



# The NOAA FISHERIES NAVIGATOR

## New Regulations for the Smooth Dogfish Fishery

**O**n November 24, NOAA Fisheries published a final rule to address management of smooth dogfish and other smoothhound sharks (Florida smoothhound and Gulf smoothhound). The rule implements Amendment 9 to the 2006 Consolidated Atlantic Highly Migratory Species (HMS) Fishery Management Plan (FMP) and establishes an effective date for measures finalized in Amendment 3 to the HMS FMP and an August 10, 2011, Final Rule on Incidentally Caught HMS in Atlantic Trawl Fisheries. The rule focuses on smoothhound sharks, but also includes measures that affect the larger Atlantic shark gillnet fishery. All measures become effective on March 15, 2016.

### What does this rule do?

It implements permit requirements for fishermen that harvest smooth dogfish and dealers that purchase it.

It requires Federal commercial smoothhound shark fishermen to carry an observer on board their vessel if selected to do so.

It establishes an Atlantic regional smoothhound shark annual commercial quota of 1,201.7 metric ton dress weight (mt dw) based on quota of 336.4 mt dw.

It closes the smoothhound shark fishery in either region if landings reach or are expected to reach 80% of the region's quota.

We are holding a webinar on December 15 from 2-4 pm EST, to explain how the quota was calculated and

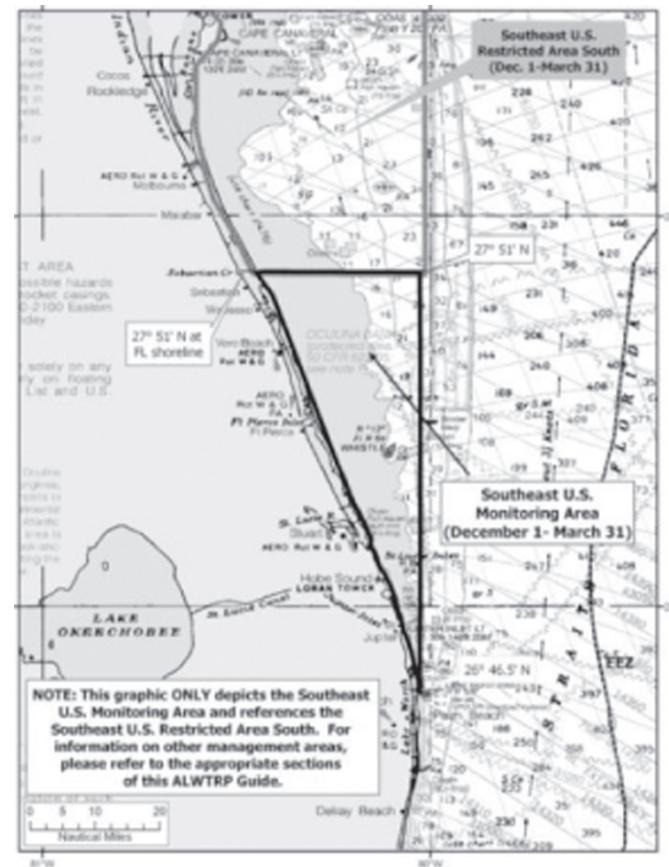
answer any other questions regarding the final management measures. The conference call-in phone number is 1-(800) 857-9816; participant pass code is 9776014. To join the webinar and see the presentation go to: <https://noaa-meets.webex.com/noaa-meets/j.php?MTID=m812c15f48b46787ea7475fc010c7099e>, enter your name and email address, and click the "JOIN" button. If requested, the meeting number is 991 661 137 and the meeting password is NOAA.

The rule also implements a limited exception in the 2010 Shark Conservation Act. Specifically, fishermen who meet four criteria may remove the fins and tail of a smooth dogfish prior to offloading their catch. Fishermen who do not meet the criteria can still fish commercially for smooth dogfish, but must keep smooth dogfish fins and tails naturally attached to the carcass through offloading. The four criteria are summarized here, but please see 50 C.F.R. § 635.30(c)(5) for specific details:

At the time of landing, at least 25% of catch on board the vessel must be smooth dogfish;

**In addition to a federal commercial smoothhound permit, fishermen must possess a valid State commercial fishing license that allows fishing for smooth dogfish;**

*See DOGFISH, page 4*



## How Fishermen, Seafood Dealers, and the Public Can Get News and Information From Us

### For commercial fishermen:

**Fish OnLine** - a password protected website for all vessel permit holders to access vessel data and regulatory information.

#### To view, go to:

[www.greateratlantic.fisheries.noaa.gov/apps/login](http://www.greateratlantic.fisheries.noaa.gov/apps/login).

You will need a user ID, which is your permit number, and a vessel PIN number, or password. To obtain a PIN, please call (978) 281-9133

Regulatory Smartphone text alerts – alerts include information about emergency actions, area openings and closings, and possession limit adjustments. To sign up, go to: <http://www.greateratlantic.fisheries.noaa.gov/fish>

**NOAA Navigator** - a bi-monthly insert in *Commercial Fisheries News*. Archived issues can be found at: <http://www.greateratlantic.fisheries.noaa.gov/fish>

Vessel Monitoring Systems – urgent regulatory notices may be transmitted via satellite to VMS-equipped vessels

U.S. Coast Guard radio – for messages, tune to

Channel 16 on the VHF and to Channel 2182 on the High Seas Radio

**Fishery Bulletins (Permit Holder Letters)** – for information about specific regulatory actions, go to: <http://www.greateratlantic.fisheries.noaa.gov/fish>

**Fishery Information Sheets** – for information on current regulatory information by fishery, go to: <http://www.greateratlantic.fisheries.noaa.gov/regs/info>

Our email address for industry questions - nmfs.gar.feedback@noaa.gov

### For recreational fishermen:

Recreational fishing website – for information about recreational fishing and permitting, go to: <http://www.greateratlantic.fisheries.noaa.gov/Sustainable/recfishing>

Regulatory Smartphone text alerts – alerts include information about area openings and closings and possession limit adjustments. To sign up:

<http://www.greateratlantic.fisheries.noaa.gov/Sustainable/recfishing>

### For seafood dealers:

SAFIS dealer reporting system – for information

posted for seafood dealers on the SAFIS message of the day, go to: [http://mahi.accsp.org:8888/pls/html\\_db\\_safis/f?p=200:101:10411816422921](http://mahi.accsp.org:8888/pls/html_db_safis/f?p=200:101:10411816422921)

### For the general public:

Constituent emails – to sign up to receive emails on specific topics that interest you, go to: [www.greateratlantic.fisheries.noaa.gov](http://www.greateratlantic.fisheries.noaa.gov) and hit the sign-up button in the left margin

GARFO website – for information on a variety of marine regulatory, scientific and educational topics, go to: [www.greateratlantic.fisheries.noaa.gov](http://www.greateratlantic.fisheries.noaa.gov)

Our email address for general questions – [http://www.greateratlantic.fisheries.noaa.gov/contact\\_us/email/index.html](http://www.greateratlantic.fisheries.noaa.gov/contact_us/email/index.html)

Our public events calendar – for a listing of outreach and educational events, go to:

<http://www.greateratlantic.fisheries.noaa.gov/mediacenter/publicevent>

NOAA Fisheries' Greater Atlantic regional field staff – there are about 70 field staff located in field offices from Maine to North Carolina, with 9 port agents dedicated to outreach and engagement with the fishing industry. A listing of our port agents can be found at: <http://www.greateratlantic.fisheries.noaa.gov/sed/portagents>

Facebook – search for NOAA Fisheries Service and friend us!

Twitter – follow us at @NOAAFish\_GARFO.

## THIS SUPPLEMENT PROVIDED BY NOAA FISHERIES SERVICE'S GREATER ATLANTIC REGIONAL OFFICE

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# The NOAA FISHERIES NAVIGATOR

## Atlantic Large Whale Take Reduction Plan: Massachusetts Restricted Area Reminder

This is a reminder that the Massachusetts Restricted Area will be closed to all trap/pot fishing from February 1- April 30, 2016 to protect Atlantic large whale populations.

The Massachusetts Restricted Area is bounded by the following point surrounding the shoreline of Cape Cod, Massachusetts: 42°12'70°44', 42°12'70°30', 42°30'70°30', 42°30'69°45', 41°56.5'69°45', 41°21.5'69°16', 41°15.3'69°57.9', 41°20.3'70°00', 41°40.2'70°00'.

For more information on this and other take reduction plan requirements, please visit the Atlantic Large Whale Take Reduction Plan website:

[www.greateratlantic.fisheries.noaa.gov/whaletrp](http://www.greateratlantic.fisheries.noaa.gov/whaletrp)  
or please contact your closest NOAA Fisheries Greater Atlantic Gear Team Liaison:

Northeast Fisheries Liaison: John Higgins, (978) 771-3669, [John.Higgins@noaa.gov](mailto:John.Higgins@noaa.gov)

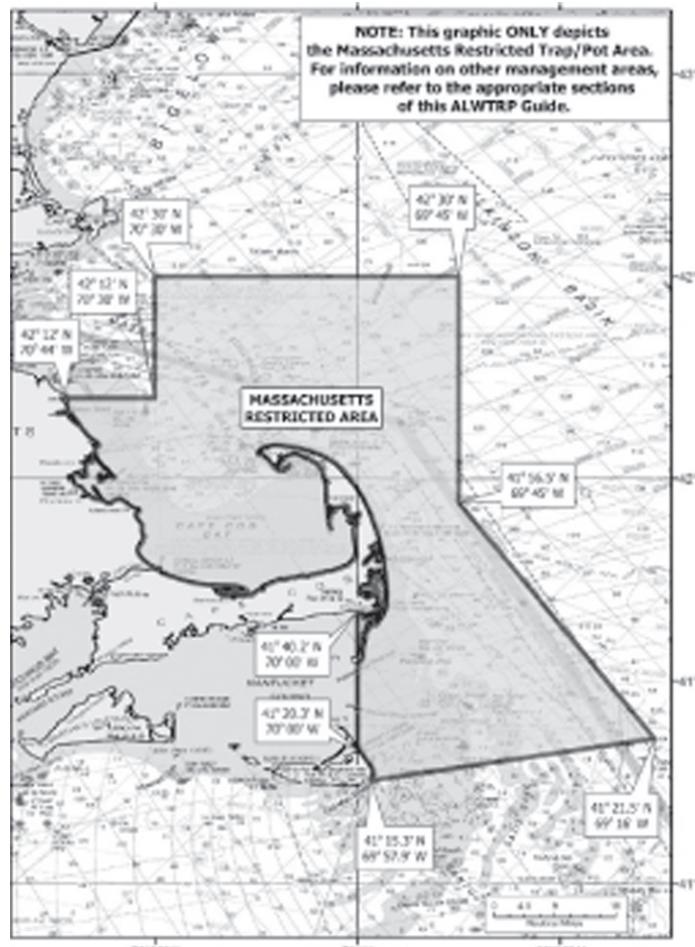
Mid/South Atlantic Fisheries Liaison: Glenn Salvador, (757) 414-0128, [Glenn.Salvador@noaa.gov](mailto:Glenn.Salvador@noaa.gov)

### Marine Mammal Authorization Program (MMAP)

The MMAP is a mandatory commercial fishermen's registration program that provides exemptions from the Marine Mammal Protection Act's prohibition on the taking of non-endangered/threatened marine mammals accidentally during commercial fishing activities. In the Greater Atlantic region, fishermen are automatically registered for the year if they have a valid state/federal permit license as of January 1 each year. If you participate in the fisheries listed below, you should receive your Certificate this December.

This program applies to all fishermen who have federal and state permits that authorize the use of the following commercial gear types:

Gillnets;  
Pelagic long lines;  
Trap/pots;



Mid water or bottom trawls (including pair trawl and flynets);

Menhaden purse seines (mid-Atlantic and Gulf of Mexico);

Long haul seines (NC);  
Roe mullet stop nets (NC);

Pound nets (VA); or  
Any high seas fisheries targeting Atlantic highly migratory species (only outside 200 nautical miles).

The MMAP requires that you:

Carry an authorization certificate during fishing activities (certificate is valid January 1-December 31 of each calendar year);

Carry an observer if requested;

Comply with applicable marine mammal protection measures and Take Reduction Plans

([www.greateratlantic.fisheries.noaa.gov/Protected/mmp/](http://www.greateratlantic.fisheries.noaa.gov/Protected/mmp/)); and

Report any marine mammal injury or death caused by fishing operation within 48 hours of the interaction using the Marine Mammal Mortality/Injury Reporting form (available on the MMAP website or by calling 978-281-9328). Reports must be filed even if an observer was onboard during the time of the incident.

If you participate in an applicable fishery and have not received your certificate in the mail, please visit the MMAP website:

[www.greateratlantic.fisheries.noaa.gov/mmap](http://www.greateratlantic.fisheries.noaa.gov/mmap) to download a certificate or contact (978) 281-9328 to have one mailed to you.

For questions regarding whether or not this program applies to you, please contact your closest NOAA Fisheries Greater Atlantic Gear Team Liaison:

Northeast Fisheries Liaison: John Higgins, (978) 771-3669, [John.Higgins@noaa.gov](mailto:John.Higgins@noaa.gov).

Mid/South Atlantic Fisheries Liaison: Glenn Salvador, (757) 414-0128, [Glenn.Salvador@noaa.gov](mailto:Glenn.Salvador@noaa.gov).

## Managing Our Recreational Fisheries

**R**ecreational saltwater fisheries are an important part of our regional identity. Annually, hundreds of thousands of recreational fishing trips take place throughout the Greater Atlantic Region, which extends from Maine to North Carolina. Recreational fishing contributes \$4.7 billion to our regional economy each year (\$1.3 billion across New England and \$3.4 billion across the mid-Atlantic in 2013). More than 75 million pounds of fish are harvested each year by recreational anglers fishing from shore, and on for-hire and private vessels. In support of our new National Saltwater Recreational Fisheries Policy and to better manage our saltwater recreational fisheries in the northeast, we are developing a Greater Atlantic Region Recreational Fisheries Implementation Plan.

On a national level, we have recently begun refocusing some of our efforts to better support

saltwater recreational fishing and recreational fisheries issues. We published a National Saltwater Recreational Fisheries Policy in 2015 that includes six key principles to "...foster, support, and enhance a broadly accessible and diverse array of sustainable recreational saltwater fishing opportunities for the benefit and enjoyment of all Americans."

Shortly after the National Policy was published, we released the National Saltwater Recreational Fisheries Implementation Plan, focused on tangible actions to advance the six guiding principles of the national policy. The national policy and implementation plan are available on the web at: [http://www.nmfs.noaa.gov/sfa/management/recreational/noaa\\_action.html](http://www.nmfs.noaa.gov/sfa/management/recreational/noaa_action.html).

Our vision for the future of recreational fishing in the northeast includes thriving fish stocks, healthy fish habitats, vibrant coastal communities, and world-class fisheries. Achieving this goal requires a foundation of

trust between NOAA Fisheries, our partners, and the recreational saltwater fishing community. Prior to developing this implementation plan, we reached out to the recreational community to help us focus on their issues of greatest concern, as well as to obtain suggestions on how to best address those issues.

While the implementation plan will be a basic roadmap for action in the region, it is a living document that can accommodate new challenges and opportunities as they arise. This implementation plan is an important step in the Greater Atlantic Region, under the National Policy, toward increasing our regional focus on recreational fisheries.

Look for the release of this plan in early 2016. For more information, contact Mark Grant or Moira Kelly at (978) 281-9315.

# New Faces on the Docks: NOAA Hires Uniformed Enforcement Officers

In an effort to restructure NOAA's Office of Law Enforcement (OLE) workforce to increase presence on the docks and help increase compliance with fishery regulations, the Northeast Division hired seven uniformed enforcement officers over the past year. The new officers, in conjunction with other changes such as hiring compliance personnel, are increasing OLE's ability to conduct monitoring, patrols, inspections, and to assist the fishing industry with compliance. OLE will continue to bolster its enforcement officer staff across the country over the next several years.

Staffing for OLE begins with the fundamental premise that without a strong enforcement program, NOAA cannot effectively manage and protect the nation's living marine resources, support the United States' multi-billion dollar seafood industry, ensure vibrant marine recreational fisheries, and protect the health of seafood consumers. Fair and effective law enforcement is critical toward protecting the livelihoods of commercial fishermen, the hobbies of recreational fishermen, and the health of seafood consumers.

OLE's sworn personnel are comprised of enforcement officers and special agents, each with their own distinct roles. Enforcement officers focus on improving compliance through face to face interactions with industry through monitoring, patrols and inspections, while special agents conduct more complex and long term investigations.

Special agents will continue to investigate complex cases such as fraudulent mislabeling of seafood that poses dangers to the public's health, harms honest fishermen's businesses and affects the sustainability of fisheries; the smuggling of threatened marine animal parts such as sperm whale teeth; and intentionally harming or attempting to harm protected marine animals such as whales, seals and turtles.

Enforcement officers increase NOAA's dockside presence, provide information about regulations directly to the fishing industry, and provide at-sea enforcement in conjunction with the US Coast Guard and state partners. Enforcement officers will focus on directly engaging with fishermen to ensure they understand fishing regulations, which will help prevent violations before they occur. They will also handle more routine violations such as landing fish in excess of possession limits or prohibited and undersized species, fishing in closed areas, and reporting issues.

With responsibilities covering more than 3 million square miles of open ocean, more than 85,000 miles of US coastline, the nation's 13 National Marine Sanctuaries, and its Marine National Monuments, OLE has an extensive mission that relies heavily on its staff in the field.

OLE's Northeast Division expects to introduce seven additional enforcement officers in 2016. This strategic shift in staffing will increase the visibility of OLE's programs and provide greater outreach, emphasizing prevention of violations and education as a means to improve compliance.

Logan Gregory, NOAA OLE's Special Agent in Charge, states; "It is clear that the vast majority of fishermen and seafood dealers are honest, hardworking individuals who want to follow fishery regulations designed to rebuild and sustain healthy fish stocks. A greater dockside presence with staff ready to help fishermen improve compliance is an important step in building a stronger relationship with industry."

## Meet the Seven New Enforcement Officers:



### Eric Provencher: North East Supervisory Enforcement Officer

Eric began his career in law enforcement with the National Park Service in 1996. Eric comes to OLE from the US Park Service where he formerly served as the Deputy Chief Ranger at Delaware Water Gap. As the Deputy Chief Ranger, Eric had supervisory oversight of approximately fifty Park Service staff.

Eric is most looking forward to the opportunity to assist in program development and advancing the professionalism of the Enforcement Officer program within NOAA-OLE as it grows in both size and scope.



### Jason Berthiaume: Gloucester, MA Enforcement Officer

During his time at Massachusetts Maritime Academy, Jason realized his interest in marine law enforcement and began his career as a fisheries observer. From there he was hired as a Marine Patrol Officer for the state of Maine where he worked closely with the lobster industry in Stonington and surrounding ports. Jason transitioned to NOAA in 2009, where he has worked in the Sustainable Fisheries Division in Gloucester and has been involved in policy and regulatory development for several fisheries.

Jason welcomes the opportunity to get out of the office and back into the field where he'll have the chance to interact face-to-face with the local fishermen again. Jason is also excited to help the industry navigate and comply with the complex regulations in the Northeast.



### Kevin Swiechowicz: New Bedford, MA Enforcement Officer

Kevin completed a degree in wildlife conservation at UMass Amherst before becoming a Wildlife Inspector for the US Fish and Wildlife Service (USFWS), a position that afforded him the opportunity to work alongside USFWS Agents regulating the international and interstate trade in wildlife products. Kevin was involved in investigations covering topics from sport hunted trophies originating in Zimbabwe to smuggled corals from Indonesia.

Kevin is excited to learn more about the commercial fishing industry and hopes to ensure a level playing field for all industry partners.



### Mark Kerr: Portland, ME Enforcement Officer

Mark started his career with the National Park Service in 1995, working as a ranger at Harpers Ferry National Historic Park in West Virginia and Catoctin Mountain Park in Thurmont, Maryland. He continued his career with the USFWS in order to return to his home on the Maine coast. Law enforcement positions at Rachel Carson National Wildlife Refuge in Wells, ME and Parker River National Wildlife Refuge in Newburyport, MA enabled Mark to gain experience and expertise in wildlife law enforcement and to

work cooperatively with state and local entities in the conservation field.

Mark saw an opportunity to join NOAA OLE as a way to pursue his love of the ocean and enable him to concentrate on the marine environment.

Mark looks forward to working with state partners and the US Coast Guard, getting out on the water, and becoming familiar with the boat operators and captains that work in his area of operation. Mark hopes to be a source of information on fisheries and gain compliance with regulations through education and maintaining a friendly presence on the docks.



### Wynn Carney: Mid-Atlantic Supervisory Enforcement Officer

Wynn holds an undergraduate degree in criminal justice and a graduate degree in public administration from Georgia Southern University. He began his law enforcement career 15 years ago and has worked as a game warden in Georgia, a municipal police officer in Georgia, a NOAA enforcement officer in Alaska, and as a special agent and park ranger with the National Park Service in Alaska and Florida.

Conservation of our fisheries has been a primary focus of Wynn's law enforcement career. He considers fisheries conservation to be one of his passions and views his career as much more than just a job.

Wynn feels honored to have been selected as the Supervisory Enforcement Officer for the Mid-Atlantic area and believes his role in keeping our fish resources healthy and sustainable for future generations will bring him both professional and personal pride. Wynn also enjoys spending his free time spear fishing, cooking, and hunting.



### Jed Fiske: Wall, NJ Enforcement Officer

Jed graduated from the University of New Hampshire with a BS in recreation management & policy and a minor in environmental conservation. Since graduating, he has worked as a law enforcement officer for the National Park Service and the US Department of Veterans Affairs, as well as regulatory enforcement for the U.S. Army Corps of Engineers.

Jed grew up on the coast of southern Maine and enjoys recreational fishing, both freshwater and saltwater. He takes pride in being able to protect our nation's natural resources and looks forward to learning more about the commercial fishing industry.



### John Ford: Newport News, VA Enforcement Officer

John began his career with NOAA in 2009 working on OLE's Cooperative Enforcement Program before being hired as an Enforcement Officer. In his new role, John hopes to improve working relationships between the fishing community and marine conservation agencies through outreach and education.

John enjoys the opportunity to be a part of the natural resource management partnership to ensure fishing opportunities for future generations.



# The NOAA FISHERIES NAVIGATOR

## Moving Fish: Fishways Connect Habitats and Support Coastal Communities

**H**ave you ever seen a fish ladder or a fish lift? Do you know how one works? For many people, the answer to both is "no." If you live along the coast or on a river, there may even be a fish ladder or lift near you. Why do fish need these devices?

A fish lift is designed to move fish over tall dams with minimal effort by the fish. Fish are attracted to the entrance where they are crowded into a bucket called the "hopper." The hopper is lifted and fish are released into a flume where they continue to swim upstream. Photo credit: Sean McDermott, NOAA

Migratory fish such as sea lamprey, rainbow smelt, American shad, alewife and blueback herring live and grow in the ocean and return to rivers to spawn. They arrive in coastal rivers every spring, with some rivers seeing millions of fish. After spawning upriver, they return to the sea. Then, in the fall, millions of young fish make their way from river to sea. These fish become prey, or bait fish, supporting marine ecosystems including popular commercial and recreational fish populations. Stripers, Atlantic cod, and bluefish, to name a few, rely on these migratory fish for food. In addition, marine mammals also prey on these fish.

### Fish Versus Dams: A Centuries-Old Battle

Sea-run migratory fish were an important food source for colonial settlers, and remain important for some Native American tribes today. Rivers also provide travel routes, and hydro-mechanical power for development of agricultural and industrial technology. As technology developed, the construction of dams for navigation and hydro-mechanical power spread, blocking the migration of those sea-run fish. The conflict between dam-building industrialists and commercial fishers led to the "Shad Wars" from 1780 to the late 1800s, with warring parties shooting guns and cannons at each other and destroying weirs and dams, all in the pursuit of the best fishing spots.

Pool and weir bypass is a series of small drops into pools of water. The drops are small enough for fish to swim over and pool controls the water's energy, creating a suitable environment for fish to pass. The design can be used to go around a dam or up the face of the dam. Photo credit: Jack Terrill, NOAA.

In the end, dams rose and migratory fish populations fell, taking with them the economic and cultural traditions they once supported. Populations of several species are now at all-time lows. Three species (Atlantic salmon, Atlantic sturgeon, and shortnose sturgeon) are listed under the Endangered Species Act, and four others (rainbow smelt, alewife, blueback herring, and American eel) are either species of concern or have been petitioned for listing under the Act.

### Thousands of Dams

Thousands of dams have been constructed in the Northeast since colonial times, from small farmer's



ponds and mill dams to large hydropower dams. Many dams are still in use for fire suppression, hydropower, water supply, and recreation. Many more dams no longer have a function. However, there is often local support for keeping dams in place to preserve historical structures, maintain recreational use, or simply for the scenic view. Where dams have a function or dam removal is not feasible, fishways are built to help migratory fish to get around dams and allow them to return to their spawning grounds.

### Healthy Fish Runs Support Coastal Communities

NOAA Fisheries, through its Habitat Conservation and Habitat Restoration Divisions, works with hydropower developers, landowners, and municipalities, as well as state and federal agencies, to address fish passage needs in coastal rivers. This is a critical part of our agency mission to conserve coastal and marine resources and support coastal communities.

An Alaskan steeppass is typically designed for small dams. The ability to reduce energy within the chute allows the steeppass to be built at a higher angle. Photo credit: Sean McDermott, NOAA.

Healthy runs of migratory fish are not only good for the ecosystem, but they also support jobs for fish harvesters and provide funds—through licenses—for coastal communities. The harvested fish provide bait for lobstermen. The harvest of elvers in Maine (American eel young of the year) can command a

high price. Bluefish and stripers chase migrating fish into rivers, providing sport for recreational fishermen, who in turn support local bait shops and outfitters. While at sea, many of these fish become prey for commercially important fisheries like cod, haddock, pollock, and flounders. Where dam removal is not likely to happen, fishways are important tools for supporting healthy runs of migratory fish.

### Get Involved!

For many smaller rivers, local advocacy groups and state agencies support local fishways by lining up volunteers to do annual migration counts and by raising awareness of the need to protect these fish and their habitats. Contact your local watershed association to find out how you can volunteer.



## Dogfish

*Continued from page 1*

Smooth dogfish were caught within waters of the US out to 50 nm from Maine through the east coast of Florida; and

Total weight of smooth dogfish fins landed or found on board a vessel cannot exceed 12% of the total dressed weight of carcasses on board or landed.

Fishermen fishing for sharks, including smoothhound sharks, and who are using sink gillnet gear will have a soak time restriction of 24 hours. Similarly, shark fishermen using drift gillnet gear will have to check their nets at least every two hours.

Finally, this rule modifies existing vessel monitoring system (VMS) provisions to require the use of VMS only when in the vicinity of the Southeast US Monitoring Area (small area off the east coast of Florida), to make the rule consistent with the requirements of the Atlantic Large Whale Take Reduction Plan.

For further information, please visit <<http://www.nmfs.noaa.gov/sfa/hms/>> or contact the HMS Management Division at (301) 427-8503.