

# Congress of the United States

Washington, DC 20515

September 22, 2008

Chairman George Lapointe  
Atlantic States Marine Fisheries Commission  
1444 Eye St., NW  
Washington, DC 20005

Dear Chairman Lapointe:

We are contacting you as representatives of the North Carolina congressional delegation regarding spiny dogfish and the management of that species by the Atlantic States Marine Fisheries Commission (ASMFC). Specifically, we are concerned that the lack of proper management oversight by the ASMFC has resulted in disproportionately negative consequences for our state's commercial fishermen and the communities in which they live.

To address this problem, we understand the North Carolina Division of Marine Fisheries (NCDMF) has requested that two addendums be added to the Spiny Dogfish Fishery Management Plan. First, NCDMF requests the current 58%-42% split become a regional quota with overages coming off the offending region, not the entire fishery as is now the case. Second, and perhaps more important, NCDMF is requesting state-by-state allocations based on historical allocations to be managed by each individual state. Overage accountability would thus rest with the individual states and allow for historical participation in the fishery. This is essentially how summer flounder is managed.

The ASMFC will meet in October at its annual meeting and we hope the Spiny Dogfish Board will be able to work out the details of the addendums so that North Carolina will once again be a vital participant in the fishery.

Should the ASMFC Spiny Dogfish Board fail to come to an agreement in time for North Carolina to have a fishery this year, we request the ASMFC Policy Board be prepared to act itself. We believe the Policy Board's Charter authorizes it to take action in special circumstances such as this and that it does so to correct current and past inequities suffered by North Carolina fishermen in this fishery. Specifically, we ask the Policy Board to allocate 1.4 million pounds of spiny dogfish to North Carolina for the upcoming dogfish season while the ASMFC works out the details of the permanent fix through the normal addendum process.

We appreciate your prompt attention to this request and look forward to hearing from you about your intentions with the upcoming annual meeting and the spiny dogfish fishery.



Elizabeth Dole  
Senator

Sincerely,



Richard Burr  
Senator



Walter B. Jones  
Member of Congress

Cc: John V. O'Shea, Executive Director, Atlantic States Marine Fisheries Commission  
Louis Daniel, Director, North Carolina Division of Marine Fisheries