



September 9, 2022

Christopher Moore, PhD
Executive Director
Mid-Atlantic Fishery Management Council
800 North State Street, Suite 201
Dover, DE 19901
Via email only: cmoore@mafmc.org

Re: Staff recommendation for 2023 Spiny Dogfish Acceptable Biological Catch

Dear Dr. Moore:

I'm contacting you on behalf of the members of the Sustainable Fisheries Association, Inc. (the SFA) who emphatically oppose the staff recommendation to reduce the U.S. Atlantic spiny dogfish ("Dogfish") fishery quota by two-thirds (2/3) as reflected in the September 2, 2022 [Staff Memo: 2023 Spiny Dogfish Acceptable Biological Catch](#).

Development of the annual specifications for the Dogfish fishery has historically involved a combination of the NEFSC trawl surveys and landings. If viewed in a vacuum, both the surveys and landings figures *appear* to be declining. However, in the Dogfish fishery, appearances are deceptive. The surveys and landings numbers do not include crucial elements, which are essential in the development of valid conclusions in order to calculate accurate annual specifications.

Over the years there have been numerous critiques of the NEFSC trawl surveys in general and Dogfish in particular. From 2014 to 2021 the Bigelow only left the dock and completed its task to survey all stations once – in 2019. Even when the Bigelow did leave the dock, it needed to go where the Dogfish were – but it didn't. If taken at face value from the Bigelow's surveys, the Dogfish SSB crashed 87% from 2016 (184,900mt) to 2017 (24,434mt) and a miraculous recovery in 2018 (97,700mt) supported by 2019 (125,972mt). The most recent Bigelow survey numbers indicated the Dogfish SSB crashed 89% from 2021 (110,677mt) to 2022 (12,150mt). Based on 2017 and information provided by fishermen, we can expect another miracle to occur when the next accurate trawl survey occurs. These figures show the SSB was statistically flawed in 2 out of the last 5 surveys. One could say it's like déjà vu all over again. However, the 40% failure rate led to the flawed conclusion that the indices are declining. In fact the indices are extremely stable. When 2017 and 2022 are removed, the surveys covering the last ten (10) fishing years - from 2013 to 2021 have an average SSB of 131,696mt and a median of 125,375mt.

The landings figures, by themselves, are misleading because they do not take into consideration factors that significantly impact the year-end numbers.

Dogfish are in the midst of a dramatic ecosystem regime shift in their historical geographic distribution. Survey results from twenty years ago are not reflective of current conditions. Species distribution models

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need to account for these ecosystem regime shifts. A few years ago large Dogfish schools were commonly found a couple of miles from the coast. Similarly sized schools are now found thirty or more miles from shore. Since marine fuel prices have more than doubled in a year, it's cost prohibitive for fishermen to pursue Dogfish thirty miles offshore.

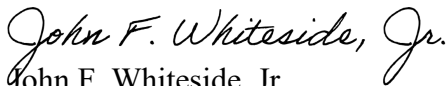
Dogfish aren't the only species experiencing ecosystem regime shift in geographic distribution. Off of Virginia, the influx of different fish species has resulted in fishermen leaving the Dogfish fishery to pursue more lucrative fisheries like shrimp and ribbonfish. In FY 2016 there were 137 vessels that landed more than 10,000lbs of Dogfish on a federal permit. In FY2021 that number had dropped to 79.

The vessels that are still participating in the Dogfish fishery need to have a quota that allows for landings that support a vibrant market. It has taken more than a decade to rebuild demand for Dogfish and the sole remaining seafood company requires a minimum of a 15million pound quota to solidify and expand demand. Cutting the quota by fifty percent (50%) would result in sustainable fishing with landing levels which are consistent with the Council's precautionary quota-setting guidelines.

The proposal to cut the quota by two-thirds (2/3) to 10million pounds would result in unnecessary financial harm to fishermen, the economy and the environment. We therefore respectfully request that you re-evaluate the staff recommendation by taking into consideration the issues raised in this letter and make adjustments accordingly.

Sustainable Fisheries Association, Inc.

By



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General Counsel

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