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ENVIRONMENTAL PROTECTION

FISH AND WILDLIFE

Notice of Administrative Change

Marine Fisheries

Modification of Spiny Dogfish Trip Limits

N.J.A.C. 7:25-18.12

Take Notice that, pursuant to N.J.A.C. 7:25-18.12(r), the Commissioner of the Department of Environmental Protection (Commissioner), with the approval of the New Jersey Marine Fisheries Council (Council) at its July 13, 2023, meeting, has modified the commercial trip limits for spiny dogfish. The actions for spiny dogfish have been taken to achieve optimal utilization of available spiny dogfish quota.

On February 2, 2023, the Atlantic States Marine Fisheries Commission (ASMFC) approved a 59.4 percent reduction in the coastwide commercial quota for spiny dogfish for the 2023/2024 fishing season as recommended by the Mid-Atlantic Fishery Management Council. The reduced quota is in response to declining trends in several indicators including survey abundance, catch per unit of effort, pup reduction, and dogfish growth. In accordance with the Interstate Fishery Management Plan for Spiny Dogfish, southern region states have the ability to set state-specific trip limits based on the needs of their fisheries. (<https://asmfc.org/uploads/file/63dbc799pr03SpinyDogfish2023Specs.pdf>).

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At its May 25, 2023, meeting, the Council's Commercial Spiny Dogfish Advisory Committee developed its preferred trip limits for the 2023 commercial fishing year based upon the reduced annual quota of 2,259,728 pounds. Advisors recommended reducing the daily trip limit from 7,500 pounds per day to 4,000 pounds per day. The trip limits are established at levels intended to result in the harvest of the portion of the quota necessary to achieve full utilization of the quota throughout the 2023 fishing season. Accordingly, the Council approved modifying the commercial trip limits to 4,000 pounds per day at its July 13, 2023, meeting.

These changes will be reflected in the Fish and Wildlife rules at N.J.A.C. 7:25-18.12(g). As required in N.J.A.C. 7:25-18.12(r), changes to N.J.A.C. 7:25-18.12 will be published in the New Jersey Register, the New Jersey Fish and Wildlife commercial regulation publication, on the Department's website, and through email to commercial license holders.

Full text of the changed rule follows (additions indicated in boldface **thus**, deletions indicated in brackets [thus]):

7:25-18.12 Size, season, and possession limits

(a) – (f) (No change.)

(g) The following provisions are applicable to the commercial harvest of spiny dogfish:

1. – 2. (No change.)

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3. No person or vessel shall have in possession or land and no dealer shall accept from any one vessel more than the daily trip limit set by the National Marine Fisheries Service or the Atlantic State Marine Fisheries Commission.

i. In accordance with the Atlantic States Marine Fisheries Council’s Interstate Fishery Management Plan for Spiny Dogfish, which authorizes southern region states (NY to NC) to set state-specific trip limits based on the needs of their fisheries, no person or vessel shall have in possession or land more than 4,000 pounds of spiny dogfish per day, and no dealer shall accept more than 4,000 pounds of spiny dogfish per day from any one vessel.

4. Any closure of the spiny dogfish fishery by the National Marine Fisheries Service in adjacent Federal waters or recommended closure by the Atlantic States Marine Fisheries Commission for areas including New Jersey automatically closes New Jersey waters to the harvest of spiny dogfish and to the commercial landings of spiny dogfish.

(h) – (r) (No change.)