

**Congress of the United States**  
Washington, DC 20510

October 14, 2009

The Honorable Ken Salazar  
Secretary of the Interior  
U.S. Department of the Interior  
1849 C Street, N.W.  
Washington DC 20240

The Honorable Gary Locke  
Secretary of Commerce  
U.S. Department of Commerce  
1401 Constitution Ave., NW  
Washington, DC 20230

Dear Secretaries Salazar and Locke:

We write to urge your respective agencies to withhold support for the listing of spiny dogfish (*Squalus acanthias*) under Appendix II to the Convention on International Trade in Endangered Species (CITES) at the upcoming 15<sup>th</sup> regular meeting of the Conference of the Parties.

As you know, the spiny dogfish fishery along the Atlantic seaboard has not always been as healthy as it is today. In 1998, the spiny dogfish population was declared overfished by the National Marine Fisheries Service (NMFS). As a result, the Mid-Atlantic and New England Fishery Management Councils came together to develop a joint fishery management plan (FMP) designed to rebuild the dogfish stock. The Atlantic States Marine Fisheries Commission (ASMFC) closed state waters to the spiny dogfish fishery and began the development of the ASMFC Interstate FMP. These management plans operate in conjunction with one another and maintain stringent catch limits on spiny dogfish in an effort to rebuild the stock.

Thanks to these measures and the willingness of our fishermen to cooperate and actively participate in the conservation of this species, spiny dogfish are no longer considered overfished in U.S. Atlantic waters and overfishing is not occurring. As a result, in May of this year, NMFS deemed the stock sufficiently healthy to support an increase in the commercial quota and trip catch limit.

Although the Northwest Atlantic spiny dogfish stock has made a strong recovery, other locales and subpopulations remain at risk. The spiny dogfish remains listed globally as a "vulnerable" species on the International Union for Conservation of Nature (IUCN) Red List, with spiny dogfish subpopulations in certain geographic areas, such as the Northeast Atlantic, listed as "critically endangered." These areas rely on imports from healthier stocks, such as those in the U.S., to supplement their demand and relieve pressure from commercial fishing of these local populations.


However, listing the spiny dogfish under Appendix II to CITES would sharply curtail trade. The survival of the New England spiny dogfish fishery relies on the export of its catch to foreign nations who rely on this species but which have not sufficiently rebuilt their own local dogfish fishery.


Participants in the Northwest Atlantic fishery have worked diligently to rebuild and properly manage this stock and will be severely hampered if the CITES listing is approved.

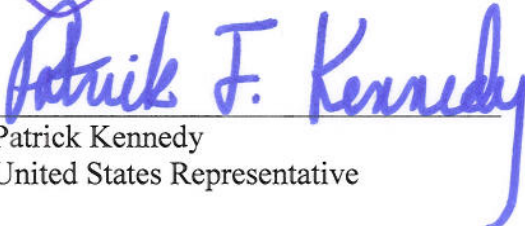
While we recognize the importance of protecting this species, it is imperative that the U.S. fishery not be inadvertently punished for its success in rebuilding our local dogfish population. Our local commercial and recreational fishing industry has persevered through tight catch restrictions, low market prices, rising fuel costs, and other hurdles to help preserve an economically strong and ecologically healthy fishery. As a result, we respectfully request your agencies to seriously consider the implications of listing the spiny dogfish as a CITES Appendix II protected species.

Thank you for your consideration of this important issue,

Sincerely,

  
\_\_\_\_\_  
Jack Reed  
United States Senator

  
\_\_\_\_\_  
Sheldon Whitehouse  
United States Senator

  
\_\_\_\_\_  
Patrick Kennedy  
United States Representative

  
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James Langevin  
United States Representative