



October 21, 2011

Mr. Dan Wolford, Chair  
Pacific Fishery Management Council  
7700 NE Ambassador Place, Suite 101  
Portland, OR 97220

RE: **Agenda Item E.4.** Biennial Management Specifications for 2013-2014 Groundfish  
Fisheries: **Spiny Dogfish**

Dear Chairman Wolford and Council Members:

This year, National Marine Fisheries Service scientists conducted the first ever stock assessment for spiny dogfish sharks off the U.S. Pacific Coast.<sup>1</sup> The assessment authors, the Scientific and Statistical Committee (SSC) and Groundfish Management Team (GMT) all noted that because of the extremely low productivity, longevity and other vital characteristics of spiny dogfish, fishing at the  $F_{MSY-Proxy}$  level (spawning potential ratio [SPR] 45 percent) is expected to severely reduce this population over the long term. As the GMT made abundantly clear, "*This proxy SPR rate would lead this stock to **extinction** over a long time scale.*"<sup>2</sup> The SSC stated that it "*concurrs that the Council  $F_{MSY-Proxy}$  may be too aggressive for spiny dogfish and other elasmobranchs [sharks and rays] managed under the Groundfish Fishery Management Plan.*"<sup>3</sup>

Surely the Council would not risk fishing on a stock at aggressive rates that would lead to extinction either in the short or long term. It is abundantly clear from the assessment that the  $F_{MSY-Proxy}$  is incorrect and setting catch levels based on this could easily be defined as overfishing. That is why when taking final action to adopt the 2013-2014 biennial management specifications, we request that you base the overfishing limit (OFL) and allowable biological catch (ABC) on the model estimated  $SPR_{MSY}=0.77$ , which means an ABC no greater than 848 metric tons.<sup>4</sup>

If for whatever reason the Council chooses not to use the model estimated SPR, we request a further reduction in the P\* value (probability of overfishing) to avoid the probability of actually overfishing - knowing that the proxy SPR is not correct - and set the Annual Catch Limit (ACL) in the range of the model estimated maximum sustainable yield (MSY) (848 mt). Importantly, we ask that you immediately direct the SSC and GMT to reevaluate the current proxy harvest

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<sup>1</sup> Gertseva, V., and I. Taylor. 2011. Status of spiny dogfish shark resource off the continental U.S. Pacific Coast in 2011. PFMC. 2011. Agenda Item G.4.a Attachment 7

<sup>2</sup> PFMC. September 2011. Agenda Item G.4.b Supplemental GMT Report.

<sup>3</sup> PFMC. September 2011. Agenda Item G.4.b Supplemental SSC Report

<sup>4</sup> Supra note 1, at 10

Mr. Dan Wolford, PFMC

October 21, 2011

Page 2 of 2

rate and biological reference points for spiny dogfish and other elasmobranchs, and amend the Groundfish FMP appropriately.

This action is supported by the American Fisheries Society in a policy statement on the management of sharks and other elasmobranchs:

*Population models used in fishery management appropriate for more highly productive species may be inappropriate for sharks and rays (Hoff 1990). Shark and ray management should be predicated on the long-term sustainability of healthy populations, and on the precautionary principle (FAO 1995) that management should be conservative in the face of sparse data, erring in favor of maintaining the health of the resource rather than fostering short-term economic gains.<sup>5</sup>*

At the September meeting the Council adopted a 2013-2014 OFL for spiny dogfish of 2,980 mt and 2,950 mt respectively, which is based on the proxy 45% SPR. The Council also selected a preliminary 2013 and 2014 ABC of 2,044 mt and 2,024 mt respectively, based on a P\* value of 0.3. While less than the status quo, this is significantly higher than what would be calculated if using the  $SPR_{MSY}$  of 0.77 and not even within the 95% confidence interval (430 -1267 mt) of the model estimated MSY. Failure to adjust harvest levels now to adequately reflect the biology of the stock, will only constrain fisheries in the future.

It is important to note that the total average catch in 2009 and 2010 was 1,115 mt from all sectors. In 2010, however, 60% of the total spiny dogfish catch was discarded in the bottom trawl fishery. This means the west coast 'fishery' for spiny dogfish is more waste than anything else. Finally, recognizing this is a transboundary stock, the U.S. should develop a bilateral management plan with Canada for this shared population between the U.S. Pacific Coast and British Columbia.

Thank you for your attention to this important conservation matter.

Sincerely,

A handwritten signature in black ink, appearing to read 'Ben Enticknap', is written over a light blue rectangular background.

Ben Enticknap  
Pacific Project Manager

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<sup>5</sup> Musick, J.A., G. Burgess, G. Cailliet, M. Camhi, and S. Fordham. 2000. Management of sharks and their relatives (Elasmobranchii). American Fisheries Society Policy Statement. March 2000.