Atlantic States Marine Fisheries Commission

Winter Flounder Board

October 27, 2014
9:45 – 10:45 a.m.
Mystic, Connecticut

Draft Agenda

The times listed are approximate; the order in which these items will be taken is subject to change; other items may be added as necessary.

1.	Welcome/Call to Order (*R. White)*	9:45 a.m.
2.	Board Consent • Approval of Agenda • Approval of Proceedings from February 2014	9:45 a.m.
3.	Public Comment	9:50 a.m.
4.	Review of NEFSC Assessment Update for Gulf of Maine Stock (*P. Nitschke*)	10:00 a.m.
5.	Technical Committee Report on Abundance and Biomass Indices for Southern New England/Mid-Atlantic Stock (*S. Correia/K. Drew*)	10:10 a.m.
6.	Advisory Panel Report on Recent Winter Flounder Fisheries Trends (*H. Brown*)	10:20 a.m.
7.	Set 2015 Fishing Year Specifications (*R. White*) **Action**	10:30 a.m.
8.	Review and Populate Advisory Panel Membership (*M. Yuen*)	10:40 a.m.
9.	Other Business/Adjourn	10:45 a.m.

The meeting will be held at:
The Mystic Hilton, 20 Coogan Boulevard, Mystic, Connecticut 06355 (860) 572.0731

MEETING OVERVIEW

Winter Flounder Management Board
October 27, 2014
9:45 – 10:45 a.m.
Mystic, Connecticut

Chair: Ritchie White	Technical Committee Chair: Steve Correia	Law Enforcement Committee Kurt Blanchard
Vice Chair: Mark Gibson	Advisory Panel Chair: Bud Brown	Previous Board Meeting: February 4, 2014
Voting Members: ME, NH, MA, RI, CT, NY, NJ, DE, NMFS, USFWS (10 votes)		

2. Board Consent

- Approval of Agenda
- Approval of Proceedings from February 4, 2014

3. Public Comment – At the beginning of the meeting public comment will be taken on items not on the Agenda. Individuals that wish to speak at this time must sign in at the beginning of the meeting. For agenda items that have already gone out for public hearing and/or have had a public comment period that has closed, the Section Chair may determine that additional public comment will not provide additional information. In this circumstance the Chair will not allow additional public comment on an issue. For agenda items that the public has not had a chance to provide input, the Section Chair may allow limited opportunity for comment. The Section Chair has the discretion to limit the number of speakers and/or the length of each comment.

4. Review of NEFSC Assessment Update for Gulf of Maine Stock 10:00 – 10:10 a.m.

Background

- The Northeast Fisheries Science Center conducted an operational stock assessment for the Gulf of Maine (GOM) winter flounder stock in September 2014.

Presentations

- GOM Winter Flounder Operational Update by P. Nitschke.

5. Technical Committee Report on Abundance and Biomass Indices for Southern New England/Mid-Atlantic Stock 10:10 – 10:20 a.m.

Background

- The Technical Committee produced standardized (**Supplemental Materials).**

Presentations

- Standardized state survey indices by S. Correia.

6. Advisory Panel Report on Recent Winter Flounder Fisheries Trends 10:20 - 10:30 a.m.

Background

- The AP provides observations of the winter flounder fishery and recommendations for the management measures to the Board for consideration (**Supplemental Materials).**

Presentations

- AP Report by H. Bud

7. Set 2015 Fishing Year Specifications 10:30 - 10:40 a.m.
Background • Each year, the Winter Flounder Management Board sets commercial and recreational measures for the upcoming fishing year**.**
Presentations • Review of NOAA Fisheries specifications and current year's management measures (M. Yuen).
Board Action for Consideration • Set commercial and recreational management measures for 2015 fishing year.

8. Review and Populate Advisory Panel Membership (10:40 – 10:45 a.m.) Action
Background • Consider nomination for new member to the Winter Flounder AP (**Briefing Materials**).
Board Action for Consideration • Approve new member to the Winter Flounder AP

9. Other Business/Adjourn

DRAFT PROCEEDINGS OF THE

ATLANTIC STATES MARINE FISHERIES COMMISSION

WINTER FLOUNDER MANAGEMENT BOARD

Crowne Plaza Hotel - Old Town
Alexandria, Virginia
February 4, 2014

For Board Approval

These minutes are draft and subject to approval by the Winter Flounder Management Board.
The Board will review the minutes during its next meeting.

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INDEX OF MOTIONS

ATTENDANCE

Board Members

Terry Stockwell, ME, proxy for P. Keliher (AA)
Steve Train, ME (GA)
Rep. Walter Kumiega, ME (LA)
Doug Grout, NH (AA)
G. Ritchie White, NH (GA)
Tom Baum, NJ, proxy for D. Chanda (AA)
Tom Fote, NJ (GA)
Roy Miller, DE (GA)
John Clark, DE, proxy for D. Saveikis (AA)
Bernie Pankowski, DE, proxy for Sen.Venables (LA)
Steve Meyers, NMFS
Mike Millard, USFWS

(AA = Administrative Appointee; GA = Governor Appointee; LA = Legislative Appointee)

Ex-Officio Members

Staff

Robert Beal
Toni Kerns
Kirby Rootes-Murdy
Melissa Yuen

Guests

The Winter Flounder Management Board of the Atlantic States Marine Fisheries Commission convened in the Presidential Ballroom of the Crown Plaza Hotel Old Town, Alexandria, Virginia, February 4, 2014, and was called to order at 9:30 o'clock a.m. by Chairman G. Ritchie White.

CALL TO ORDER

CHAIRMAN G. RITCHIE WHITE: Okay, I'd like to call the Winter Flounder Board to order.

APPROVAL OF AGENDA

The first order of business is approval of the agenda. Are there any additions or changes to the agenda? Seeing none; the agenda is adopted by consent. Tom.

MR. THOMAS FOTE: I just wanted to thank the new chairman for having two screens, because now at least New Jersey can see what is up on the thing for the first time in probably about 15 years. Usually it is on that screen and now the feds can actually see what is going on. I think it is a great addition. I would like to thank the chairman and the commission for basically putting two screens so we can see what is going on.

CHAIRMAN WHITE: Thanks, Tom, I'd certainly like to take credit for that, but that will have to go to staff. The staff figured that out, so we all thank staff. We have passed the agenda unless someone had a late item. Dave.

DR. DAVID PIERCE: Just a clarification, Mr. Chairman. This meeting is only 45 minutes long; God bless; God speed.

APPROVAL OF PROCEEDINGS

CHAIRMAN WHITE: That might be up to you some. The next order of business is approval of the proceedings of the May 2013 meeting. Are there any changes or additions to the minutes? Seeing none, the minutes pass as written.

PUBLIC COMMENT

Public comment; is there any public comment on items that are not on the agenda? Seeing none; we're going to move on to Item Number 4; Melissa.

FMP REVIEW FOR THE 2012 FISHING SEASON

MS. MELISSA YUEN: I will now go over the FMP Review for the 2012 fishing season for winter flounder, which spans from May 2012 through April 2013. First is an update of the fisheries. This graph shows the commercial and recreational landings in the Gulf of Maine since 1982. Landings have generally declined.

In the commercial fishery 2010 had the lowest landings on record with just over 380,000 pounds, which is roughly 5 percent of the historical peak landings in 1982. In 2011 and 2012 commercial landings have increased to 532,000 and 685,000 pounds, respectively. This is due to the federal emergency action that raised the Gulf of Maine ACL to which we responded with increased trip limits for non-federal vessels. Recreational landings have also declined through the time series. For example, in 2012 the Gulf of Maine landings were less than 50,000 pounds.

Now we have the Southern New England/Mid-Atlantic winter flounder landings; similar trends to the Gulf of Maine of general decline through the time series as well. In 2011 commercial landings dropped to a record low of 135,000 pounds, which is less than 1 percent of the peak landings just three decades ago. Landings increased slightly in 2012, just over 152,000 pounds.

The moratorium was in place from 2009 on; so at that time 80 percent of the catch was discarded. Recreational landings also reached an all-time low in 2012 with anglers taking less than 60,000 pounds of winter flounder. Now we will go over the

management measures and state compliance reports.

Amendment 1 through Addendum II applied to the 2012 fishing year. Addendum III was implemented for the 2013 fishing year. These are the commercial management measures that must be implemented for the Gulf of Maine for the 2012 fishing year. You can see the 500-pound limit that was put in place.

The plan review team found that all states had management measures and programs consistent with the FMP requirements. In Southern New England, these are the commercial management measures. Again, the plan review team found all states had consistent regulations with the FMP. All states had recreational measures in the Gulf of Maine and Southern New England that is consistent with the FMP requirements.

The Inshore Winter Flounder FMP also has state-specific requirements for monitoring and research for some states for the developing of recruitment and spawning stock biomass indices. Again, all states were consistent with the requirements. Delaware was granted de minimis status in 2012, so it was exempted from the juvenile survey requirement.

Lastly, Delaware once again requests de minimis status. The PDT found that they have met all three requirements. They have zero percent three-year average landings for commercial and recreational sectors; so they qualified for de minimis status. This concludes my presentation. Thank you, Mr. Chairman.

CHAIRMAN WHITE: If we continue with the 2014 specifications with no changes, would we need a motion for Delaware to be de minimis again or would that just continue on, Toni?

MS. TONI KERNS: We would need a motion to approve the FMP Review as well as to approve Delaware with de minimis status.

CHAIRMAN WHITE: Pat. Hold on, Pat, I think there is a question. Bill.

MR. WILLIAM A. ADLER: On Page 20 under the recreational harvest, A plus B-1 by weight, pounds; is this correct that New Jersey had 40 pounds; is that it?

MS. YUEN: Yes; that is correct. The recreational landings dropped by more than 99 percent.

MR. ADLER: And, secondly, I just wanted to note that does anybody know why did the feds raise – if it was overfished; why did they raise the trip allowance? We did, too, but what was the reason why we did that or they did that?

MS. YUEN: Are you asking for Gulf of Maine? I believe it was to provide more fishing opportunities because groundfish overall are pretty hammered. For example, with cod, there were severe cuts so they wanted to provide more fishing opportunity for fishermen.

MR. ADLER: Well, if I may, is it not overfished anymore?

MS. YUEN: For the Gulf of Maine, the last stock assessment, the model was not accepted so it was determined that overfishing was not occurring but the stock status itself was not known.

MR. DAVID SIMPSON: A comment on the review; it is great; there were a couple of things I wanted to point out. On the recreational fishery for Southern New England, anyway, we should include the 60-day limit on an open season for current regulations. I didn't see that in there. That is on Page 12.

Then just generally under each state's description of their fisheries and indices, there is a general statement about how each agency monitors the recreational and commercial fisheries. For example, Connecticut it says we monitor commercial fisheries through NOAA port sampling, which isn't quite on, so you might want to revisit the technical committees and get more

accurate descriptions there. True, most of the states –

MS. YUEN: Those have to be reported in the state compliance reports; but I will ask the technical committee members to review.

CHAIRMAN WHITE: Are there any other questions? Dave.

MR. DAVID V.D. BORDEN: Mr. Chairman, not necessarily a question, but having not attended the last board I read through the minutes and I was struck by the number and amount of discussion there was about this issue that Bill Adler just raised, which is what was the justification in federal waters for raising the trip limit.

I really went away from that whole read with a really bad taste in my mouth; because other than a statement that Mark Gibson made about increasing abundance in Rhode Island waters, there were no positive comments. I went through the documents, and there are about 12 or 15 negative issues that relate to winter flounder.

The council obviously took its position for reasons; and I think that it would be really useful so the record is clear for the commission to simply ask the council to send us a letter and articulate what those reasons are so that we will have a clear record of why they did it; and we can answer some of the 272 questions that Pat Augustine raised.

MR. FOTE: Not only Pat Augustine but my concern. I made the motion a couple of years ago to basically restrict the catch of winter flounder to recreationally two fish; and even the commercial pound net fishermen in New Jersey are limited to 50 pounds, which works out to 36 fish. Yet we're basically increasing the fishery and they're looking at me and saying, "What are you doing?"

It is the same thing that happened with weakfish when we basically did allow for a hundred pound bycatch and now states have a thousand pound bycatch and we're still at a hundred pound bycatch. It gets us into all kinds of trouble here. I wasn't happy and I'm still not happy; and I still haven't found that it was justified in my mind that we allowed for this increase while we're still being very restrictive on some of the sectors of the fishery.

These fishermen that fish pound nets are basically restricted to the rivers. They don't have a boat so they can't take any availability of the stocks to the guys that go out and drag for them. It is very unfair. You try to explain it to them and I can't right now justifiably explain why we did it. That's a real problem.

CHAIRMAN WHITE: Thank you, Tom. I think we're kind of getting into the next agenda item. I think at this point a motion might be in order, Pat.

MR. PATRICK AUGUSTINE: Melissa, that was a great report. **I move that the board approve the 2013 FMP Review and State Compliance Reports and Delaware's request for de minimis status for commercial and recreational fisheries.**

CHAIRMAN WHITE: Is there a second; Tom Fote. Is there any discussion on the motion? Seeing none; do you need to caucus? Seeing none; a show of right hands for those in favor; same sign, opposed; null votes. **The motion carries unanimously**.

CONSIDER SPECIFICATIONS FOR 2014 ADVISORY PANEL REPORT

Okay, the next agenda item is consider specification for 2014. Do you want to have a comment prior to the presentation? The AP had a phone conference that I listened into. The AP Chair, Bud, is here and we'd like to hear the outcome of that meeting.

MR. BUD BROWN: Okay, we had a conference call. We had advisors who participated from New York, Rhode Island, New Hampshire and Maine. Subsequent to the call, a recreational advisor from New Jersey also participated and voted on our discussions. Like I just heard from Bill about

the increase in the trip limit, we had several frustrations that we discussed.

The first one was the stock assessment for the Gulf of Maine, which continues – this is my 21st year of attempting to have something done about winter flounder in the Gulf of Maine. Nothing has changed in 21 years. We continue to be frustrated that the landings' data are such that essentially in the state of Maine we only have a recreational catch at either end of the state with nothing in the middle.

This year I personally saw two winter flounder. I saw one being eaten by a loon out of my office window of my house; and I found a dead one in Southport when I was doing a biological inventory for a dredge project. Essentially the advisory panel has recommended that there be a moratorium on all winter flounder landings.

We talked about the EEZ and the fact that in Southern New England the ACL had been over 60 percent caught. I did a spreadsheet calculation when we were having the conference call; and it turns out with a 50-pound trip limit for Southern New England stock inshore and with the inshore/offshore movements of winter flounder that we understand to be the case, that it would day in and day out 150 trips in inshore waters, 24/7, 365 a year.

Anything that is done in state waters is a de minimis management activity because it is all easily overridden by what happens in the EEZ. We just feel that there is no way that allowing landings from the EEZ is not going to negatively impact state waters. When you look at those landings' data, it is pretty clear that things have been in the tank for a really long time. I think that we need to take some measures – actually, the advisory panel, we voted unanimously again that we need more and more restrictions to try to do something about winter flounder. This has been going on forever. In my experience it has been almost 40 years since they kind of disappeared from my area; and I lived in a hotbed of winter flounder. I think that covers it.

CHAIRMAN WHITE: Thank you, Bud. Just to clarify what the AP recommendation is, a moratorium would mean there would be no possession or landings of winter flounder within a state. I think that is the intent that the AP is recommending, from what I heard. Are there any questions? Pat

MR. AUGUSTINE: I appreciate that report. I just wondered when some group was going to say something. We say it around the table that there is definitely a problem. The advisory panel has now stated it very large in black and white. My question would be what would possibly be a step that either we could take as a board or we could have the technical committee look at to do something to start an action to address problem.

I think the issue is now, as I see it. We've got the increase in daily quota, which upset all of us. It is like this is unbelievable. At the same time, we kind of went along with that, but now we're in this dilemma. We have an advisory panel on the record that has said this is a major problem. I guess I'll go back to my basic question; is there a step that the board can take to either, one, empower the staff with the technical committee to take a different look and to come up with a recommendation as to what we possibly can do to address this? Moratorium may be too severe, but it is an option. Mr. Chairman, do you have any idea which way we might go with this?

CHAIRMAN WHITE: I'd be looking for your leadership, Pat, in that regard.

MR. AUGUSTINE: I'm a short-timer, Mr. Chairman, so I'm not sure I can give you too much leadership in the next couple of days. I think some other board members might have some ideas. Tom has been very vocal on this, and, Tom, you might want to offer some advice. I like what the advisory panel came up with; but again it is taking that initial step because it is going to hurt some people who are using those animals to land for economic purposes. In some cases maybe it is keeping them afloat as businessmen. At the end of the day we're still charged with the status of that stock, and it sure has not improved. I

will just leave it at that, Mr. Chairman, and hopefully someone else will add something to the comments.

MR. MARK GIBSON: I'm looking at the advisory panel recommendations; and Point C says the moratorium should include a prohibition on possession of winter flounder in state waters, but the activity is in federal waters. That adversely affects states' efforts to restore winter flounder stock. It is the intent of the advisors that we would have a prohibition on possession in all state waters so that federal fishers could not land fish; just so I understand what you're recommending.

MR. FOTE: I'm as frustrated as Pat and Bud is. We looked at a fishery that we were hoping we would rebuild. I think there are some environmental conditions in the bays and estuaries that affect winter flounder. I know it affects dredging. I got more complaints on people that wanted to dredge in Cape May and say we don't have any winter flounder because of winter flounder spawning.

It might take place that they can't dredge and the only time they can dredge is the summertime when you can't dredge, so it is a very complicated issue. When I look at this and I see they said New England allowed this because of yellowtail or the groundfish fishery not being what it is. Well, if you look at the pound net fishermen in New Jersey or anyplace else, they can't catch river herring anymore, they can't catch shad anymore.

Winter flounder was one of the few species they were allowed to catch and now we have taken that where it is not really a viable fish for them. I don't know if I'd go for a moratorium right now as far as all landings. That would be difficult on the guys that are not really catching anything to begin with and not really a small part of the problem.

I could go to that you could not land more than 50 pounds of fish in a state; and that would basically take care of the problem because that would basically say let the poor pound netters that has been in existence as the only fish you can catch – he can't go after yellowtail, he can't go after codfish because that is not what he is going to catch in a pound net sitting on the bank of a river. I would restrict all state landings to 50 pounds because that would deal with the problem.

Now I know that might not be acceptable to the guys in New England, but it is a step that we would like in New Jersey in the right direction. It is a very difficult problem because the stocks have not done any comeback. It is like weakfish. We thought they were going to make a comeback because we put regulations in place, and we never saw the comeback that we expected.

CHAIRMAN WHITE: Thank you, Tom. I think we've kind of gotten beyond questions for the advisory panel. We do have a report from the technical committee, and I think it might be wise to go to that next. Katie.

TECHNICAL COMMITTEE REPORT

DR. KATIE DREW: Unfortunately, the technical committee does not have any good news for anybody. Basically, the indices continue to remain flat and low for all regions and all states. Everything we have looked at has had a pretty pessimistic outlook. I will just go through these very quickly since I know we're pressed for time.

These are indices from the Gulf of Maine and New Hampshire. They look flat, maybe a tiny bit of uptick, but I would just like to point out these are actually the shortest indices on record. They only go back to 2000; so when you compare this to the longer time series that we have from, for example, Massachusetts, you can see that is basically just the bottom of the barrel there, so this is Massachusetts.

The Gulf of Maine population is not recovering based on the adult indices that we have from these various states. Similarly for Southern New England and the Mid-Atlantic, these are the adult indices from Massachusetts; and you can see a continuous

downward trend there. These are the indices from Rhode Island and Connecticut, which remain low and flat.

Adult indices from New York and New Jersey again remain low and flat. The juvenile indices, similarly; I think our one point above the average is in Massachusetts there on the top left, but everybody else remains again for recruitment indices low and flat. Basically, the Southern New England/Massachusetts population is not recovering based on the adult and juvenile indices that we have from the various states in the region. That is basically it.

CHAIRMAN WHITE: Are there questions for the technical committee and try to have questions just on the report and not getting into where we might go. Pat.

MR. AUGUSTINE: So, based on the data that you have up there, you have a conclusion that says it is not recovering and so on and so on and so on; but is there another conclusion that you would end up making a recommendation based on the analysis that you've presented and what the technical committee came up with.

DR. DREW: I think the technical committee would not recommend any less restrictive measures for this stock at any point. I think we certainly would not oppose any more restrictive measures, but we did not try to come up with any kind of management plan or any kind of management options that would reduce or maintain the catch for these reasons.

MR. AUGUSTINE: Just a quick follow-on, Mr. Chairman, but you had thought about possibly offering up something that would be more restrictive or would you expect something from the board to our chairman to ask the technical committee to look at some options as to what we might do?

DR. DREW: We would need direction from the board in terms of for that kind of work.

MR. AUGUSTINE: Thank you, Mr. Chairman; I hope we'll go in that direction.

CHAIRMAN WHITE: Are there any other questions specific to the technical committee report?

MR. BORDEN: Mr. Chairman, I guess just a simple question. Other than a slight uptick in the abundance indices for both Massachusetts and Rhode Island; are there other positive signs that you can point to?

DR. DREW: No.

MR. BORDEN: Okay; and then where do we stand in terms of meeting our rebuilding objective?

MS. YUEN: I believe there would be a new stock assessment in 2016; but based on the most recent stock assessment that was completed in 2012, in Southern New England the biomass is only 16 percent of the target. Again, in Gulf of Maine the model was not accepted so that is unknown.

MR. GIBSON: I didn't see that the long-term spring trawl survey index for Rhode Island was examined in the same way that it was for Massachusetts. I think it is conflated with the juvenile indices in one of your graphs. I would just suggest it only starts in 1999, so it doesn't provide any context nor does it scale out to see the increase that has happened since 2009 to 2012.

I think that is a problem with the report; but I'm assuming my staff supplied that information, so I have to go back and get some explaining back home, I guess. Part of David's question is there other information, which I cited I think the last time we had a board meeting, and that is the expansion of the size composition in our trawl survey in the last few years, which would be in perfect agreement with the SARC 52 findings that F was down to 0.05.

If that is the case, then simply the first principle is that fish aren't dying as fast; they're living longer, so you're going to get more bigger ones. I don't think this treatment was complete in terms of status of

the resource. I'm pleased the technical committee didn't any recommendations based on it. Thank you.

MR. ROY MILLER: Did the technical committee consider, Katie, whether a moratorium on landings would help the staff recover?

DR. DREW: No; we didn't do any of analysis like that.

REVIEW OF 2013 SPECIFICATIONS

CHAIRMAN WHITE: Are there any other questions? Seeing none; Melissa will run through the 2013 specifications so we can see if there are any motions to change for 2014.

MS. YUEN: First, just a brief update on what the council side is doing. They have submitted a Draft Framework 51 with specifications for Gulf of Maine and Southern New England. In 2014 Gulf of Maine is 1,040 total ACL with the state water sub-component of 272 metric tons, which is the same as it has been for 2013.

In Southern New England, again those are the same as the 2013 specifications, 1,612 metric tons; 235 metric tons in state waters. For the board's consideration, the commercial measures that could be adjusted through board action are trip limits, size limits and seasons; the recreational measures, size limits, bag limits and seasons.

If you guys need a reminder of what the current measures are; in the Gulf of Maine it is a 500-pound trip limit for non-federal permits, 12-inch size limit. For gear there is a minimum of 6-1/2 inch square diamond measure in the cod-end. States have to maintain seasonal closures, which vary.

In Southern New England it is 50 pounds or 38 fish, which is basically the bycatch amount; 12-inch size limit, 6-1/2 square diamond mesh cod-end. Recreational is 12-inch size limit again across the board. In the Gulf of Maine it is an 8-fish creel limit; and in Southern New England, two fish; with a 60-day open season and 20 days closed during March and April. Thank you.

CHAIRMAN WHITE: Are there any questions for Melissa? Okay, are there any proposed changes for the 2014 specification year? David.

MR. SIMPSON: While I agree with a lot of the comments that have been made about the propriety of the National Marine Fisheries Service increasing harvest on Southern New England winter flounder, the fact is that they have; so it has really changed the dynamic between federal and state waters and in particular made it very difficult to explain why on the recreational side we have a 60-day open season at two fish and no such seasonal restrictions on the commercial fishery.

Even at 50 pounds in state waters, we're looking at over 99 percent of the harvest coming from commercial fisheries. On a state-by-state basis 97 percent of the landings come from one state. As Mark indicated and others, I think we have seen a little bit of an uptick in our Long Island Sound Trawl Survey, but nothing to terribly get excited about.

However, I think just for commonsense purposes, I would like to see us relax the open season for winter flounder. To that point, since we only landed 6.7 metric tons in 2012, the last year that was available, and we have landed 763 metric tons from federal waters so far this year, **I would move to allow at a two-fish limit an open season from March 1 to December 31st for the 2014 fishing year in Southern New England**.

CHAIRMAN WHITE: Is there a second to that motion; Mark. Do you want to talk to the motion any further, David?

MR. SIMPSON: Just to say that I think this will be only a very, very incremental, undetectably small increase in harvest, but it

will go a long way to trying to explain a little bit of the logic behind winter flounder management in Southern New England. The idea that we would only allow 60 days of open fishing for recreational fishermen and have this major change in commercial fisheries I think is just hard to explain, and I would like to rectify it to that very small degree.

MR. GIBSON: I agree with Dave's arguments; and I would also add again that the fishing mortality rate is extremely low now as of the last – in fact, hard to believe that low, but nonetheless, fishing mortality rates have plunged after the federal closure. I think my comments at the last board meeting was very understandable in the minutes as why the council did what it did with a revised rebuilding schedule and a desire to turn dead discarded fish into landed fish of some value.

I think all those rationale still stand; and I think we do need to try to address this parity issue that came up that we heard very loudly back home. I would ask Dave if he was willing to consider a friendly amendment that would increase the commercial possession limit from fifty to a hundred in companion.

MR. SIMPSON: I understand the logic, but I would prefer to take it up separately. I'd prefer to just deal with the recreational now and then deal with commercial. I understand where Mark is coming from; and believe me we've heard the same thing from our commercial guys.

CHAIRMAN WHITE: Mark, is that okay with you to do it separately?

MR. GIBSON: That's fine as long as I have an opportunity to make that motion.

CHAIRMAN WHITE: You will. Tom.

MR. FOTE: I think one of the reasons I would support this motion is when winter flounder starts doing it, it gets traffic into the tackle stores, the bait shops, the rowboats and things like that. Even though they don't catch a lot of fish, it is the opportunity and it is business. One of the things we look about the economy is it has hurt the recreational fishing industry, especially in New York and New Jersey after Sandy. Anything that would be helpful, we could do that.

When you look at the numbers and you look at the comparison in the numbers, I can't see any justification for not doing it. It is not my first choice. My first choice would be to pull back the trip limits in federal waters; but if you're going to allow this and we can't stop it, it would be hypocritical for us to basically do something that drastic in our own waters. It is interesting; the feds always basically say we have to adhere to what they're doing; otherwise, they will shut the fishery down, but we don't have the opportunity to do the same thing in federal waters. We can't vote and go to the Secretary of Commerce and say that we don't support what NMFS is doing and basically need to shut the fishery down in federal waters. Since we don't have that option, I have to support this motion.

DR. DAVID PIERCE: Yes, extending the season for a longer period of time does make sense in light of the fact that the commercial fishery is – well, it can be argued not very well constrained especially through sector vessels and how sector vessels operate with no trip limits or possession limits. Common pool vessels, of course, are restricted to specific limits but not the sector vessels.

They're restricted by specific sector allocations based on the cumulative history share of the quota by vessels within the sector. It is awful hard to say to recreational fishermen that you can't fish, take two fish during other months when the commercial fishery is free to take rather large amounts of a resource that indeed is not showing any signs of recovery from the information I have seen in front of me. I can support the motion. Increasing the bag, even though it is inviting to do that, I think that would be a bit too far to go. Extending the season makes a great deal of sense.

MR. DOUGLAS E. GROUT: Obviously, this is a difficult decision. I certainly

understand the Southern New England states seeing the 5,000 pound trip limit that was implemented on common pool vessels while their recreational fishery is extremely constrained already and we don't see that much response from these extremely restrictive restrictions we already have in here.

I will make a point that probably many people on the council realize that that trip limit was reduced later in the year to I believe it was 300 pounds because they were concerned about that 1 percent of the fishery of the common pool going over. Given what I've seen from the technical committee there, I'm having some discomfort with trying to relax regulations when we're not seeing that much response from our very restrictive regulations. I'm just going to make the point that we may, depending on my discussion with my chairman, oppose it or maybe abstain from this.

CHAIRMAN WHITE: Are there any other comments? I guess I would like to add a comment to what Doug just said. Clearly, it is an issue of fairness, but it is also pretty hard to increase mortality on a stock that is in this kind of condition. I guess I will have to caucus with my fellow commissioners because I'm not sure I can support it. Pat.

MR. AUGUSTINE: Mr. Chairman, I've been kind of reluctant to raise my hand on this one because it is a fairness issue again. However, I do think we have to do more than allow the 60 days; but again to go from March 1st to December 31st, I am having difficulty with that. In our waters I'm looking at what other species of fish are there after March.

We get to March/April, we get into blackfish at the time; in May/June you're getting into summer flounder, scup and black sea bass. We've got striped bass April 15th. You've got bluefish in the waters at the same time. The question is do we really need to have it open while those other five species are open in our waters?

I can't speak for the whole coast, but it just seems like a very long period time. If that is the best we could do, we will go with it, but I would be more inclined to drop that December back some period of time and look at what we're fishing for up and down the coast during the fall months from September on.

What else is in the water after summer flounder on September 30th; black sea bass, you've still got scup around that goes to December 31st; still have striped bass; still have blue fish. Then the question comes into play when do the winter flounder spawn; and if it is primarily in the months, January/February – I'm not sure there is any spawning going on in October and November and December.

I'd almost be inclined to curtail it and move it back to somewhere around the September 30th date. If I can get any support for that, I would go for an amendment to it; but I would like to hear from Mr. Miller and some other folks to see what their options are. It just seems to go from 60 days to extend this long in a stock that is basically depleted – and according to Katie there does not seem to be any blip in sight along the way – it is pretty hard to be very conservative on the one hand and concerned about a stock that is in deep doo-doo and then turn around and say, well, in all fairness let's do this. That's where I'm at; and before we vote on it, Mr. Chairman, if I can't get any support for it, I will make a motion to amend to September 30th.

MR. FOTE: A point of information; winter flounder doesn't exist in the bays and the estuaries where the people catch them; and that is where the fishery is directed in most of those months. They're only there two periods of time. Even though you're opening up for the full year, you're really only looking at a couple of months in the spring and a couple of months in the fall.

Even though we make it year-round, it is not going to be year-round. The people that do fish for them, a lot of them fish from docks and piers because that is available, so those other species that you were talking about for

that period of time – I don't want to get into where I'm dividing dates right now because I know from like May on they're not going to catch winter flounder. Anything that is caught with winter flounder that time of year is in the EEZ. NMFS has taken care of the EEZ so I'm not even getting involved in that one; because the winter flounder catch that does occur during that period of time are all in the EEZ.

MR. AUGUSTINE: Leave it at December 31st?

MR. FOTE: Just leave it; there is no big deal about it because you're going to have those closures, anyway. There is nobody going to fish after May; and they're not going to start fishing again until November.

DR. PIERCE: Tom Fote made my point; this is really a doubling of the opportunity for recreational fishing in state waters. Southern New England, because of warmer waters mean that the fish leave the estuaries, they're in deeper water where they're subjected to federal waters commercial fisheries. This is really, for all practical purposes, March and April and November and December. Otherwise, they're out in deeper waters, federal waters.

MR. MILLER: Mr. Chairman, although I certainly understand the rationale used by Dave Simpson and Mark Gibson for offering this motion, it seems to me a little bit like rearranging the deckchairs on the Titanic. We would like to see this stock recover so that it can reinhabit the southern portion of its range where it has not been a fishable population for many, many years. I don't see anything that we're considering this morning moving us closer to that ultimate goal; so I'm disappointed, Mr. Chairman. Thank you.

CHAIRMAN WHITE: Okay, are there any other comments before we do a brief caucus? Seeing none, one minute.

(Whereupon, a caucus was held.)

CHAIRMAN WHITE: Okay, are we all set? All right, all those in favor show of right hands; those opposed; abstain; null votes**. It passes six, two, two, zero.** Mark, did you have a motion.

MR. GIBSON: **Mr. Chairman, I would move that for the commercial specification for fishing year 2014 in the Southern New England Area that the commercial possession limit be increased from 50 to 100 pounds**.

CHAIRMAN WHITE: Is there a second to that motion; David Simpson. Discussion on the motion?

MR. GIBSON: I would just point out again for the record the extremely low fishing mortality rates that have been assessed in this area, the rebuilding schedule that has been approved by the New England Council under the extended rebuilding schedule and these current allocations; and I don't believe that increasing the commercial possession limit is going to do much to change the landings from the 52 metric tons.

We're simply going to move fish from the discarded category to the retained category; and that was the argument that the council used; and I believe it is a sound one. We can achieve some parity at home and we can also move some fish from the discarded category to the landed category and increase revenues for state waters fishermen. I think it makes sense to me. I will leave it at that.

DR. PIERCE: I do not support increasing the limit for the commercial fishermen for a couple of reasons. Mark has made some good arguments in favor of increasing it, but frankly I do look at the information provided to us from the technical committee report; and I do reflect on what I have been told and what the New England Council has been told regarding the status of these resources for a number of years now.

There really is no good reason from a biological sense and from a resource sense to increase the commercial limit. I should also point out, too, that I think next week the

Division of Marine Fisheries is going to our Marine Fisheries Advisory Commission with a recommendation to maintain the 50 pounds; so this causes an interesting wrinkle in our administrative procedure and the recommendation we're going to make.

In addition, being a New England Council member and being one of the states that the New England Council has focused on as one of a number of states that has fisheries inside state waters for winter flounder and other groundfish, I know that the attention always has been on us – that is the states – what are you doing to restrict your commercial fisheries, recreational to some extent, but mostly the commercial fisheries, because the federal rules, the New England Council's Groundfish Plan gives the states a set-aside, no particular restrictions, just a set-aside. In other words, states be restrictive, please, the request is.

We can't control you; we going to assume you're going to take so much; so anything that the states take in our waters by states' waters fishermen comes out of the hide, so to speak, of federal waters fishermen because the New England Council, the federal government has to account for that amount that is part of a set-aside for state waters take. For those two reasons, I can't support the motion. I prefer to leave the commercial limits in the Gulf of Maine as well as Southern New England the same in 2014 as they were last year.

MR. SIMPSON: I seconded the motion because I thought made sense to talk about this. It is something that I've struggled with on how do we respond to NOAA's decision to radically change the course on winter flounder. I remain very concerned about this stock. We're in the middle of a proceeding in Connecticut to prohibit even the 50-pound limit through much of the winter season and allow it in the summer when we expect the discard mortality would be higher and there would be no targeting. Even at 50 pounds I worry about targeting and a hundred I know there would be targeting. Reluctantly, I don't think I'll support it. I think the message the commission is sending in this discussion is please, feds, cut back on mortality in federal waters.

MR. GROUT: Mr. Chairman, again, I have concerns about this in light of some of the data that was provided by the technical committee on the abundance of the winter flounder stock to be relaxing here. Mr. Gibson's argument that we would turning discards into landings; so what he is inferring is that there is mortality that is already occurring under this. I would like to see the state-level data that is showing that there are 50 pounds of discards that are occurring on all trips. At this point, without that kind of information, I can't support this motion.

MR. GIBSON: Thank you, Mr. Chairman, for the second bite. I'm not going to argue so much for the motion because I think it is going to fail, but I thank David for seconding it so we can get some discussion out here. I think it points to a problem in our winter flounder management program.

I would turn David Pierce's not so much his argument but his observation around that it is true that the New England Council management makes an assumption about what state waters catch is going to be and then sets their specifications based on that. Of course, we now have a process of making our own specifications; and they can keep an eye on that and adjust theirs as we go through and see what happens to the catch.

I would argue that it would be appropriate for this commission to have a negotiated approach to winter flounder; and if there are any other species following this pattern, have a negotiated approach as to what split ought to be rather than us waiting to see what they assume and then trying to conform our management regulations to stay within that.

I think this plan needs to be upgraded to be more of a joint plan so that we can get to that point. I think we have a problem now in terms of – and I know there are some individuals on the board who have commented repeatedly in the past about us

just doing what we have to do to support council plans. I think we need to upgrade our winter flounder management to be more a cooperative plan as opposed to us waiting to see what the dog does and how the tail moves. Thank you.

CHAIRMAN WHITE: We're running behind. Tom, do you have something new or can you pass?

MR. FOTE: I really need to say something is the fact that we didn't increase the bag limit on the recreational side. We remained the same. We basically allowed for a longer season, but the fyke net fishery in our state basically has the longer season to begin with already. I'm not sure – it is very difficult for me to make a decision on this because of the message we're seeing.

I don't support a joint winter flounder plan just because I see the problems we have with summer flounder, scup and sea bass. I'm not moving in that direction, but there needs to be some more cooperation between the New England Council and the Atlantic States Marine Fisheries Commission on what is going on with winter flounder.

CHAIRMAN WHITE: Okay, we're going to vote on this; 30-second caucus.

(Whereupon, a caucus was held.)

CHAIRMAN WHITE: Okay, all those in favor signify by raising your right hand; all those opposed same sign; abstentions; null votes**. The motion fails two, eight, zero, zero.** Okay, we're on to other business. Doug, did you have something?

OTHER BUSINESS

MR. GROUT: **Mr. Chairman, I would like to task the technical committee with giving the board a report on what the impact of having a coast-wide moratorium on the landings and possession of winter flounder in state waters jurisdiction would have; one, on the mortality of fish throughout the range, including federal waters; and what the effect that would have on the ability of these two stocks, the Gulf of Maine and Southern New England stocks, to rebuild.**

What I'm looking at is to specifically look at what the technical committee's recommendation on prohibition, all states, on landings and possession of winter flounder, both recreational and commercial would be on the stocks, both the fishing mortality rate and the ability of the stocks to rebuild.

CHAIRMAN WHITE: Did you say a motion; because I think we can just task the technical committee.

MR. GROUT: I was going to task unless there is some discussion that would want to be on that. At that point I might make a motion if there seems to opposition to this.

CHAIRMAN WHITE: Is there anybody opposed to this? Mark.

MR. GIBSON: I might be; I need a question. Are you talking about just prohibiting state waters fisheries or are you talking about states implementing possession limits that would eliminate federal water fisheries?

MR. GROUT: I think the advisory panel's was to have a possession limit that would eliminate federal waters fisheries' ability to land.

MR. GIBSON: What would you do about Georges Bank?
MR. GROUT: This is what I want to see what the impact would be.

MR. GIBSON: I'm opposed then.

CHAIRMAN WHITE: All right, I guess we will need a motion then. Terry, do you want to speak to that or wait for the motion?

MR. TERRY STOCKWELL: I'll wait for the motion.

CHAIRMAN WHITE: Doug, do you want to make that in the form of motion?

MR. GROUT: Would you like me to write it out first or do we have enough – I can try and write it and then provide it to them if you will give me a minute. I will wait to comment until it is up there. I would add "landings and possessions in state waters". I think we could even add – because of Mark's concern there – "on the ability of winter flounder stocks to rebuild.

CHAIRMAN WHITE: Okay, would your intent, since we have passed the 2014 specifications, that this report would be due back to the board at the 2015 specification-setting meeting?

MR. GROUT: I think since we might need some time to chew on this, I think I would like to have this back to the board by the annual meeting.

CHAIRMAN WHITE: Is there a second to the motion; Pat Augustine. Discussion on the motion? David Simpson.

MR. SIMPSON: First, maybe Melissa can help, under the Southern New England/Mid-Atlantic, there is a reference section – it is Page 6 – there is a reference to the last SARC – I think it is SARC 52 – that said the SARC predicted that even with the fishing mortality of 0.000 from 2012 to '14, there is less than a 1 percent chance for SSB to rebuild to MSY. I think it answers the question already, and, of course, we know that unless you stop all fishing in federal and state waters you're not going to reduce F to zero; that there will still be considerable discard mortality.

Then beyond that, I think if this is a prelude to the commission and the states trying to preempt federal fisheries management, I think it is misguided. We don't have the authority. We may not like what the feds are doing, but they are the federal government and they have preemption authority; and you can't just blockade a legitimate fishery that is authorized in federal waters.

CHAIRMAN WHITE: Thank you, David. I guess I would comment that this clearly doesn't begin any action or recommend us to take any action. I think this would be a response to an advisory panel that has consistently come with a very clear, strong message. I think that at least this is a reaction to that message to accumulate some information for us. I think from the standpoint it might be a positive. Terry.

MR. STOCKWELL: Mr. Chairman, I understand the intent of Doug's motion, but I'm fundamentally opposed to a moratorium of the federal waters fishery altogether for a number of reason. Mark highlighted most of them, but what probably bothers me the most about this motion is it is tasking the technical committee without the expertise of the council's plan development team.

If this motion was to move ahead, then my request through a friendly, Doug, would be to include the plan development team so we have some expertise for federal waters fisheries. If we're going to get a report back to the board here, it might as well be fully fleshed out.

MR. FOTE: The only thing I can remember is when we had the striped bass moratorium in Maryland and a few of the states, the only way that was accomplished is when the feds closed the EEZ, which is a conversation for the next meeting. That was the only way you could enforce the moratorium because that were landing the fish said they were caught in federal waters and they brought them into the states that allowed it. It is a complicated issue.

It was a complicated issue back on striped bass. I don't know if we resolved that issue, because the only way it was finally resolved is when they put the moratorium in the EEZ. We should delve into those facts before we go off on a train to figure out what happened there and if the same rules still apply.

MR. BORDEN: Mr. Chairman, I am also opposed to the motion because I think it is

basically premature. I think there is an interim step that we should be taking. It goes back to the point that Mark Gibson made, which is we should set up a dialog with the – I hope this motion fails and then we move on with requesting the leadership of the commission to meet with the council and talk about the ways we interact with each other and figure out a more inclusive way of doing that so we link up both of these plans.

MR. GROUT: Just briefly, please, members of the board, understand this is not initiating any kind of management action. I'm trying to get information on what the impact would be of what the advisory panel's request is.

I think before this commission would ever consider any kind of full coast-wide moratorium, we need to have the data that would show what the impact would be on all fisheries related to winter flounder. Without that, we can never, from my standpoint, initiate any kind of action that would involve something as drastic as a complete moratorium. We need that information. Without that, I don't think we could ever consider it.

MR. FOTE: Did anybody second this motion; there is no second up there?

CHAIRMAN WHITE: Pat Augustine.

MR. AUGUSTINE: Then I wanted to make a suggestion to the maker of the motion that we take out the word "moratorium" and have it read "move to task the technical committee to determine impact on landings and possessions in state waters on mortality and the ability of winter flounder stocks to rebuild". I thought that would be more in line with what the advisory panel was saying with the exception they were looking at advising a moratorium.

That would I think relieve the issues that Mr. Borden made and Mr. Fote made. I would suggest to take the word "moratorium" out. We want to find out what the impact on landings is and mortality –

MR. GROUT: My intent with this motion was to address the advisory panel's recommendation because I want this board to see what the impact of taking up their recommendation would be.

DR. DREW: I guess just to control expectations on this particular task; number one, the previous SARC as Dave Simpson pointed out did include projections that included a complete real moratorium in terms of the Southern New England stock's ability to rebuild, so I'm not sure if that information has already been covered or provided by the previous assessment. In the second place the Gulf of Maine currently does not have a rebuilding target, so I'm not sure how we would measure the impact in terms of looking to rebuild that stock.

CHAIRMAN WHITE: **All right, the motion is move to task the technical committee to determine the impact of a moratorium on landings and possessions in state waters, on mortality, and the ability of winter flounder stocks to rebuild.** Motion by Mr. Grout; seconded by Mr. Augustine. Do we need time for caucus? Seeing none; those in favor show by your right hands, please; opposed, same; abstentions; null votes. Steve, what category?

MR. STEVE MEYERS: Abstaining, Mr. Chairman.

CHAIRMAN WHITE: **Okay, the motion fails two, seven, one, zero.** Is there any other business to come before us? Toni.

MS. KERNS: Clarification; earlier you all asked that we get justification for the increases in possession limits from the New England Fishery Management Council, and I just want to confirm that is a letter that you would like us to send. David Borden also requested that the leadership meet with the council for a more inclusive way to manage the fishery management plan. I need direction if that is something that this board wants us to do or not.

CHAIRMAN WHITE: Wasn't your suggestion, David, that be an – or it was Mark who made that motion? Who made the suggestion?

MR. BORDEN: I still think that is a necessary step that we have to take unless somebody objects around this table.

CHAIRMAN WHITE: So is that a suggestion for the Winter Flounder Board or in general on all species?

MR. BORDEN: No, personally I think the leadership of the commission needs to explore that issue. In other words, a board could recommend that the leadership of the commission explore that. You've got the council chair sitting on the other side of the room, so he has heard the dialog. They could figure out a mechanism on how to do that.

CHAIRMAN WHITE: Are you all set with that, Toni?

MS. KERNS: Yes, thank you.

CHAIRMAN WHITE: The final issue; the last two AP phone calls, the attendance has not been great; and we have had no commercial AP members in attendance. I think the states need to look at the attendance, the participants, and to see about getting people on that will participate. David, to that.

MR. SIMPSON: Actually to the point before; but on that, Bud, you said that a Connecticut representative was on the call, and I wanted to confirm whether that was true or not. Then I wanted to get back to the letter to the council.

MR. BROWN: I'm not sure. I asked Melissa; it was either Connecticut or Rhode Island. I can't tell you for sure.

CHAIRMAN WHITE: Staff can provide the attendance.

MR. SIMPSON: Okay, because I would like somebody active. In the context of communicating with the council, coordination I think is a good idea, but I'll just point out that they set aside a state waters sub-ALC of 235 metric tones, and we only landed 52.6. We have a lot of growth room if we wanted to use it in state waters as a commission.

Clearly, the sense is that is not the direction we want to go; but it might take the form of a more general discussion about coordinating between the New England Council and the commission, you know, what different style do we want to adopt more formally versus what we do with the Mid, which is joint, and we all know how that works.

MR. STOCKWELL: A closing comment, Mr. Chair; I would suggest that I work with Bob and Toni and we move this issue that Dave Borden had to the next NRCC meeting, which is being scheduled for some time in March.

CHAIRMAN WHITE: That sounds like a perfect solution. Is there any objection to adjourn? Mark.

MR. GIBSON: I was just suggesting that in the past it has not been the species board that decided this, but you would get some policy board endorsement for that sort of communication between the commission and the council. I won't belabor the point in the meeting here, but I thought that was the role of the policy board and maybe you want to recommend that they take that up.

CHAIRMAN WHITE: I think that is a good suggestion and we can take that –

MR. STOCKWELL: So recommended; thank you, Mark.

ADJOURNMENT

CHAIRMAN WHITE: Okay, no objection to adjournment; we're adjourned.

(Whereupon, the meeting was adjourned at 10:40 o'clock a.m., February 4, 2014.)

Atlantic States Marine Fisheries Commission

1050 N. Highland Street • Suite 200A-N • Arlington, VA 22201
703.842.0740 • 703.842.0741 (fax) • www.asmfc.org

MEMORANDUM

October 15, 2014

To: Winter Flounder Management Board

From: Tina Berger, Director of Communications

RE: Advisory Panel Nomination

Please find attached one nomination to the Winter Flounder Advisory Panel – David Goethel, a commercial fisherman from New Hampshire. Please review this nomination for action at the next Board meeting.

If you have any questions, please feel free to contact me at (703) 842-0749 or tberger@asmfc.org.

Enc.

cc: Melissa Yuen

ATLANTIC STATES MARINE FISHERIES COMMISSION

Advisory Panel Nomination Form

This form is designed to help nominate Advisors to the Commission's Species Advisory Panels. The information on the returned form will be provided to the Commission's relevant species management board or section. Please answer the questions in the categories (All Nominees, Commercial Fisherman, Charter/Headboat Captain, Recreational Fisherman, Dealer/Processor, or Other Interested Parties) that pertain to the nominee's experience. If the nominee fits into more than one category, answer the questions for all categories that fit the situation. **Also, please fill in the sections which pertain to All Nominees (pages 1 and 2). In addition, nominee signatures are required to verify the provided information (page 4), and Commissioner signatures are requested to verify Commissioner consensus (page 4). Please print and use a black pen.**

Form submitted by: Douglas Grant State: New Hampshire
(your name)

Name of Nominee: David Goethel

Address: 23 Ridgeview Terrace

City, State, Zip: Hampton, NH 03842

Please provide the appropriate numbers where the nominee can be reached:

Phone (day): 603-926-2165 Phone (evening): same

FAX: same Email: egoethel@comcast.net

FOR ALL NOMINEES:

1. Please list, in order of preference, the Advisory Panel for which you are nominating the above person.

   1. __Winter Flounder AP
   2. _____
   3. _____
   4. _____

2. Has the nominee been found in violation of criminal or civil federal fishery law or regulation or convicted of any felony or crime over the last three years?

   yes_____ no____x_____

3. Is the nominee a member of any fishermen's organizations or clubs?

   yes __x_____ no_____

   If "yes," please list them below by name.

NEFS Sector XII

Northeast Seafood Coalition

NH Commercial Fisherman's Association

Yankee Fisherman's Cooperative

4. What kinds (species) of fish and/or shellfish has the nominee fished for during the past year?

All commercial fish and shell fish in the Gulf of Maine

5. What kinds (species) of fish and/or shellfish has the nominee fished for in the past?

Same as above

FOR COMMERCIAL FISHERMEN:

1. How many years has the nominee been the commercial fishing business? 47 years
2. Is the nominee employed only in commercial fishing? yes x no
3. What is the predominant gear type used by the nominee? Otter trawl
4. What is the predominant geographic area fished by the nominee (i.e., inshore, offshore)? Gulf of Maine in federal waters

FOR CHARTER/HEADBOAT CAPTAINS:

1. How long has the nominee been employed in the charter/headboat business? _____ years
2. Is the nominee employed only in the charter/headboat industry? yes _____ no _____

   If "no," please list other type(s)of business(es) and/occupation(s):
3. How many years has the nominee lived in the home port community? _____ years

   If less than five years, please indicate the nominee's previous home port community.

FOR RECREATIONAL FISHERMEN:

1. How long has the nominee engaged in recreational fishing? _____ years

2. Is the nominee working, or has the nominee ever worked in any area related to the fishing industry? yes _____ no _____

   If "yes," please explain.

_____

_____

_____

FOR SEAFOOD PROCESSORS & DEALERS:

1. How long has the nominee been employed in the business of seafood processing/dealing? _____years

2. Is the nominee employed only in the business of seafood processing/dealing?

   yes _____ no _____ If "no," please list other type(s) of business(es) and/or occupation(s):

_____

_____

_____

3. How many years has the nominee lived in the home port community? _____ years

   If less than five years, please indicate the nominee's previous home port community.

_____

FOR OTHER INTERESTED PARTIES:

1. How long has the nominee been interested in fishing and/or fisheries management? _____ years

2. Is the nominee employed in the fishing business or the field of fisheries management? yes _____ no _____

   If "no," please list other type(s) of business(es) and/or occupation(s):

_____

_____

FOR ALL NOMINEES:

In the space provided below, please provide the Commission with any additional information which you feel would assist us in making choosing new Advisors. You may use as many pages as needed.

I have been involved in fishery management in various capacities for over thirty years. I have just completed a 9 year term on the New England Fishery Management Council. I have researched winter flounder movements with Dr. Elizabeth Fairchild at the University of New Hampshire. In this project, we attached acoustic tags to migrating winter flounder offshore in the spring and followed them inshore to their spawning sites. The null hypothesis was that entered the rivers and estuaries. This was shown to be largely incorrect as the fish spent almost all their time in the near shore environment in waters of less than ten fathoms. I have worked as a scientist, fisherman and manager translating the language of the three groups for all my adult life I believe I can help bring perspective to winter flounder management.

Nominee Signature: David T. Goethel

Date: 3/14/14

Name: David T. Goethel
(please print)

COMMISSIONERS SIGN-OFF (not required for non-traditional stakeholders)

Douglas Grout
State Director

DEC for Senator David Watters
State Legislator

DEC for Richie White
Governor's Appointee

WINTER FLOUNDER ADVISORY PANEL

Bolded names await approval by the Winter Flounder Board
Bolded and italicized name denotes Advisory Panel Chair October 15, 2014

Maine
Chair - Harold Brown (rec) (4/96)
Eco Analysis Inc.
P.O. Box 224
Bath, ME 04530
Phone (primary - cell): (207) 837-2442
Phone (office): (207) 386-0450
FAX: (207) 386-0451
Email: raptor@gwi.net
Appt. Confirmed 4/24/95
Appt. Reconfirmed 3/11/03
Appt Reconfirmed 3/07

New Hampshire
Donald L. Swanson (rec)
84 Franklin Street
Derry, NH 03038-1914
Phone: (603)434-4593
Email: salty4fly2@comcast.com
Appt. Confirmed 2/3/09

David Goethel (comm.)
23 Ridgeview Terrace
Hampton, NH 03842
Phone: (603)926-2165
Email: egoethel@comcast.net

Massachusetts
Louis M. MacKeil, Jr. (rec)
PO Box 702
West Hyannisport, MA 02672
Phone: (508) 349-9317
Email: macfish1@netzero.com
Appt. Confirmed 4/24/95
Appt. Reconfirmed 6/9/03
Appt Reconfirmed 6/07

Vacancy (rec)

Rhode Island
George S. Allen (rec)
444 Black Point Lane
Portsmouth, RI 02871
Phone: (401) 849-4896
Email: gsallen3@verizon.net
Appt. Confirmed 6/9/03
Appt. Reconfirmed 2/9/06
Appt Reconfirmed 5/10

Vacancy (commercial)

Connecticut
Robert Cobb (comm)
40 Ridge Drive
Old Saybrook, CT 06475
Phone: (203) 388-2579
Appt. Confirmed 4/24/95
Appt. Reconfirmed 6/9/03
Appt Reconfirmed 6/07

Art DeFrancisco (rec)
89 Avon Street
Stratford, CT 06615-6703
Phone: (203) 650-1745
Email: adefra3228@yahoo.com
FAX: (203) 218-4330
Appt. Confirmed 6/9/03
Appt Reconfirmed 6/07
Reconfirmed 3/2014

New York
Charles Witek (rec)
1075 Tooker Avenue
West Babylon, NY 11704
Phone (office): (212)412-6707
Phone (home): (631) 587-2211
Email: charleswitek@optonline.net or
charles.witek@barclays.com
Appt. Confirmed 8/5/98
Appt. Reconfirmed 5/30/03
Appt Reconfirmed 5/07

Ken Mades (comm)
14 Carter Road
Hampton Bays, NY 11946
Phone: (516) 728-4792
Appt. Confirmed 10/17/94
Appt. Reconfirmed 5/30/03
Appt Reconfirmed 5/07

New Jersey
James R. Lovgren (comm)
17 Laurelhurst Drive
Brick, NJ 08724
Phone: (732) 840-9560
Email: lovgren3@comcast.net

Fax: (732) 840-4496
Appt. Confirmed 4/24/95
Appt. Reconfirmed 6/9/03
Appt Reconfirmed 6/07

Thomas Siciliano (rec)
6 Nautic Way
Little Egg Harbor Township, NJ 08087-1688
Phone (day): (732) 267-6451
Phone (eve): (609) 296-3774
FAX: (609)296-6390
Email: TomS6363@comcast.net
Appt Confirmed 5/4/09
Appt Reconfirmed 3/2014

Delaware
Amos F. Evans (rec)
PO Box 129
Rehoboth, DE 19971
Phone (day): (302) 227-7974
Phone (eve): (302) 539-9162
Email: info@oldinlet.com
Fax: (302) 227-1490
Appt. Confirmed 10/17/94
Appt. Reconfirmed 6/9/03
Appt Reconfirmed 6/07