

MAY 26 2009



UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
NATIONAL MARINE FISHERIES SERVICE
1315 East-West Highway
Silver Spring, Maryland 20910
THE DIRECTOR

Mr. Nils E. Stolpe
FishNet USA/Garden State Seafood Association
806 Silk Oak Court
New Smyrna Beach, Florida 32168

Dear Mr. Stolpe:

Thank you for your cosigned letter to Under Secretary Jane Lubchenco on behalf of Fishermen Organized for Responsible Dogfish Management.

The life history attributes of spiny dogfish have created a management challenge. A sharp increase in U.S. landings and discards in the 1990s led to a more than two-thirds reduction in the adult female spawning stock biomass (SSB). Further, U.S. landings were disproportionately composed of females due to their larger size, market preferences, and their vulnerability to near-shore fisheries. Still, the overall stock abundance remained relatively high because males were not harvested. As a result of this exploitation history, the sex ratio of mature males to mature females increased from an expected ratio of about 2:1 to as high as 7:1 since 1998. Most of the mature males are found in offshore waters, as confirmed in NOAA's National Marine Fisheries Service trawl surveys and fishery observer programs. Unfortunately, the reduction in mature females appears also to have reduced the number of pups for almost a decade. The reduction in recruitment will have implications for future spawning stock biomass as those smaller-than-average cohorts mature.

The rebuilding program established by the Spiny Dogfish Fishery Management Plan has successfully increased the adult female biomass. Sub-adult females that were alive when the regulations were first imposed have grown into the mature size range and have led to a rebuilding of the resource. The analyses conducted by the NMFS Northeast Fisheries Science Center for use in the development of the 2009 annual specifications for the fishery estimated that SSB is nearly 232,000 mt. In the absence of any effective management measures that would allow the fishery to selectively harvest male dogfish, this management approach has relied on reducing the overall fishing mortality on dogfish by discouraging directed fisheries. Thus, there has been a relatively high overall biomass of dogfish throughout the rebuilding program, and the current estimated total stock biomass probably exceeds 600,000 mt. While the management measures enacted for the 2009 fishing year represent an increase in both the overall commercial quota (from 4.0 million lb to 12.0 million lb) and the possession limit (from 600 lb/trip to 3,000 lb/trip), the New England and the Mid-Atlantic Fishery Management Councils recognized they must proceed with caution in expanding the fishery because of troubling indicators in the stock. These include the concentrated size frequency of the female population, low pup production, and a skewed ratio of males to females. Rapid increases in landings might also be a problem for total revenue of the fishery, owing to sharp declines in unit prices.

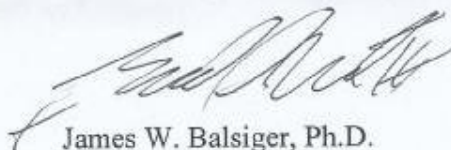


Cooperative research ventures with industry may identify ways in which a male-oriented fishery can be prosecuted. The overall increase in female SSB in recent years provides some opportunity to experiment with harvest strategies that until now might have incurred unacceptable risks to rebuilding. A joint U.S./Canada stock assessment has been initiated and is expected to provide a revised picture of the stock structure and status. That assessment is expected to conclude in December 2009 and be available for management decisions in 2010. The assessment will evaluate the magnitude of spiny dogfish predation on the entire range of species.

As we move forward to manage this stock in the future, I agree that ecosystem approaches should be integrated into the management program. This would not require a change to the Magnuson Stevens Fishery Conservation and Management Act, but would require a better understanding of the ecosystem itself. For instance, we do not have sufficient knowledge now to conclude that an increased harvest of spiny dogfish would necessarily expedite the rebuilding of economically valuable stocks such as summer flounder and cod. In fact, the most recent assessments suggest summer flounder are doing well, and Gulf of Maine cod are rebuilding. Spiny dogfish feed on a wide range of species; some of these prey items are also predators on larval and juvenile fish of commercially important species. Thus, the effects of a significant increase in harvest would not necessarily be predictable, and could have unforeseen, and potentially negative, impacts.

This is a good time to look for better ways to manage this resource in a sustainable way into the future. The Councils have recently begun the process of developing Amendment 3 to the Spiny Dogfish Fishery Management Plan, and will have the benefit of an updated stock assessment. The Councils plan to consider measures that could address the current abundance of males in the spiny dogfish population. Such measures would have to be carefully developed, as there is little scientific information about the potential effects of a selective harvest strategy. While it may be possible to develop a management program that would allow the stock to remain healthy at a smaller overall population size, such a management strategy must also consider other biological factors, including the expectation that the lack of recruitment in recent years will reduce stock biomass in the coming years.

Sincerely,



James W. Balsiger, Ph.D.
Acting Assistant Administrator
for Fisheries