 2009.
- Updating ASMFC definition necessary to be consistent with best available science and MAFMC.





2.2 Background of 5% Rollover

➤ Annual Quota

- 58% of quota to Maine – Connecticut
- 42% divided into state shares for New York through North Carolina
- Overages paid back by region/state.

➤ 5% rollover intended as buffer

- Can close quota in timely manner w/out losing quota.
- W/out, incentive to err on side of harvesting slightly more than their share.

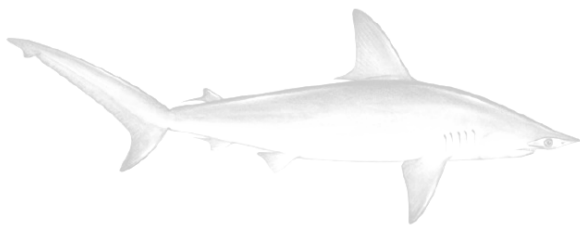




Background of Overfishing Definition



- Included in addendum based on TC recommendations.
- Complementarily managed:
 - MAFMC (lead) & NEFMC
- Appropriate F rate is starting point to calculate quota recommendation.
 - ASMFC TC & MAFMC MC

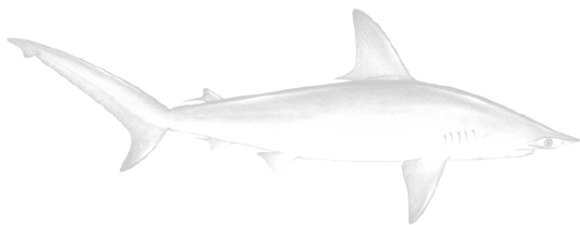




ASMFC Definition



- $F_{\text{threshold}} = 1$ pup per female that recruit...
- $F_{\text{target}} = 1.5$ pups per female that recruit...
- Adopted based on 2002 MAFMC Dogfish FMP

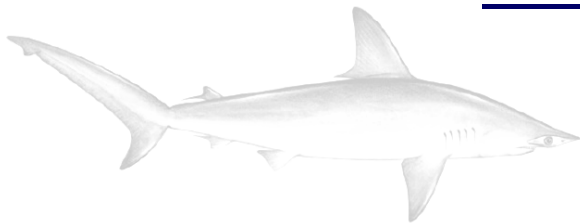




MAFMC Definition

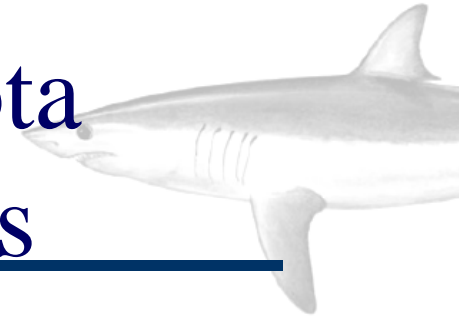


- In 2009 Framework 2 replaced previous overfishing definition with $F_{\text{threshold}}$ only (no target) as:
 - F_{MSY} (or a reasonable proxy thereof) as a function of productive capacity, and based upon the best scientific information consistent with National Standards 1 and 2...
- ASMFC $F_{\text{threshold}} = 0.325$, $F_{\text{target}} = 0.207$
- MAFMC $F_{\text{threshold}} = 0.2439$

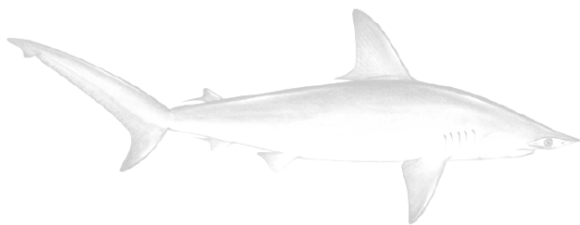




History of TC Quota Recommendations



- Previously used $F_{rebuild} = 0.11$
- 'rebuilt' in 2008, allowed consideration of quotas based on F_{target} in fall 2009.
 - Continued w/ $F_{rebuild}$ due to selectivity concerns
- TC recommended quota calculated from $75\%F_{target}$ in 2010.
- TC recommended quota calculated from F_{msy} in 2011.





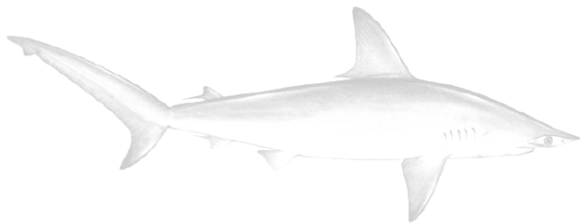
Issue 1: Quota Rollover



Option A. Status quo (5% Max)

Option B. 5% Maximum Quota Rollover w/
Exemption Through Board Action

Option C. Quota Rollover Prohibited w/out Board
Action





Issue 2: Fishing Mortality Threshold



- Based on TC recommendations
- Options drafted based on report presented in February, then convened TC call to review options
- TC revised language during and after call to create the following options





Issue 2: Fishing Mortality Threshold

Option A. Status Quo (1 pup per female...)

Option B. F_{MSY} (or a reasonable proxy thereof)

The threshold fishing mortality rate is defined as F_{MSY} (or a reasonable proxy thereof) and based upon the best available science. The maximum fishing mortality threshold (F_{MSY}) or a reasonable proxy may be defined as a function of (but not limited to): total stock biomass, spawning stock biomass, total pup production, and may include males, females, both, or combinations and ratios thereof which provide the best measure of productive capacity for spiny dogfish. This definition is consistent with the federal Spiny Dogfish FMP. Currently $F_{MSY} = 0.2439$.

Overfishing is defined as an F rate that exceeds the $F_{threshold}$.



Issue 3. Fishing Mortality Target

Option A: Status Quo (1.5 pups per female...)

Option B: Set Annually Based on TC Rec.

The F_{target} or catch target is defined as a fishing mortality rate or catch level that corresponds to an acceptable likelihood of preventing F from exceeding the threshold by accounting for scientific and management uncertainty. The Board is not required to specify an F_{target} and if specified, an F_{target} would apply to one fishing season only.



Issue 3. F_{target} Cont.



- TC recommends not including the following options and clarified that Option C & D were only provided in the TC report as examples of how F_{targets} are specified in other fisheries.

OPTION C: $F_{0.1}$

The F_{target} will be equal $F_{0.1}$. Defined as the F level where the slope of the yield curve is 10 % of the slope at $F = 0.0$

Option D: 75% of $F_{\text{threshold}}$

The F_{target} will be set at 75% of the $F_{\text{threshold}}$. For example, if the $F_{\text{threshold}}$ is set at 0.20, the F_{target} would equal 0.15





Issue 3. F_{target} Cont.



Additional option to not specify an F_{target} ?

Option C. Removal of an F_{target} specification from the overfishing definition (only specify $F_{threshold}$)

