

Atlantic States Marine Fisheries Commission

Winter Flounder Management Board

May 20, 2013
11:15 a.m. – 12:15 p.m.
Alexandria, Virginia

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*) 11:15 a.m.
2. Board Consent 11:20 a.m.
 - Approval of Agenda
 - Approval of Proceedings from February 20, 2013
3. Public Comment 11:25 a.m.
4. Consider Draft Addendum III for final approval (M. Yuen) – **Final Action** 11:30 a.m.
 - Review of management options (*M. Yuen*)
 - Summary of public comments (*M. Yuen*)
 - Consider approval of Draft Addendum III
5. Consider Specifications for Fishing Year 2013 (*M. Yuen*) **Action** 11:40 a.m.
 - Pending approval of Draft Addendum III:
 - Review of federal specifications for FY2013 (*M. Yuen*)
 - Technical Committee Report (*M. Yuen*)
 - Advisory Panel Report (*H. Brown*)
 - Consider 2013 specifications and harvest control measures
6. Other Business/Adjourn 12:10 p.m.

The meeting will be held at the Crowne Plaza Hotel Old Town, 901 N. Fairfax Street, Alexandria, VA 22314 (888)233-9527

Healthy, self-sustaining populations for all Atlantic coast fish species or successful restoration well in progress by the year 2015

MEETING OVERVIEW

Winter Flounder Management Board

May 20, 2013

11:15 a.m. – 12:15 p.m.

Alexandria, Virginia

Chair: Ritchie White <i>Assumed Chairmanship 10/12</i>	Technical Committee Chair: Steve Correia	Law Enforcement Committee Kurt Blanchard
Vice Chair: Mark Gibson	Advisory Panel Chair: Bud Brown	Previous Board Meeting: October 22, 2012
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 20, 2013

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. Consider Draft Addendum III for final approval (11:30 – 11:40 a.m.) Final Action
Background <ul style="list-style-type: none"> • The Board initiated Draft Addendum III in October 2012 to propose changes to commercial trip limits and recreational measures through an annual specification process. This addendum also proposes triggers to reduce trip limits when a percentage of the state-water catch limit is harvested. Public hearings were held in New Hampshire and Rhode Island in March. Public comment period ended on April 10, 2013 (Briefing CD).
Presentations <ul style="list-style-type: none"> • Review of Management Options (<i>M. Yuen</i>) • Summary of Comments to Draft Addendum III (<i>M. Yuen</i>)
Board Action for Consideration <ul style="list-style-type: none"> • Consider Draft Addendum III for final approval.

5. Consider Specifications for Fishing Year 2013 (11:40 – 12:10 a.m.) Action**Background**

- Effective May 1, NOAA Fisheries implemented 2013 annual catch limits and accountability measures for Gulf of Maine and Southern New England/Mid-Atlantic winter flounder.
- Pending approval of Draft Addendum III to the Interstate Fishery Management Plan for Inshore Winter Flounder. If approved by the Board, Draft Addendum III allows the Board to consider setting annual specifications and harvest control measures for the GOM and SNE/MA winter flounder fisheries.

Presentations

- Review of federal specifications for FY 2013 (*M. Yuen*)
- Technical Committee report (*M. Yuen*)
- Advisory Panel report (*H. Brown*)

Board Action for Consideration

- Consider 2013 specifications and harvest control measures for inshore GOM and SNE/MA winter flounder.

6. Other Business/Adjourn

DRAFT

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DRAFT

**DRAFT PROCEEDINGS OF THE
ATLANTIC STATES MARINE FISHERIES COMMISSION
WINTER FLOUNDER MANAGEMENT BOARD**

Crowne Plaza Hotel - Old Town
Alexandria, Virginia
February 20, 2013

**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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1. **Approval of agenda by consent** (Page 1).
2. **Approval of proceedings of October 22, 2012 by consent** (Page 1).
3. **Move to approve the 2012 FMP review and state compliance reports and Delaware's request for *de minimis* status for both its commercial and recreational fisheries** (Page 2). Motion made by Pat Augustine; second by Bill Adler. Motion carries (Page 2).
4. **Move to add the Southern New England/Mid-Atlantic stock unit to the Draft Addendum** (Page 3). Motion made by David Simpson; second by Pat Augustine. Motion carries unanimously (Page 3).
5. **Motion to adjourn** by consent (Page 3).

ATTENDANCE

Board Members

Terry Stockwell, ME, proxy for P. Keliher (AA)
 Rep. Walter Kumiega, ME (LA)
 Willis Spear, ME, proxy for S. Train (GA)
 Doug Grout, NH (AA)
 G. Ritchie White, NH (GA)
 Dennis Abbott, NH, proxy for Sen. Watters (LA)
 David Pierce, MA, proxy for P. Diodati (AA)
 William Adler, MA (GA)
 Jocelyn Cary, MA, proxy for Rep. S. Peake (LA)
 Mark Gibson, RI, proxy for R. Ballou (AA)
 Rick Bellavance, RI, proxy for Rep. P. Martin (LA)
 Bill McElroy, RI (GA)

David Simpson, CT (AA)
 Lance Stewart, CT (GA)
 James Gilmore, NY (AA)
 Pat Augustine, NY (GA)
 Russ Allen, NJ, proxy for D. Chanda (AA)
 Tom Fote, NJ (GA)
 Roy Miller, DE (GA)
 Davie Saveikis, DE (AA)
 John Clark, DE, Administrative proxy
 Peter Burns, NMFS
 Jaime Geiger, USFWS

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

Ex-Officio Members

Harold Brown, Advisory Panel Chair

Staff

Toni Kerns
 Melissa Yuen

Mark Robson

Guests

The Winter Flounder Management Board of the Atlantic States Marine Fisheries Commission convened in the Presidential Ballroom of the Crowne Plaza Hotel Old Town, Alexandria, Virginia, February 20, 2013, and was called to order at 12:05 o'clock p.m. by Chairman G. Ritchie White.

CALL TO ORDER

CHAIRMAN G. RITCHIE WHITE: I would like to call the Winter Flounder Board to order.

APPROVAL OF AGENDA

The first order of business is the agenda. Are there any additions or changes to the agenda? Seeing none; the agenda is accepted.

APPROVAL OF PROCEEDINGS

Are there any changes or additions to the proceedings from our October 2012 meeting? Seeing none; consider those approved. Is there any public input on issues that are not on the agenda? Seeing none; we will move on to the 2012 FMP review. Melissa.

2012 FISHERY MANAGEMENT PLAN REVIEW AND STATE COMPLIANCE

MS. MELISSA YUEN: I will now go over the Winter Flounder FMP and State Compliance for the 2011 fishing year. The commission manages the two inshore stock units in the Gulf of Maine and Southern New England. The third stock in Georges Bank is managed by the New England Fishery Management Council. I will focus on the first two.

The status of the stocks; the most recent stock assessment was in the Northeast Regional Stock Assessment Workshop 52 conducted in June of 2011. The Gulf of Maine stock is not experiencing overfishing. The overfished status is unknown because the model was not accepted. In Southern New England the stock has not experienced overfishing, but it is overfished.

The most recent estimated spawning stock biomass is 15.6 million pounds in 2010, which is only 16 percent of the target SSB level. Rebuilding of Southern New England stock continues to be a challenge because of low recruitment in recent years. The 2009 year class is only 12 percent of the peak estimate from the 1980 year class. Low recruitment may be due to warmer winter temperatures.

Moving on to fisheries, landings in the Gulf of Maine have generally declined since the time series starting in 1982. In the commercial sector 2010 had the lowest landings on record with just over 308,000 pounds. This is a 50 percent reduction from the previous year's landings and roughly 5 percent of the historic peak landings in 1982. Recreational landings have also been low; less than 71,000 pounds since 1994.

There are similar trends in Southern New England. In 2010 commercial landings fell to a record low of 383,000 pounds. This is less than 2 percent of the peak landings just three decades ago. Recreational landings also reached an all-time low in 2010 with anglers taking less than 62,000 pounds of winter flounder. Now, I will go over the management of inshore winter flounder. The 2011 fishing year spanned from May 2011 through April 2012.

Therefore, Amendment 1 and Addendum I applied to this FMP review. Addendum II, which was implemented last October, would be implemented for the 2012 fishing year. These are the commercial management measures that were implemented for the Gulf of Maine in the 2011 fishing year.

I won't read through these in the interest of time, but the plan review team found that all states with an interest in winter flounder – these are the eight coastal states from Maine through Delaware – had management plans consistent with these FMP requirements. These are the commercial management measures for Southern New England. Again, the plan also found that all the states have regulations consistent with the FMP.

Recreational measures; again, all states have recreational measures in the Gulf of Maine and Southern New England consistent with the FMP. The Inshore Winter Flounder FMP also has state-specific requirements for monitoring and research, for the development of recruitment and spawning stock biomass indices. All states were consistent with these requirements.

Delaware was granted de minimis status for fishing year 2011, so it was exempted from the juvenile survey requirement. Amendment 1 to the FMP provided the criteria for de minimis status. A state must demonstrate that its three-year average commercial or recreational landings is less than 1 percent of the coast-wide landings.

The state must request de minimis status for each sector, commercial or recreational or both. Delaware is the only state that requested de minimis status. It was approved last year. The PRT recommends the board granting de minimis status to the state of Delaware based on their three-year average landings for commercial and recreational sectors, which is zero percent for both. This concludes my presentation. Thank you, Mr. Chairman.

CHAIRMAN WHITE: Thank you, Melissa; very thorough report. Are there any questions for Melissa before I recognize Pat for a motion? Bill.

MR. WILLAIM A. ADLER: I think I have said this every time we bring this up about a chart that was for the Southern New England area that shows the target, which seemed to have never been reached; the threshold, which has never been reached, or something, and our stock is down there. As I said before, I go did somebody draw the line too high because it hasn't been reached, and it puts us into a panic situation.

The next thing I do question is why the stock hasn't improved given all the stuff that we have been doing and the federal council has been doing and everything else, and we still haven't seen the stock really recover. It doesn't seem to ever get up to the threshold and target. I just wanted to put that on the record again that it just doesn't seem to be a realistic goal. Thank you.

CHAIRMAN WHITE: Bill, I think this would be something that would be addressed in the next stock assessment. Pat, I'm going to be looking for a motion that would approve the 2012 FMP review as well as Delaware's request for de minimis.

MR. PATRICK AUGUSTINE: That is correct, Mr. Chairman. **I move that the board approve the 2012 FMP review and state compliance reports and Delaware's request for de minimis status for commercial and recreational fisheries.**

CHAIRMAN WHITE: Seconded by Bill Adler. Is there any discussion of the motion? Is there any opposition to the motion? **Seeing none; it carries unanimously.** Next I would like to recognize Toni to talk about Draft Addendum III.

MS. TONI KERNS: Some of you may be wondering why we have Draft Addendum III on the agenda since we approved it for public comment at the last meeting. Because of staff transitions, we ran out of time to take this document out for public comment,

so we wanted to just go ahead and show you the changes that we had made to the document and make sure it is what the board wanted.

Then we will go ahead and Melissa will be taking this out for public comment this spring for final approval in May. This still will meet the timeline to do specifications if those are approved through this document in time for next year's fishery. The purpose of this document is to consider changes to the specification process for winter flounder, both the commercial and recreational fisheries, and consider in-season accountability measures for the commercial fishery.

This document was proposed for just the Gulf of Maine fishery only. As a reminder, the New England Fishery Management Council recommended to NOAA Fisheries that it set specifications for winter flounder for three years, which are all subject to review. They set sector and sub-sector ACLs. The federal ACLs are subject to accountability measures.

The state water landings are estimated to account for the state harvest. State water harvest is controlled by output controls through the commission. It can be done through trip limit, seasons and size and bag limits. In order to respond to the changes in the federal ACLs, an addendum was initiated to change state water management measures.

This is so we can fully utilize state water harvest and to respond to changes through the federal system in a timely fashion. Currently there is no quota or accountability measures for state waters through the commission process. We use trip limits to control harvest for state water fisheries in the commercial fishery.

The technical committee had recommended accountability measures to control harvest to the federal estimated state water harvest. The proposed measures – again as a reminder, this is for Gulf of Maine only – is Option 1 for the commercial fishery and recreational measures is status quo; no changes to the measures.

Option 2 is to put forward a specification process which would allow the board to annually or through a multi-year specification set federally estimated state waters harvest. For annual specifications the board could adjust measures for the commercial fishery through board action on an

annual basis. Those measures could be trip limits, season limits and size limits.

For the recreational fishery the board could set measures through an annual specification process for size limits, bag limits and seasons. For accountability measures the document proposes Option 1, status quo, which would be no accountability measures in place for state water harvest. Option 2 is to establish commercial accountability measures. In order to do so, the document proposes to establish a trigger for state water trip limits that closes the state water fisheries when the trigger is reached.

A trigger is met when a certain percentage of the options below are harvested; and it is at 75 percent, 85 percent and 90 percent. It shouldn't say "close"; it should just say when the trigger is met then we would drop to a lower trip limit. That is an error in the presentation. Just to update the board, the New England Fishery Management Council Groundfish Oversight Committee recommended for the Southern New England stock unit, that an alternative strategy be put forward to rebuild that stock by 2023.

They have set allowable commercial and recreational landings of an ABC at 1,676 metric tons for the fishery year 2013. The plan review team asked the board if they still feel the same to not have the Southern New England stock included in this document. If it were to be included, it could just be to be able to respond to any changes that the council makes in that area's state water harvest quotas or not in a timely fashion.

CHAIRMAN WHITE: Thank you, Toni. Since we already approved this; we would only be looking for a motion if we wanted to alter the previous adoption; is that correct?

MS. KERNS: That is correct.

MR. DAVID SIMPSON: To that point and Toni's last point, **I think I would like to move to add the Southern New England and Mid-Atlantic stock area to the addendum** for the reasons that Toni just stated. It would provide the flexibility for us to respond in Southern New England the way the addendum proposes currently to respond to changes in state waters' allocations in the Gulf of Maine.

CHAIRMAN WHITE: Second by Pat Augustine. Is there any discussion on the motion?

MR. MARK GIBSON: I support the motion and I believe the council has in fact accepted the Groundfish Committee's recommendation and moved that recommendation on to the Service.

CHAIRMAN WHITE: Is there any further discussion? Seeing none; is there an opposition to this motion? **Seeing none; it passes unanimously.**

ADJOURNMENT

Motion to adjourn; but prior to that I want to make sure that A.C. Carpenter hears about how fast we went through this. Motion to adjourn, Pat Augustine; second, Tom Fote. We're adjourned.

(Whereupon, the meeting was adjourned at 12:20 o'clock p.m., February 20, 2013.)

Draft Document for Public comment.

Atlantic States Marine Fisheries Commission

**DRAFT ADDENDUM III TO AMENDMENT 1 TO THE
WINTER FLOUNDER
FISHERY MANAGEMENT PLAN
FOR PUBLIC COMMENT
*Commercial and Recreational Specification Process***



This document is intended to solicit public comment as part of the Commission/State formal public input process. Comments on this draft document may be given at the appropriate time on the agenda during the scheduled meeting.

***ASMFC Vision Statement:
Healthy, self-sustaining populations for all Atlantic coast fish species or successful restoration well in progress by the year 2015.***

February 2013

Draft Document for Public comment.

Public Comment Process and Proposed Timeline

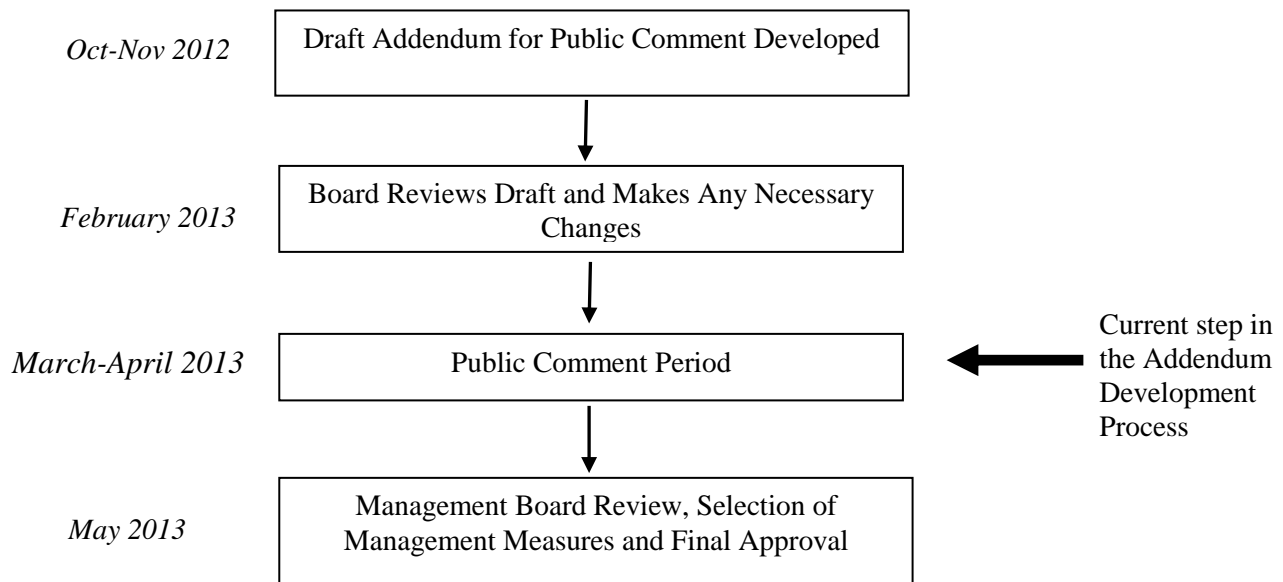
In August 2012, the Winter Flounder Management Board approved a motion to initiate the development of an addendum to the Interstate Fishery Management Plan (FMP) for winter flounder to consider changing commercial trip limits and recreational measures through an annual specification process. The Board also tasked the Plan Development Team (PDT) to propose accountability measures for the winter flounder fishery. This draft addendum presents background on the Atlantic States Marine Fisheries Commission's (ASMFC) management of winter flounder, the addendum process and timeline, and a statement of the problem. This document also provides options of winter flounder management for public consideration and comment.

The public is encouraged to submit comments regarding this document at any time during the addendum process. **The final date comments will be accepted is April 10, 2013 at 5:00 PM eastern standard time.** Comments may be submitted by mail, email, or fax. If you have any questions or would like to submit comment, please use the contact information below.

Mail: Melissa Yuen

Atlantic States Marine Fisheries Commission
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Draft Document for Public comment.

1.0 Introduction

The Atlantic States Marine Fisheries Commission (ASMFC) and New England Fishery Management Council (NEFMC) have had complementary management plans for winter flounder since 1992. ASMFC manages winter flounder under Amendment 1 and its Addendum (I). The NEFMC manages winter flounder under Amendment 17 and Framework 47 to the Northeast Multispecies FMP, which focuses on offshore commercial fisheries and aims to rebuild overfished fisheries by reducing fishing mortality and minimizing adverse effects on all essential fish habitat. The resource is assessed and managed as three stocks: Gulf of Maine (GOM), Southern New England/Mid-Atlantic (SNE/MA) Bight, and Georges Bank. Cooperative management between state and federal waters is necessary because of the unique migration patterns and spawning site fidelity of this species. When winter flounder migrate to inshore state water spawning grounds, they become concentrated in certain areas. This makes it easy for fishermen to locate and remove a substantial number of spawning fish without adequate regulations. Concentrated fishing effort on spawning females can result in a larger impact on the population than the landings may suggest, due to the loss of spawning potential. Nearshore fishing grounds are also vulnerable to water pollution and habitat loss which are threats to winter flounder stocks.

In August 2012, the Winter Flounder Management Board initiated the development of an addendum to the Interstate Fishery Management Plan (FMP) for winter flounder to consider changing commercial trip limits and recreational measures through a an annual specification process for the Gulf of Maine and Southern New England/Mid-Atlantic winter flounder fisheries. The Board also tasked the PDT to propose in- and post-season accountability measures for the winter flounder fishery.

2.0 Background

The New England Fishery Management Council (NEFMC) makes recommendations to NOAA Fisheries to set specifications for the winter flounder stocks. Specifications are set every 3 years and are subject to review. For each winter flounder stock, NOAA Fisheries establishes an annual catch limit (ACL) and accountability measures (AMs). The ACL is divided into various sub-components of the fishery (allocation of quota to those sub-components). The federal sub-components of the ACL are subject to the established AMs. AMs can include season closures and payback of quota overages. In order to set an ACL, NOAA Fisheries must account for all winter flounder harvest, therefore state water harvest is estimated in the federal specification process. The state water estimate is not an allocation (ACL or a target), but an estimate of catch based on

Draft Document for Public comment.

the state water landings history and state regulations in both the commercial and recreational fishery. The Commission plan has not adopted an allocation for winter flounder. The plan controls harvest through commercial and recreational measures, including trip limits, seasons, size limits, and possession limits. The Commission's Winter Flounder FMP allows for changes in the commercial and recreational measures via the addendum process.

2.1 Statement of the Problem

The Commission has approved changes to the commercial and recreational measures through the addendum process. Addendum I to Amendment 1 made changes to measures in for state water management in both GOM and SNE/MA stocks. The measures were developed and approved in response to findings of the most recent stock assessment at that time (GARM III). Addendum II made changes to the GOM commercial and recreational measures in response to the most recent stock assessment and specifications for GOM winter flounder finalized by NOAA Fisheries. Changes to the measures have been in response to updated stock assessments or changes in federal specifications. The timing of the addendum process has not allowed for the Board to timely respond to specification changes. For the most recent fishing year, concerns were raised that without changes to commercial and recreational measures, state water industry will not be able to fully utilize the estimated state water harvest.

In reviewing the available data for specifying commercial trip limits in Addendum II, the Winter Flounder Technical Committee (TC) recommended the Board adopt in-season accountability measures such as trip limit triggers, trip limit adjustments, and/or season closures, because the TC cannot predict possible changes in effort. Accountability measures would prevent large overages of the estimated state waters harvest if significant increases in effort were to occur. In order to establish AMs, states would need to implement timely reporting in order for in-season accountability measures to be effective, particularly in Massachusetts where the majority of the commercial harvest is occurring. The TC also recommended the Board adopt a payback provision. In order for the Board to adopt a payback provision, a quota would first need to be established.

3.0 Proposed Management Changes

The proposed changes are for the GOM and SNE/MA winter flounder fisheries.

Draft Document for Public comment.

3.1 Changes to Commercial and Recreational Measures

Option 1. Status quo

Section 4.4 Adaptive Management of Amendment 1 specifies that changes to commercial and recreational measures can be made through the addendum process.

Option 2. Annual Specification Process

The Winter Flounder Board will set annual specifications based on the federally established State waters subcomponent Annual Catch Limit (ACL) based on the following procedure:

The Winter Flounder Technical Committee (TC) will annually review the best available data including, but not limited to, NOAA Fisheries specifications, commercial and recreational catch/landing statistics, current estimates of fishing mortality, stock status, survey indices, assessment modeling results, and target mortality levels. Based on their data review, the TC will make recommended changes to commercial and recreational specifications to the Board.

The Board will annually set commercial and recreational specifications based on the TC recommendation through Board action. Specifications could be set for up to 3 years with the option to review the trip limit if new information is released within the 3-year period.

Commercial measures that could be adjusted through Board action:

1. Trip limits
2. Trigger Trip Limits
3. Size limits
4. Season
5. Area closures

Recreational measures that could be adjusted through Board action:

1. Size limits
2. Bag limits
3. Season

Draft Document for Public comment.

3.2 Harvest Control Measures

Option 1: Status Quo

There are no harvest control measures in the Winter Flounder FMP.

Option 2. Commercial Harvest Control Measures

Establish a trigger for state waters commercial trip limits that would reduce the trip limit when the trigger is reached. A trigger is met when X% (options below) of the estimated state water harvest (determined by NOAA Fisheries in their specification setting process) by non-federal permit holders is reached.

- a. 75%
- b. 85%
- c. 90%

4.0 Compliance

The measures contained in section 3.0 would become effective on XXXXX.

ATLANTIC STATES MARINE FISHERIES COMMISSION

SUMMARY OF PUBLIC COMMENTS FOR DRAFT ADDENDUM III TO THE INTERSTATE FISHERIES MANAGEMENT PLAN FOR INSHORE STOCKS OF WINTER FLOUNDER

The comment period for Draft Addendum III to the Inshore Winter Flounder FMP was open from February 21 through April 10, 2013. A total of 14 public comments were submitted to ASMFC via attendance at a public hearing, email, and mail. Two public hearings were held in two states: New Hampshire and Rhode Island. Combined, 7 individuals (excluding staff) attended both hearings.

Of the 14 comments received, two were given in person at hearings by one individual and one representative for an association. A total of 12 written/mailed comments have been received, including two written statements submitted by the two hearing participants. Comments were submitted by 11 entities. Of those, 10 were from individuals and one from a group, the Rhode Island Saltwater Anglers Association.

There was one comment that explicitly opposed Option 2 of Issue 1. Most submissions did not comment on specific items contained in the addendum, but covered a range of issues, such as regulations, stock status, and socioeconomic impacts. Table 1 shows the specific preferences/oppositions expressed for issues in Draft Addendum III.

Table 1: Summary of public comments received on options provided in Draft Addendum III to the Inshore Winter Flounder FMP.

Public Hearing (Location)	Issue 1: Commercial & Recreational Measures: Annual Specifications		Issue 2: Commercial Measures: Harvest Control Measures	
	Option 1: Status Quo	Option 2: Annual Specifications	Option 1: Status Quo	Option 2a: Trigger of X%
Portsmouth, NH		Opposed		
Providence, RI				

The following pages contain summaries of public hearings and written comments, and copies of actual written comments and public hearing sign-in sheets.

PUBLIC HEARINGS

Portsmouth, NH

March 5, 2013

6 Meeting Participants: 1 public comment

Ritchie White (NH Marine Advisory Board), Peter Whalen (NH Marine Advisory Board), Peter Tilton (NH Marine Advisory Board), Fred Clews (NH Fish and Game Seacoast Commissioner), Lt. Mike Eastman (NH Fish and Game, Law Enforcement), Marc Stettner (public)

Issue 1: Changes to Commercial and Recreational Measures

There was one comment opposing Option 2 (using the annual specification process to change commercial and recreational management measures). The participant commented that there is no defined public input process during the annual specification process. The wording currently allows the ASMFC's Winter Flounder Management Board (Board) to set/change commercial and recreational annual specifications based on the ASMFC's Winter Flounder Technical Committee recommendations. There should be a defined manner that the public can provide input into the annual specifications process prior to decisions by the Board. The person was also opposed to states being locked into the same specifications throughout the Gulf of Maine.

Issue 2: Commercial Harvest Control Measures

There was no opposition or support voiced for Option 1 (status quo: no harvest control measures) or Option 2 (establishment of a trigger to reduce the commercial trip limit when X% of the estimated state water harvest is reached).

Providence, RI

March 26, 2013

1 Meeting Participant: 1 public comment

George Allen (Rhode Island Salt Water Anglers Association) (RISAA)

Issue 1: Changes to Commercial and Recreational Measures

There was no opposition or support voiced for Option 1 (status quo: continue using the addendum process to change commercial and recreational measures) or Option 2 (using an annual specification process).

Issue 2: Commercial Harvest Control Measures

There was no opposition or support voiced for Option 1 (status quo: no harvest control measures) or Option 2 (establishment of triggers to reduce the commercial trip limit when X% of the state water harvest is reached).

The participant, representing the RISAA, expressed concerns about the collapse of the popular winter flounder fishery in Narragansett Bay since the 1980s. He provided an excerpt from the RISAA magazine (March 2012 issue) and read aloud a plan developed by the Rhode Island Fisheries Management Council (please see attached excerpt in the Appendix). He also commented that regulations should be status quo until juveniles recruitment improves. He gave an example of how, two years after management was relaxed following a 1992 spike in population, there were no fish in the bay. He expressed concerns about opening up the fishery in federal waters.

SUMMARIES OF ADDITIONAL COMMENTS (from written comments)

Recreational Regulations

- Winter flounder recreational regulations should be similar to that for fluke.
- The 2-fish limit and seasons make winter flounder not worthwhile, and should be increased.
- Commercial fishermen have an advantage.
- Seasons should be adjusted (suggested seasons are March 1 – May 31, March 1 – April 15, and year-round).

Commercial Regulations

- Southern New England winter flounder are “extremely abundant.” The current trip limit is not worthwhile and should be 500 pounds per trip per day.

Fishing Moratorium

- There should be a total moratorium for two years for both commercial and recreational fisheries, with no bycatch.
- A complete ban on fishing is the only solution because there is little or no enforcement.

Stock

- It is clear that the GOM stock is in trouble. Stock needs to be increased to acceptable levels.
- Stock assessments have been “all over the board” and the GOM stock unit is not appropriate for the multiple distinct populations in the GOM.
- Considering a petition to list winter flounder under the Endangered Species Act.

Habitat

- Water quality and pesticides are often cited as threats to winter flounder, but based on commenter’s professional experiences, do not impact stock health.

Socioeconomic

- Winter flounder recreational fishing is a multi-generational family tradition and supports coastal communities.

From: [Ron Whitsel](#)
To: [Melissa Yuen](#)
Subject: Regulation
Date: Friday, March 08, 2013 11:08:37 AM

All these regulations are predicated on the fact that there is strong (well maybe a little) enforcement ... You can regulate all you want but with little or no enforcement, it's moot .. who's out there to see the by-catch that is killed and dumped back, not to mention dockside slaughter ?? The tail is wagging the dog.

If you haven't gone fishing lately let me tell you there is precious little out there .. The commercial fisherman have run rampant for far to many years, destroying the stocks as well as the habitat with their nets .. Who do you work for ??

Striped Bass have finally come back. Summer flounder is decimated. Seen a weak fish lately off the Jersey coast ?? Learn a lesson. Complete ban is the only solution. You can't rely on people to be reasonable and trust worthy.

What ever you are doing, it isn't working ... I'm a 30 year recreational fisherman out of Ocean City, NJ and it's not worth the gas to go fishing any more, unless you are looking for that great eating (not) sport fish, the Croaker.

--

Ron Whitsel, W3RJW

Melissa Yuen

From: Comments
Sent: Thursday, March 28, 2013 1:21 PM
To: Melissa Yuen
Subject: FW: winter flounder public comment

From: Crab554@aol.com [<mailto:Crab554@aol.com>]

Sent: Wednesday, March 27, 2013 6:50 PM

To: Comments

Subject: winter flounder

as a long time commercial fisherman in nj i hope the asmfc looks to open up the harvest of in shore stocks as they are abundant. nmfs missed the boat on the stock assessment i have seen large numbers of 2 to 4 lb fish as far as 20 miles off.

as for the recreational harvest , it should be at least 8 fish and no closed season , the expenses for this group is high also. they also contribute to the local spring economy of these small coastal towns .

roy diehl

union beach nj 07735

From: Crab554@aol.com
To: [Melissa Yuen](#)
Subject: Winter Flounder Draft Addendum III
Date: Wednesday, March 06, 2013 2:23:42 PM

i have commercially landed sne winter flounder in nj for 30 years until it was stopped from the ne council for federally permitted vessels. i think there should be trip limits of 500 lbs per trip or day this along with the already in place mesh size would work. we have waited 4 years to catch and yes land flounders it does not make sense to discard every single one when they are extremely abundant.

roy diehl
554 clark ave
union beach,nj 07735
f/v donna lynn
president belford seafood co-op

KAYAKS (from page 7)

day, August 17. An evening launch at **Monahan's Pier 5** in Narragansett to fish off the South County shore.

Friday, September 8. Back to **Barn Island, CT**, for an early morning launch in pursuit of bass, blues, and, we hope, false blue crabs.

Friday, September 22. Our last scheduled outing for the season is launching in the **Sakonnet/Seapowet** area (or Fogland Beach), depending on local conditions.



In 2011 some of our members were landing bass and blues in November and early December, and if that activity continues in 2012 we will be

considering additional outings for properly outfitted kayakers.

For a more detailed schedule of kayak Committee outings, contact David Pollack at the address below, or Earle Guilford at earlgm@yaho.com.

Kayak Committee outings are open to all RISAA members and their guests, but if you plan to attend an outing and are not a member of the Kayak Committee you will not be on our email list and will not receive last minute notices of changes in times or locations. We also use that email group to keep each other informed of current conditions, and we hope to expand on that in the future.

While our outings are not limited to Committee members anyone who is a member interested in kayak fishing and sharing information and adventures with a group of committed kayak anglers should consider joining the Committee. To do so, contact me, David Pollack, at davidpollack@cox.net

WINTER FLOUNDER (from page 3)

In February 2011, the Rhode Island Fisheries Management Council (RIMFC) approved a plan to develop a long-term strategic plan to restore winter flounder in Narragansett Bay and the coastal ponds. This Plan was prepared by myself, Mike Bucko and other RISAA members, with the advice of RI Marine Fisheries Biologists Mark Gibson, John Lake, Jason McNamee and Najih Lazar.

The four elements of the plan are:

- Continue to conduct research on factors contributing to the collapse of winter flounder in Narragansett Bay and the Coastal ponds
- Evaluate winter flounder monitoring programs with a focus on the size and spatial distribution in the Bay and coastal ponds
- Determine areas of the Bay where aggregations of spawners exist and consider setting up habitat protected areas.
- Evaluate whether winter flounder aquaculture (hatchery) would be a viable operation to enhance stock recovery

In February 2012, the RIMFC Winter Flounder Advisory Panel reviewed a presentation by the Division of Fish and Wildlife (DFW) with a focus on the first element of the plan. There are several documented factors that may have contributed to the collapse of this fishery:

- overfishing
- pollution
- higher Bay water temperatures which can inhibit successful spawning
- low oxygen levels which can kill juvenile flounder when they move to deeper water in the winter
- bycatch mortality
- habitat destruction
- predatory fish, birds and mammals, and other factors.

On the positive side, the Providence Storm water containment system is in place, and the Brayton Point power plant will shortly not be pumping millions of gallons a day of 90 degree water into Mt. Hope Bay.

In the coming months, the DFW will provide a document which summarizes their best judgments as to the primary factors that have caused the collapse of "our" winter flounder stocks. Hopefully the conclusions will indicate it is possible to restore these fish to our Bay, then it's onward to the next step. What a joy it would be to once again catch a few "flatties" in the spring.

Kazin

Kane

Port Fishing Charters

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Captain Sandy Kane

Operating from Wickford, RI



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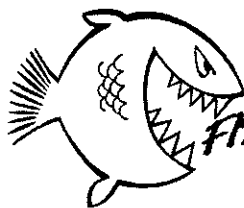
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Captain John Sheriff



Member

From: [Mike Toth](#)
To: [Melissa Yuen](#)
Subject: winter flounder comment
Date: Wednesday, March 06, 2013 2:38:25 PM

Melissa, here's my comment:

Winter flounder have become a commercial-fishing species.

First, few fishermen bother fishing for them now. Why purchase bait, chum, and tackle, rent a boat, or buy gasoline for their own boat when only two fish can be brought home?

Second, the comparatively longer seasons for commercial fishermen put recreational fishermen at a distinct disadvantage.

--

From: [Marc S.](#)
To: [Melissa Yuen](#)
Subject: Draft Addendum III to Amendment 1 of the Inshore Winter Flounder FMP
Date: Friday, March 08, 2013 11:18:16 AM

Dear Melissa Yuen,

I wish to submit the following public comment concerning Draft Addendum III to Amendment 1 of the Inshore Winter Flounder FMP:

1. Winter Flounder needs action to bring back the stock to acceptable levels.
2. Section 3.1 Option 2. is not acceptable as written for two reasons:
 - a. The process as proposed removes the public from the decision making within the individual states fisheries. As proposed the Winter Founder Technical Committee (TC) makes recommendations. Then "The Board" votes on the changes. There is no process between the TC and "The Board" where the states can go back to their fishermen to get their approval on any changes. The changes would be made in a vacuum under this option.
 - b. For the commercial and recreational measures, there is no proposed priority of which management measure would be first proposed. For example the public, in an individual state, may prefer a larger bag limit over a longer season if the stock is increasing. Or the state fishermen may prefer a shorter season and a larger size limit if a reduction is needed. Again the individual state fishermen are left out of the loop and this is very contrary to the Federal Fishery Management Council Process where there are numerous meetings and committees to gather public comment.

I am requesting the ASMFC **reject** Section 3.1 Option 2 and come back with another draft document to resolve the issues raised above. It is the public's fishery and the public should be the deciding body what are acceptable management options for this fishery.

Marc Stettner /s/

NH

3/8/13

From: [Sehna, Lawrence E. \(Lawrence\)](#)
To: [Melissa Yuen](#)
Subject: winter flounder
Date: Wednesday, March 13, 2013 9:20:09 AM

It would be beneficial to have a winter flounder season from March 1st - May 31st for both anglers, fish & economy.
Regards Larry Sehna

MAR 15 2013

1348 Avenue A

Manahawkin, NJ 08050

Melissa Yuen
FMP Coordinator
1050 N Highland St Suite 200A
N. Arlington Va 22201

October 3, 2012

Jersey Coast Anglers Association

1201 Route 37 East, Suite 4

Toms River, NJ 08753

Attn: Thomas Fote

I recently read a copy of your October 2012 copy of the JCAA newsletter. For years, I have been trying to find who managed the Winter Flounder program and was excited to find your listing on the ASMFC.

I wanted to suggest a change to the seasonal regulations. Current seasons begin on March 23rd and run until the end of May. In recent years, winter flounder have been active by March 1st and leave their winter bay grounds by May 1st. This past year, ⁽²⁰¹²⁾ Barnegat Bay waters were 62° F on opening day and the winter flounder had left the Bay by the time the season opened. Is there any way we can open the season on March 1st so our season coordinates with the time the fish are available? Currently, we have a season in which the fish have already left the area.

Sincerely,



Richard C. Jessen

I have been Winter Flounder fishing since a child with my father. 60 years later I miss the adventure of an early/rewarding fishing trip. Fishing for winter flounder provides early support for local business (marina, bait/tackle, Gas, luncheon/diner, etc.

I would propose a season from March 1 to April 15th with an increase bag limit. Netting in the Waretown area should be illegal. Warm water from power plant/the fish never go in. Both Mud and spawning fish are harvested.

From: gdobrinsky@firstenergycorp.com
To: [Melissa Yuen](#)
Subject: Winter Flounder Draft Addendum III
Date: Thursday, March 07, 2013 7:19:55 AM

I agree with your plans to limit commercial fishing on stocks but cannot see any more limits to recreational fishermen. We need to be able and go out with a hook and line and catch more winter flounder.

Thank you
Gary Dobrinsky
298 Shady Oaks Dr E
Saylorsburg, PA 18353

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From: [Dean Vervoort](#)
To: [Melissa Yuen](#)
Subject: NJ Winter Flounder Regs
Date: Wednesday, March 06, 2013 3:14:01 PM

Hi,

I just wanted to let it be clear that the recreational fishing for flounder has become nearly extinct due to the 2 fish limit and only one season. I would think that the limits should be similar to the fluke regs and at least make it worthwhile for consumers to spend money on bait, gas, charters, rental boats. Without the change the money never gets into the system.

Sincerely,

Dean Vervoort
Links Insurance Services, LLC
1821 Highway 71 Wall, NJ 07719
Tel: 732-449-4200
Fax: 732-449-2342
Dvervoort@linksins.com

From: cnastasi33@verizon.net
To: [Melissa Yuen](#)
Subject: Winter Flounder Draft Addendum III
Date: Tuesday, March 12, 2013 8:16:49 AM

Winter Flounder are a short lived fish with an average lifespan of about 5 years. To most effectively rebuild the stock in the shortest time period there should be a total moratorium on Winter Flounder for two years.

This moratorium should apply to commercial and recreation sectors with no allowed bycatch. Recreational winter flounder fishing is nearly non-existing in N.J. No significant stock improvement has occurred because the commercial sector is allowed to fish under a trip limit and bycatch system that is still economically viable for them. Winter Flounder stocks and the recreational fisherman suffer annually because of favoritism to commercial fishing. No commercial fisherman only fishes winter Flounder. All are diversified into multiple species and can economically afford the moratorium.

It is my opinion that a moratorium on the Winter Flounder fishery should be put into effect now for a two year time period. At the current rate this fishery will continue to mirror the Cod fishery and only decline in stock populations. Now is the time to act not in future years.

Chris Nastasi
33 South av.
Atlantic Highlands, NJ. 07716
732-693-7564

MEMO

From: Bud Brown, President, ECO-ANALYSTS, INC.

To: Melissa Yuen, Winter Flounder Fisheries Management Plan Coordinator

cc: David Simpson, Management Board Chair
Bob Beal, Executive Director ASMFC
Steve Correia, Technical Committee Chair
Pat Keliher, Maine DMR
Terry Stockwell, Maine DMR
Linda Mercer, Maine DMR
Sally Sherman, Maine DMR
John Bullard, NOAA
Bill Karp, NOAA
Tom Nies, Executive Director, NEFMC
Aaron Dority, Penobscot East Resource Center

Date: March 25, 2013

RE: Comments on Draft Addendum III to the Winter Flounder Fisheries Management Plan

Dear Melissa,

Thank you for this opportunity to comment on the Draft Addendum III to the Winter Flounder Fisheries Management Plan. Since we have not personally had an opportunity to discuss my involvement with Winter Flounder, I will give you a brief history.

This is the twentieth anniversary of my quest to see the restoration of Winter Flounder to my home waters at the mouth of the Kennebec River in the Gulf of Maine (GOM). If one looks at the Landings data, both Commercial and Recreational, for the GOM Stock, it is clear that the Stock is in trouble. I believe that allowing any sort of landings from State Waters to be problematic and am opposed to the proposal to do that in Addendum III.

I have attended Meetings of the Atlantic States Marine Fisheries Commission (ASMFC) and New England Fisheries Management Council (NEFMC) for twenty years. My involvement was extensive. I have been Chair of the ASMFC Winter Flounder Advisory Panel (AP) for many years as well as Chair of the Advisory Committee when it was in place. At the NEFMC I was Vice-Chair of the Recreational AP and a member of the Habitat AP until I resigned from those positions. During many of the earlier years I never missed a meeting.

I am a scientist and have owned an Environmental Consulting company since 1975. In my business, we work extensively in the marine and fresh water environments. Among the components of our Projects we do Fisheries, Wildlife, and Habitat Management plans for numerous species; write management plans for FERC Hydro Licensing Lakes and Impoundments, and have written Essential Fish Habitat (EFH) Assessment for industrial clients in the marine environment. Each year we obtain dozens of Permits for marine activities on the coast of Maine. Our Projects literally encompass the entire coast from Kittery to Calais. I can assure you that I never do a Project without discussing Winter Flounder with Clients and locals whenever the opportunity presents itself.

There are several components which form the basis for Addendum III with which I take issue. They are as follows:

1. The Stock Assessment
2. Habitat Issues
3. Climate Change

I will discuss each issue below and provide detail for each of my concerns.

STOCK ASSESSMENT

More than anything else, the lack of precision in the Winter Flounder Stock Assessments has frustrated my efforts. While the Stock conditions along the Maine coast have not changed appreciatively since it became almost impossible to catch a Winter Flounder by the late 1970's, early 1980's - the various Assessments have been all over the board. The Stock Status has ranged from Over-fished, to not Over-fished, to Indeterminate. Fishing activity has ranged from Over-fishing occurring, to Over-fishing not occurring, to Indeterminate.

My belief is the fundamental flaw in the process is that multiple distinct stocks are compiled into a single large GOM stock. It is well documented in the Literature that Winter Flounder do not move far and have consistent seasonal inshore and offshore migrations. Unlike the Southern New England (SNE) Stock where those migrations are inshore in the Winter and Offshore in the Summer, the GOM (and Canadian) Stocks move inshore in the Summer and offshore in the Winter.

The Maine DMR has now been conducting a Trawl Survey for many years. In the earlier years, the results of that Survey were not incorporated into the Assessment Models because it had too short a Time Series. I believe it is now accepted but am unsure. I have copied Sally Sherman at DMR for her comments on that and for her to confirm or critique my comments. Having discussed this issue many times with DMR at all levels, I am confident in stating that while smaller Winter Flounder individuals are tallied in the Surveys, they never recruit. Put simply, the Stock Assessments are not valid for what everyone observes on Maine's coastline. Never have I heard anyone, whether within the Fishery or Agency Communities in Maine, dispute what I am saying about the abundance of Winter Flounder here on the coast.

HABITAT

One of the issues which is consistently mentioned as a reason for the lack of Winter Flounder on the Maine coast is habitat degradation. I will list a number of professional experiences and observations which I believe negate those concerns. Listed below are the two broad categories of most often mentioned concerns:

1. Water Quality
2. Pesticides

Both are issues with which I have widespread and long term professional experiences.

Water Quality

I find it ironic that in untold numbers of conversations with fishermen, a common thread is that once the Sardine Factories in Eastport were closed and the Wastewater Treatment Plants in the Towns and Cities were put in place, the Winter Flounder disappeared because they had nothing to eat. Then in the next breath, Chlorine and Hormones from Birth Control pills are blamed for killing the eggs and the juveniles.

Those concerns ring hollow for me. On a professional level, one of the things we have done over the years has been conducting Biocriteria Assessments above and below Wastewater discharges at Paper Mills on all of the major Rivers in Maine as well as below Hydro Impoundments. Consistently and without exception, water quality standards have been met. Those assessments consist of samplers for Aquatic Macro-invertebrates with the data evaluated with a Linear Discriminant Models developed by the Maine Department of Environmental Protection (DEP) which evaluate the Community health. We often have found Brook Trout stream Aquatic Insects below the discharges. The DEP Biocriteria Model has been vetted by the U.S. Environmental Protection Agency (EPA) and has been adopted by many other states for their Water Quality programs.

At an anecdotal level, the ironic thing I have seen is the Winter Flounder fishery in Boston Harbor is now shown on the weekend Fishing Shows on the various Sportsman Channels. Anyone familiar with the species knows that ulcers were common on Winter Flounder in the Harbor. They also know that it was literally a destination fishery for people as far away as New Jersey. That fishery is now coming back in the most urban location within the entire GOM.

In the State of Maine the minuscule recovery of the species is at the ends of the coastline, namely the Perry shore near Eastport and in the Kittery/Portsmouth area. Another important consideration on this topic is there are still no appreciable numbers of Winter Flounder on extensive lengths of the coastline where there are no Wastewater Treatment Plants. Given that juveniles are still captured in the Trawl Survey and that the data show greatly enhanced water quality since the Stock has collapsed, I find it implausible that Water Quality is the issue.

Pesticides

Like water quality studies, my personal experiences with Pesticides is extensive. From 1975 to the early 1980's, my business was focused on the Spruce Budworm spray program. We did Registration work on a number of Insecticides and conducted numerous detailed studies on potentially vulnerable invertebrate and vertebrate species. A pertinent study was Insecticides at River mouths. We took water samples in the marine environment and indeed found detectable levels of Insecticides, especially Sevin-4-Oil. That is one of the most common Insecticides in use. Winter Flounder were still very common at that time.

Subsequent to that work, I developed Integrated Pest Management (IPM) programs for the Blueberry industry in Downeast Maine. In that program, we dramatically reduced the amounts of Insecticides used on the fields. Also note that we found none of those Insecticides in the Spruce Budworm River Mouth sampling. Sampling for Velpar, the extensively utilized Herbicide, also revealed mostly undetectable levels. That program has been refined to a point where Herbicide use is also greatly reduced. Therefore I can identify no reason for concern on this issue.

CLIMATE CHANGE

Changing water temperatures are frequently identified as a potential reason for impacts to Winter Flounder. I find that to be a Red Herring for a number of reasons. The first thing to consider is that the GOM is not a bath tub with uniform temperatures. There is a definite gradient from Kittery (where water is warmest) to Eastport (where water is coldest). Those extremes are the only places where Winter Flounder are catchable. Having been overboard in harbors all along the Coast, I can tell you that once one gets east of Casco Bay in the Summer, it isn't hard to tell the difference.

Beyond that, there are micro-climates within all of the areas along the entire coastline. Anyone with fisheries experience recognizes that individual s of various species only need to make a short move to avoid lethal conditions. We find refugia in Brook Trout streams where some areas have 80 degree water and the fish find 55 degree water.

Here in my home waters, where I have lived, fished, and boated my entire life, Winter Flounder came into the "Channel" in Sagadahoc Bay, where my ancestors speared them annually, as soon as the Ospreys showed up. As Summer progressed, they moved out to Salter's Island where we caught them until Fall. There was then a late Fall Commercial fishery off Sequin. I and nobody else can find them anywhere. There was a small spurt of a Recreational fishery at Damariscove a couple of years ago but a single Charter Boat Captain cleaned them up!

SUMMARY

Commercial fishermen in State Waters on the Maine coast are finding it more and more difficult to earn a living. The Scallop fishery is facing localized closures on a consistent basis. The Northern Shrimp fishery is in such bad shape that the quotas are not being caught, even with recent further relaxation of restrictions in a year where the Scientists recommended a complete closure.

Groundfish are simply not available in inshore waters. The Penobscot East Resource Center's Sentinel Hook Survey Fishery basically finds no inshore groundfish except for Halibut which ironically (there's that word again) is so depleted that there is a one fish limit in the EEZ.

Having been involved with Fisheries Management for so long (I have been nominated to be on the NEFMC a number of times), I have become acquainted with many Commercial fishermen and Regulators. Everyone knows what I think about Winter Flounder. I've been told stories about "cleaning them up at the Falmouth Yacht Club", "selling them by the bushel for Tuna bait and chum", "shoveling them overboard before the Grate was adopted in the Shrimp fishery", and on and on.

My belief is Winter Flounder and other Groundfish species have been allowed to be Overfished to a level where the Biotic Potential is so low that reproduction has been unable to overcome natural predation. The 20+ year moratorium on Cod in Newfoundland is emblematic of that. The Stock Assessment process must be refined to a level where what everyone knows to be true is captured in science. Until that time, allowing any directed fishery on the GOM Winter Flounder Stock is indefensible in my opinion.

Again, thank you for this opportunity. The fact that Maine did not have a Public Hearing reflects the fact that it has been so long since anyone caught any number of Winter Flounder (about 40 years), there is no longer any interest in them. In a post Seminar discussion I had with Presenters at the Maine Fishermen's Forum this year, Dr. Michael Fogarty from the Northeast Fisheries Science Center called that the "moving baseline" I believe he called it where current fishermen have no institutional memory of the way it used to be.

However, my interest has not waned. I have even considered using my skills to submit a Petition for Listing for Winter Flounder under the Endangered Species Act (ESA) and have discussed it with Maine DMR. Seeing absolutely no results after 20 years is alien to my experience. Let's hope we can do something to bring them back.



RB
TK
MY

Dear Ms. Yuen,

I am a former free lance writer and now field editor for 8 years at The Fisherman magazine based in the N. J/NY area. My name is Bob Misak and I, along with four generations of my family, have lived on the shores of and worked in Barnegat Bay for all of our lives. We know virtually every fyke netter in the bay, and we fish for flounder religiously since we were young children. I am writing what I feel is not only an educated, but researched opinion on the subject of winter flounder. As you know, Barnegat Bay is the hub of the flounder population on the east coast, hands down. However, due to the tightening of the regulations so severe that the sport of flounder fishing has been all but abandoned for other more productive fishing, it can only be said that the populations are in check; for now anyway. This is mainly due to the tightening of not only the recreational but the commercial regs, for lack of a better word. The commercial guys are people I grew up along side; they now have such a small limit that the netting they do is for their consumption and a few choice friends now. They DO NOT make any money at 63 fish a day, or whatever that ridiculous number is that they came to. My personal findings, and this is from years and years and years of being right in the mix of the flounder fleets; two fish for most families per day is not even a day's meal unless the entire family fishes; this is just a bit crazy, don't you think? I propose, and again, this is because of the tight rules in years past, and because I see the numbers up close, to raise the limit to the equivalent of a meal of fish or four flounder, recreationally. We had days last season where we wanted to run our chum out and we had up to 40 fish with four guys on board, and this hasn't changed in many years. Back when the limit was 10 per day, we all limited on most days. If you would put this letter on top of your list, you'll see that the local boys in Waretown and Forked River know more about the winter flounder than anyone out there; as far as the "commercial" end of it, I don't believe there ever was a real commercial winter flounder fishery and neither do the guys that break their backs doing it; the flounder's spawning area just isn't that diverse. I thank you for hearing me out, and you can E-mail at meez930@comcast.net or call 609-242-8873 to talk further. I have sent you some pics of three generations of my family and the flounder we catch every single year; please consider a little raise in the limit, because we believe the numbers are there, and we love to catch and eat flounder. Not as biologists, but as lifetime flounder fishermen.

Thank you, Bob Misak 930 Tappan St. Forked River, N.J. 08731

my son jr. and my grand-daughter Brynn in wick- Dig Fish!!!





Myself and my two Sons Bob Jr. + Zachary in 2011.

