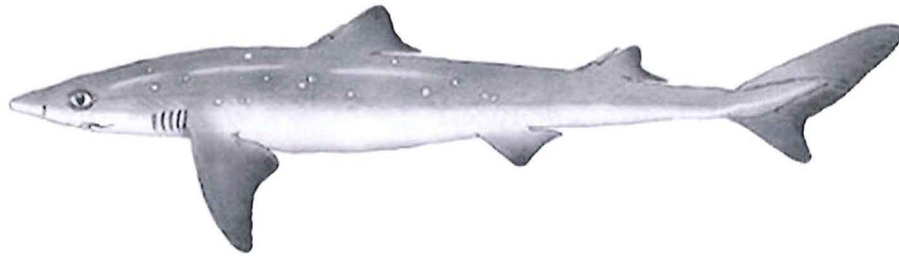


#2

AMENDMENT 3 TO THE SPINY DOGFISH FISHERY MANAGEMENT PLAN



PUBLIC HEARING SUMMARY DOCUMENT



Why is Amendment 3 Being Developed?

Amendment 3 is being developed to improve the efficiency and administration of the Spiny Dogfish FMP. Specifically, the FMP will: 1) add an option for allocation of a small percentage (3-5%) of the commercial quota for use in the Research Set-Aside (RSA) Program, 2) update the definitions of essential fish habitat (EFH) for all life stages of spiny dogfish, 3) maintain existing annual management measures until replaced via rulemaking, and 4) eliminate 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 Rollover of Status Quo Management Measures into New Fishing Year until Replaced via Rulemaking

Alternatives: 3A: No action
3B: Allow Rollover

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 with periodic review

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

